

**Planning & Zoning Office  
Sherman, Connecticut**

**Zoning Enforcement Officers Report  
January 2021**

**The Following Permit Applications Have Been Approved:** **Qty: 6**

8158	Bizier	5 Upland Pasture	Construct a new Single Family dwelling, install driveway, pool, pool equip., septic and well.	A
8163	890 Sherman Carlson LLC	32 Long River Road	Construct new single family dwelling, install driveway, well and septic.	A
8164	890 Sherman Carlson LLC	30 Long River Road	Construct new single family dwelling, install driveway, well and septic.	A
8173	Warney	35 Ledgewood Drive	Install an Emergency Standby Generator Variance Granted by ZBA.	B
8175	Kroeger	7 Rising Sun Trail	Install an Emergency Standby Generator	B
8174	Cohen/Harrison	28 Deer Run Trail	Construct a roof deck, breezeway, entry Overhang and finish garage attic.	B

**The Following Statements Of Intent Were Approved:** **Qty: 0**

**The Following Statement Of Intent Were Received And Filed For Record Only:** **Qty: 0**

**The Following Applications Were Withdrawn:** **Qty: 0**

**The Following Permit Applications Have Been Denied** **Qty: 0**

**The Following Permit Applications Have Been Denied Without Prejudice** **Qty: 0**

**The Following Applications Were Returned For Lack Of Information:** **Qty: 0**

**The Following Applications Were Not Processed Since They Were Duplicates:** **Qty: 0**

<u>The Following Applications Require Additional Information Or Review:</u>				<u>Qty: 5</u>
8083	Arnold	5 Briggs Hill Rd.	Construct a 16' x 24' screened-in porch Attached to the existing dwelling.	A
8115	Butscher	11 Old Forest Drive	Construction of a 12' x 16' shed.	B
8150	Drewatolitsch	10 Lake Woods Shore Dr.	Renovate existing dwelling – add another story	B
8166	Nap Bay, Chestnut Holdings	45 Wanzer Hill Road	Convert existing detached garage into play room.	B
8176	Choquette	5 Hill Side Drive	Relocate front porch, add garage door overhang.	B

**Old Business:**

**ZV 05-18** 3 Deer Run Trail – Operating a Resident Contractor Business without the required determination of “No Impact Business” or issuance of a “Special Permit” by the Planning and Zoning Commission – Violation of Section 324.1C, “Resident Contractor” and Section 324.1C.2, “All Impact Businesses Resident Contractors” of the Town of Sherman Zoning Regulations. *A Notice of Violation was mailed on May10, 2018. There is still evidence (construction equipment and vehicles) that a business is being run from the property. A second Notice of Violation was sent on September 6, 2018. No response received form the property owner. A follow-up letter will be sent. A follow up letter will be sent on 3-5-2020. A letter was sent on March 20, 2020 requesting a meeting on the property or at Town Hall. There has been no response from the home owner. Another the letter will be sent. The letter will be mailed 12-08-2020. The letter has not been sent yet due to a shift in priorities. A letter was sent on 2-4-2021.*

**ZV 22-18** 8 Spur Lane - Complaint - Raising chickens in Zone B without the required Special Permit. Reference Section 332.1 Permitted Uses - Zone B - *A Notice of Violation will be sent. A Notice of Violation was sent on August 21, 2018. The property owner responded and plans on applying for a Special Permit – Zone B. The small hutch has been removed. Documentation has been received and is being reviewed regarding therapy animals. Still under review and discussion with the Town's Land Use Attorney. A special needs situation exists. The tenant has agreed to fill out new forms updating those the town has on file. The forms will be sent by the ZEO next week. The forms will be sent 12-08-2020. The letter has not been sent yet due to a shift in priorities. A letter was sent on 2-4-2021.*

**ZV 29-18** 28 Wanzer Hill Road – A 6' high stockade fence and hot tub was installed without the required permits. In violation of Section 410 “Zoning Permits” of the Town of Sherman’s Zoning Regulations – Zone B. *The contractor and home owner have both been contacted and a Notice of Violation will be sent. A Notice of Violation was sent on August 22, 2018. An application has been received and will be denied. After discussing the setbacks the owner decided to remove the fence and move the hot tub to a conforming location. The*

*violation has not been corrected yet. A letter was sent on February 28, 2019 as a reminder that violations still exist on the property and the application that they submitted cannot be processed without the application fee. We determined that the fees had been paid and a second check she provided was returned. She stated she would call to set up a meeting to review what needs to be done to resolve the outstanding issues. The ZEO had a meeting with the property owners the week of 6/3/19 on the property and requested the as-built survey. The property owner called on 6/6/19 and stated that the surveyor is scheduled to come back out to locate the fence, hot tub and shed. She will provide a copy when the work is done. A copy of the survey has been received. The survey shows the proposed location of the hot tub and the actual location of the installed 6' high fence. The owner plans on applying for a variance to allow a 6' high fence in front of the 50' front set back line. As of January 1, 2020 ZBA has not received an application. A letter will be sent. A letter was sent on March 18, 2020. The property owner has not responded. Another letter will be sent. The letter will be sent 12-08-2020. The ZEO stopped at the house on 12-04-2020 and spoke with the owner. She had hired the Engineering /Surveying firm to apply for a variance on her behalf, but they haven't done so. She will call them and asked me to do the same to get things moving. I called the surveyor as the property owner requested. The surveyor has it on his desk and will address it in the coming weeks. He hopes to apply for the variance on behalf of the owner. **An application has been received by the Zoning Board of Appeals. The case will be heard at the March 2, 2021 meeting. No further action required by the Zoning Enforcement Officer at this time.***

**ZV 33-18**

121 Route 39 South – An accumulation of waste, junk and debris exists on the property in violation of Section 323 and Section 323.2 of the Zoning Regulations. Zone B. A Notice of Violation was sent on August 22, 2018. The property owner came to the office of the ZEO on September 5, 2018 and promised she would clean up the property. A letter was sent on February 28, 2019 and I received a response call on March 6, 2019. Since the proposed shed location is up on a steep bank and with the snow cover she has requested an extension until June to bring the property into compliance. *The ZEO will wait until June to follow up with the owner. The ZEO will make an appointment to walk the site the week of August 5<sup>th</sup>. The ZEO did a drive by and observed that the junk / debris has not been removed. A letter was mailed on 8-28-19 requesting compliance and schedule on when the work will be completed. The Zoning Office never received a response to the letter. Another letter will be sent. Another letter was sent on 3-5-2020. The ZEO met with the property owner on March 10, 2020. The owner requested 2 weeks to clean up the property. The ZEO agreed. A letter was sent on March 17, 2020 confirming the conversations the ZEO and property owner had the previous week. The property owner has not responded. Another letter will be sent since the property has not been cleaned up. The letter will be sent on 12-08-2020. The letter has not been sent yet due to a shift in priorities. **A letter was sent on 2-4-2021.***

**ZV 01-19**

21 Holiday Point Road – A shed was constructed without the required permits and not in compliance with the front yard property line setback requirements. Reference Section 410 Zoning Permits and Section 331.5 Minimum Setback Requirements – Zone A. *A Notice Of Violation was mailed on 3-1-19. Follow-up required. A 2<sup>nd</sup> Notice of Violation was sent on 8-28-19. Another letter will be sent. A 3<sup>rd</sup> Notice of Violation was sent on 03-05-2020. A 4<sup>th</sup> Notice of Violation was sent on March 18, 2020. This time it was also sent to their New York address. The property owner has not responded. Another letter will be*

*sent. The letter will be sent on 12-08-2020. The letter has not been sent yet due to a shift in priorities. A letter was sent on 2-4-2021.*

**ZV 02-19** 152 Route 39 South – A Hot Tub with electrical hookup has been installed on top of an existing deck in a non-conforming location and without first applying for the required permit. Reference Section 410 and 332.5 of the Town of Sherman Zoning Regulations. Zone B. *A Notice of Violation was sent. The ZEO met with the mother of the man that owns the property. She stated her son is overseas serving in the military and will contact me when he is on leave. The ZEO sent a 2<sup>nd</sup> Notice of Violation on March 18, 2020. He had not heard from anyone since the conversation he had with the mother last year. The property owner has not responded. Another letter will be sent. The letter will be sent 12-08-2020. The letter has not been sent yet due to a shift in priorities. A letter was sent on 2-4-2021.*

**ZV 06-19** 4 Taber Road – Two Temporary Structures Erected without the required permit. Reference Section 324.2.B of the Town of Sherman Zoning Regulations. - Zone A *A Notice of Violation was sent. The NOV was returned by the post office. A second NOV will be sent to the location in Sherman. A second Notice of Violation was sent on March 5, 2020. ZEO had a meeting with the property owner on 3-13-2020. He was given a driveway permit application and informed that the temporary structures will have to be removed. A meeting is scheduled with the property owner on Friday September 4. A schedule will be discussed to remove the structures and to bring the property into compliance. The meeting was held on September 23<sup>rd</sup> and a schedule was discussed to remove the cargo carrier. It will be moved from the property in the following two weeks. The other structure will be measured to determine if the footprint is over 200 square feet. The structure has not been measured by the ZEO yet. The phone number the ZEO had is no longer in service. Several attempts have been made to catch the property owner at home during the day, but there has been no success. A letter will be sent requesting permission to enter the property. A letter was sent on 2-4-2021.*

**ZV 11-19 and 06-20** 23 Route 39 North – A camper parked on the property is being used as a full time residence in Violation of Section 331.1 (not a permitted use) and 324.1D4 (trailer parks not permitted) of the Town of Sherman Zoning Regulations. The ZEO has discussed this violation with the property owner, *A Notice of Violation will be sent. The ZEO spoke to the owner of the property and he stated the trailer and the occupants would be off the property by 11/22/19. Subsequent conversations with the owner's representative and message left for the ZEO revealed the occupants of the trailer refuse to leave. Follow-up with the State Trooper has been done. Danbury Superior Court has been contacted and messages have been left for the property owner to schedule a meeting to discuss the issue. A Notice Of Violation was sent on 2/25/2020. On March 4<sup>th</sup>, the owner took legal action to have the camper/trailer and its inhabitants removed from the property. No further up date as of April 2, 2020. No further up date as of July 8, 2020. The ZEO spoke with the property owner's attorney and there is no further action that can be taken until the courts issue an Eviction Notice. The state has extended eviction proceedings until April 1<sup>st</sup>.*

**Case 10-20** 1 Spring Lake Road and 23 Route 39 North –A written complaint was received 5-12-2020 questioning possible non-conforming uses of property. *Under investigation.*

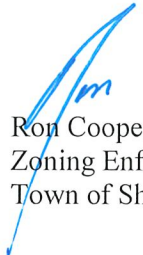
**Case 11-20** 48 Route 37 South – Possible non-conforming use of property. *Under Investigation.*

**No New Business:**

**Zoning Board of Appeals**

February Meeting - Cancelled due to the lack of applications

Litigation - 6 Echo Lane South – Accessory Dwelling Denied without Prejudice – Decision  
Appealed in Danbury Superior Court.



Ron Cooper  
Zoning Enforcement Officer  
Town of Sherman