

TOWN OF NORFOLK
ZONING BOARD OF APPEALS
19 Maple Ave. P.O. Box #552
Norfolk, CT 06058
mhalloran@norfolkct.org

Application to Norfolk Zoning Board of Appeals

Property Location: 524 WINCHESTER ROAD, NORFOLK, CT

Name of Property Owner: LUIS & AMANDA MEDINA

Name of Applicant: DAVID S. TORREY
(if different from above)

Mailing Address: 10 SCHOOLHOUSE ROAD, NORFOLK, CT 06058

Telephone: 860 459 7090 email: TORREYLAW@COMCAST.NET

Type of Hearing Requested:

- Appeal from a Decision of the Norfolk Zoning Enforcement Officer**
Application to hear, consider and decide appeals when it is claimed that there is an error in any order, requirement or decision of the ZEO. Appeal from a ZEO Decision must be brought within 30 days of the date of the order, requirement or decision at issue.

Reason for Appeal: (attach additional sheets if necessary): ZONING PERMIT

APPROVED IN VIOLATION OF C.B.S 47-42d.
UP TO 4 EXCESS OUTBUILDING IN VIOLATION OF
DEED CONSERVATION RESTRICTION.

Zoning Board of Appeals does not hear appeals from those seeking to overturn decisions of the Planning & Zoning Commission, including approvals of Special Permits, which must be appealed through the Superior Court.

- Variance from Norfolk Zoning Regulation Section # _____**
Application to determine and vary the application of the zoning regulations for a dimensional or use variance on a parcel of land having unusual conditions that would make development in full accordance with the regulations extremely difficult or cause unusual hardship. The proposed variance will not impair the public health, safety, comfort or welfare of Norfolk's residents, will not alter the essential character of the neighborhood and will remain in harmony with the general purpose and intent of the Norfolk Zoning Regulations.

Location of Property: _____

Attach sketch of property involved showing location, set back distances, dimensions, and existing and/or proposed building or alterations.

Explain: (attach additional sheets if necessary): _____

A \$310.00 fee (\$250.00 application fee plus \$60.00 state surcharge) must accompany this application and be mailed or presented to the Office of the Town Clerk, c/o Town Hall, 19 Maple Ave., P.O. Box #552, Norfolk, CT 06058.

Signature of Property Owner

James Turner

Signature of Applicant (if different)

12/20/23

Dated

11/29/23, 11:10 AM

Town of Norfolk, CT

Summary

Account Number 001500
 Parcel ID 100524
 Property Address 524 WINCHESTER RD
 Use Class/Description 1-1 RESIDENTIAL LOT
 Map/Block/Block Cut 5-04/4/2/
 Zoning RU
 Acres 4



[View Map](#)

Owner

MEDINA LUIS & AMANDA
 524 WINCHESTER RD
 NORFOLK, CT 06058

Valuation

	2022	2021
Assessed Year	\$673,550.00	\$665,630.00
Appraised Building Value	\$13,950.00	\$13,650.00
Appraised XF/OB Value	\$73,000.00	\$73,000.00
Appraised Land Value	\$760,500.00	\$752,280.00
Appraised Total Value	\$471,490.00	\$465,950.00
Assessed Building Value	\$9,770.00	\$9,560.00
Assessed XF/OB Value	\$47,090.00	\$47,090.00
Assessed Land Value	\$528,350.00	\$522,600.00
Assessed Total Value		

Land

Building Number	1	Land Units	2 AC
Land Use	1-1 - RESIDENTIAL LOT	Value	65,000
Building Number	1	Land Units	1.3 AC
Land Use	714 - FARM ORCHARD	Value	5,200
Building Number	1	Land Units	0.7 AC
Land Use	713 - FARM TILL C	Value	2,800
Building Number	2	Land Units	0 AC
Land Use	1-1 - RESIDENTIAL LOT	Value	0

Building Information

Building # 1
 Style Colonial
 Occupancy 1
 Actual Year Built 2004
 Effective Year Built 2011
 Living Area 4,285
 Stories 2
 Grade 08 A-
 Condition A
 Exterior Wall Clapboard
 Interior Wall Drywall/Sheet

Notes

2021GL PA490 FARMLAND
 2022 REROOF
 Fireplaces
 Roof Cover Asphalt
 Roof Structure Gable/Hip
 Floor Type Hardwood Ceram tile
 Heat Type Hot Water
 Fuel Type Oil
 AC Central
 Bdrms/Full Bth/Hlf Bth/Ttl Rm 04/3/1/9
 Basement Finished Area 1,176
 Basement Sq. Ft. 1,176

Code	Description	Living Area	Gross Area	Effective Area
RAS	First Floor	1,931	1,931	1,931

11/29/23, 11:10 AM

Code	Description	Living Area	Gross Area	Effective Area
		294	1,176	294
FAT	Attic, Finished	0	1,176	447
FBM	Basement, Finished	0	572	200
FGR	Garage, Framed	0	574	144
FOP	Porch, Open, Finished	2,060	2,060	1,854
FUS	Upper Story, Finished	0	141	17
PTO	Patio	0	884	71
UAT	Attic, Unfinished	0	518	62
WDK	Deck, Wood	4,285	9,032	5,020
Totals				

Building #	2	Notes	
Style	Gar/Apt	Fireplaces	Asphalt
Occupancy	1	Roof Cover	Gable/Hip
Actual Year Built	2006	Roof Structure	Hardwood
Effective Year Built	2010	Floor Type	Hot Air-no Duc
Living Area	1,860	Heat Type	Oil
Stories	1.5	Fuel Type	Central
Grade	07 B+	AC	00/1/0/2
Condition	A	Bdrms/Full Bth/Hlf Bth/Ttl Rm	
Exterior Wall	Clapboard	Basement Finished Area	
Interior Wall	Drywall/Sheet	Basement Sq. Ft.	

5633

Code	Description	Living Area	Gross Area	Effective Area
		1,368	1,368	1,368
BAS	First Floor	0	150	30
CAN	Canopy	492	984	492
FHS	Half Story, Finished	0	136	34
FOP	Porch, Open, Finished	0	384	46
WDK	Deck, Wood	1,860	3,022	1,970
Totals				

Out Buildings\Extra Features

Description	FIREPLACE A	Year Built	2008
Sub Description		Value	\$9,300
Area	2 UNITS		
Description	SHED GOOD	Year Built	2006
Sub Description		Value	\$2,610
Area	174 S.F.		
Description	SHED GOOD	Year Built	2006
Sub Description		Value	\$2,040
Area	136 S.F.		

Sales History

Sales Date	Instrument Type	Grantor	Grantee	Book/Page
8/12/2004	Family Sale		MEDINA LUIS & AMANDA	0099-0224

Recent Sales In Area

Sale date range:

From: To:

Permit Information

Permit ID	Issue Date	Type	Description	Amount	Inspection Date	% Complete	Date Complete	Comments
19-106B	09-24-2019	ST	Stove	\$7,000		100		WOODSTOVE IN EXITING ACCESS STRUCTURES
	05-01-2007	CO	C.O. ISSUED	\$0		100		
7922-B	12-31-2005	SH	Shed	\$4,000	4/30/2005 12:00:00 AM	100		
7597-M	08-27-2004	RE	Remodel	\$85,300		100	10-05-2004	CO ISSUED
7414-B	09-25-2003	NC	New Construct	\$400,000		100		

Sketch

TOWN OF NORFOLK
Zoning Enforcement Office
P.O. Box # 552, 19 Maple Ave.
Norfolk, CT 06058-0552
mhalloran@norfolkct.org (860) 542-6804

On November 28, 2023 I received an email from David Torrey regarding possible violation of non-permitted outbuildings on the property of Luis and Amanda Medina on 524 Winchester Road.

I contacted Mr. Medina by phone and set up a site visit. I visited the site on 12/12/23 and brought with me a partial site plan of the property as well as a zoning permit. While I sketched out the additional structure on the site plan, Attorney Medina filled out the zoning permit. He also gave me a check which included an ex post facto fee. I processed application #23-044 and mailed the approved permit that afternoon. A copy was also sent to the Building Inspectors office.

Several follow-up conversations took place with Attorney Torrey regarding the permit and him stating that Attorney Medina was in violation of deed restrictions on the property at 524 Winchester Road. On 12/20/23 Attorney Torrey filed an appeal to ZBA that the approved zoning permit was in violation of Connecticut General Statute (CGS) 47-42d. Attorney Torrey also included copies of CGS 47-42a and 47-42d. The deed, volume 99, pages 224-226 as well as a map #1313, were included with the application.

On 12/24/23 Attorney Torrey did FOI and reviewed the file for 524 Winchester Road.

I did print out CGS Sec. 8-7, Appeals to board, which is what I have always based the appeal process on. I had conversation with the Land Use attorney who confirmed it is in the hands of ZBA. I also emailed Attorney Medina on 1/9/24 to tell him of the Appeal.

An agenda has been filed for a meeting on 2/1/24, and a legal notice has been sent to the Republican American to be run two times. A copy of the agenda and legal notice will be sent to all parties involved.

§ 47-42a. Definitions

For the purposes of sections 47-42b, 47-42c and 47-42d, the following definitions shall apply:

(a) "Conservation restriction" means a limitation, whether or not stated in the form of a restriction, easement, covenant or condition, in any deed, will or other instrument executed by or on behalf of the owner of the land described therein, including, but not limited to, the state or any political subdivision of the state, or in any order of taking such land whose purpose is to retain land or water areas predominantly in their natural, scenic or open condition or in agricultural, farming, forest or open space use.

(b) "Preservation restriction" means a limitation, whether or not stated in the form of a restriction, easement, covenant or condition, in any deed, will or other instrument executed by or on behalf of the owner of land, including, but not limited to, the state or any political subdivision of the state, or in any order of taking of such land whose purpose is to preserve historically significant structures or sites.

Source:

(1971, P.A. 173, S. 1; P.A. 04-96, S. 1 ; P.A. 05-124, S. 1 .)

Sec. 47-42d. Permit applications filed with state or local land use agency, local building official or director of health. Appeals by party or state agency holding restriction. Civil penalty. (a) For purposes of this section, "state or local land use agency" includes, but is not limited to, a municipal planning commission, municipal zoning commission, combined municipal planning and zoning commission, a municipal zoning board of appeals, municipal inland wetlands and watercourses agency, a municipal historic district commission and any state agency that issues permits for the construction or improvement of real property.

(b) No person shall file a permit application with a state or local land use agency or a local building official or director of health, other than for interior work in an existing building or for exterior work on an existing building that does not expand or alter the footprint of such existing building, relating to property that is subject to a conservation restriction or a preservation restriction unless the applicant provides proof that the applicant has provided written notice of such application, by certified mail, return receipt requested, to the party holding such restriction, including, but not limited to, any state agency that holds such restriction, not later than sixty days prior to the filing of the permit application. In lieu of such notice, the applicant may submit a letter from the holder of such restriction or from the holder's authorized agent, verifying that the application is in compliance with the terms of the restriction. If the applicant has provided written notice pursuant to this subsection, the holder of the restriction may provide proof to the state or local land use agency or local building official or director of health that granting of the permit application will violate the terms of the restriction and such agency, official or director shall not grant the permit. Nothing in this section shall be construed to prohibit the filing of a permit application or to require such written notice when the activity that is the subject of such permit application will occur on a portion of property that is not restricted under the terms of such conservation or preservation restriction.

(c) If the applicant fails to comply with the provisions of subsection (b) of this section, (1) the party holding the conservation or preservation restriction, other than a state agency that holds such restriction, may, not later than fifteen days after receipt of actual notice of permit approval, file an appeal with the state or local land use agency or local building official or director of health, subject to any rules of such agency, official or director relating to appeals. The agency, official or director shall reverse the permit approval upon a finding that the requested land use violates the terms of such restriction; or (2) the state agency that holds such restriction may, not later than thirty days after receipt of actual notice of permit approval, file an appeal with the state or local land use agency or local building official or director of health, subject to any rules of such state or local land use agency, official or director relating to appeals. Such state or local land use agency, official or director shall immediately reverse such permit approval if the

commissioner of the state agency that holds such restriction certifies that the land use authorized in such permit violates the terms of such conservation or preservation restriction. The commissioner of the state agency that holds such restriction may impose a civil penalty of not more than: (A) Five thousand dollars for a violation of subsection (b) of this section; and (B) one thousand dollars for each day that such violation continues after the applicant receives an order from such commissioner assessing a civil penalty pursuant to subparagraph (A) of this subsection.

(P.A. 05-124, S. 2; P.A. 10-85, S. 1.)

History: P.A. 10-85 amended Subsec. (b) by limiting exemption for exterior work to existing building, including reference to any state agency that holds restriction and adding provision re filing of application or requiring notice when activity will occur on portion of property that is not restricted under terms of conservation or preservation restriction and amended Subsec. (c) by designating existing provisions re appeal by party holding restriction as Subdiv. (1), amending same to add exception re state agency that holds restriction, adding Subdiv. (2) re appeal by state agency that holds restriction and adding provision re civil penalty.

VOL. 99 PAGE 224

11450

STATUTORY FORM WARRANTY DEED

SHELLEY E. HARMS and DAVID S. TORREY, both of 10 Schoolhouse Road, Norfolk, Connecticut 06058, and JOHN AVERY and ELISABETH AVERY, both of 801 West End Avenue, New York, NY 10025 and LUIS MEDINA and AMANDA MEDINA, both of 29 Croton Avenue, Ossining, New York 10562, hereinafter referred to as the Grantor, for \$1.00 and other valuable consideration paid, grant to LUIS MEDINA and AMANDA MEDINA, both of 29 Croton Avenue, Ossining, New York 10562 hereinafter referred to as the Grantee, as Joint Tenants with Rights of Survivorship and with Warranty Covenants.

All that certain piece or parcel of land located on the westerly side of Winchester Road, in the Town of Norfolk, County of Litchfield and State of Connecticut (hereafter "the Property"), more particularly bounded and described as follows:

Beginning at a set iron pin at the northeasterly corner of the parcel herein described, which iron pin is at the southeast corner of other lands now or formerly of the Grantors, which iron pin is also in the westerly line of Winchester Road; thence S 12° 42' 07" E 300.00 feet along Winchester Road to a set iron pin; thence along other lands now or formerly of the Grantors the following six (6) courses and distances:

S 43° 30' 27" W 196.89 feet to a set iron pin;
 S 58° 16' 17" W 343.71 feet to a set iron pin;
 W 10° 24' 15" W 244.45 feet to an iron pin;
 W 10° 24' 15" W 151.97 feet to a point;
 N 83° 50' 34" E 165.37 feet to a set iron pin; and
 N 61° 01' 29" E 315.07 feet to the point and place of beginning, containing 4.00 acres.

The Property is depicted as PARCEL B on a survey entitled "Realignment Survey Prepared For Shelley Harms & David Torrey; John & Elisabeth Avery and Luis & Amanda Medina Norfolk-Connecticut" dated July, 2003, 1"=40' certified to be a dependent resurvey prepared in accordance with the standards for an A-2 survey, which survey was prepared by John F. DiCara, L.L.S. #14207, DiCara Land Surveying Services, Winsted, Connecticut, to be filed in the Norfolk Town Clerk's Office.

The Property is conveyed together with rights of first refusal as set forth in a separate instrument entitled Right of First Refusal from Luis Medina and Amanda Medina to Shelley E. Harms, David S. Torrey, John Avery and Elisabeth Avery, recorded simultaneously herewith.

The Property is conveyed subject to the following restrictions, which restrictions shall be enforceable by Grantors, their heirs and assigns, and their successors, and shall inure to the benefit of the Property of the Grantors:

1. The Property shall not be burdened by any easements or encumbrances, of any kind or nature, which are in violation of the provisions of the Connecticut General Statutes, as in any way diminished in size;
2. No other than the above described restrictions shall be placed on the Property, with the exception of those which are necessary to carry out the purposes of this deed.

VOL. 99 PAGE 225-

3. Any permanent structure erected on the property shall be located at least 100 feet distant from the westerly line of Winchester Road.

The Property is also conveyed subject to taxes to the Town of Norfolk on the Grand List of October 1, 2003, not yet due and payable, which the Grantees herein assume and agree to pay as part consideration for this deed.

IN WITNESS WHEREOF, We have hereunto set our hands and seals this 9th day of August, 2004.

Signed, Sealed and Delivered in the Presence of:

Michael Scott
J. Michael Scott, Jr.

Mary M. Ackery
MARY M. ACKERY

Mary M. Ackery

Michael Scott
J. Michael Scott, Jr.

Mary M. Ackery

Michael Scott
J. Michael Scott, Jr.

Mary M. Ackery

Michael Scott
J. Michael Scott, Jr.

Barbara A. Tracy
BARBARA A. TRACY

Kathy Roussis
KATY L. ROUSSIS

Barbara A. Tracy
BARBARA A. TRACY

Kathy Roussis
KATY L. ROUSSIS

Shelley E. Harms
Shelley E. Harms

David S. Torrey
David S. Torrey

Elizabeth Avery
Elizabeth Avery

John Avery
John Avery

Luis Medina
Luis Medina

Amarda Medina
Amarda Medina

No Conveyance Tax Collected

Diana K. Moore
Town Clerk of Norfolk

STATE OF CONNECTICUT)
) ss: Aug 8 , 2004
COUNTY OF LITCHFIELD)

Personally appeared Shelley E. Harms and David S. Torrey, signers of the foregoing instrument, who acknowledged the same to be their free act and deed, before me.

M. Searcy
Commissioner of the
Superior Court
Notary Public

STATE OF ~~NEW YORK~~ ^{CONNECTICUT})
) ss: Norfolk Aug. 8, 2004
COUNTY OF LITCHFIELD)

Personally appeared John Avery and Elisabeth Avery, signers of the foregoing instrument, who acknowledged the same to be their free act and deed, before me.

Mary M. Akerly
Commissioner of the MARY M. AKERLY
Superior Court
Notary Public

STATE OF ~~NEW YORK~~ ^{Connecticut})
) ss: 8/10 , 2004
COUNTY OF Litchfield)

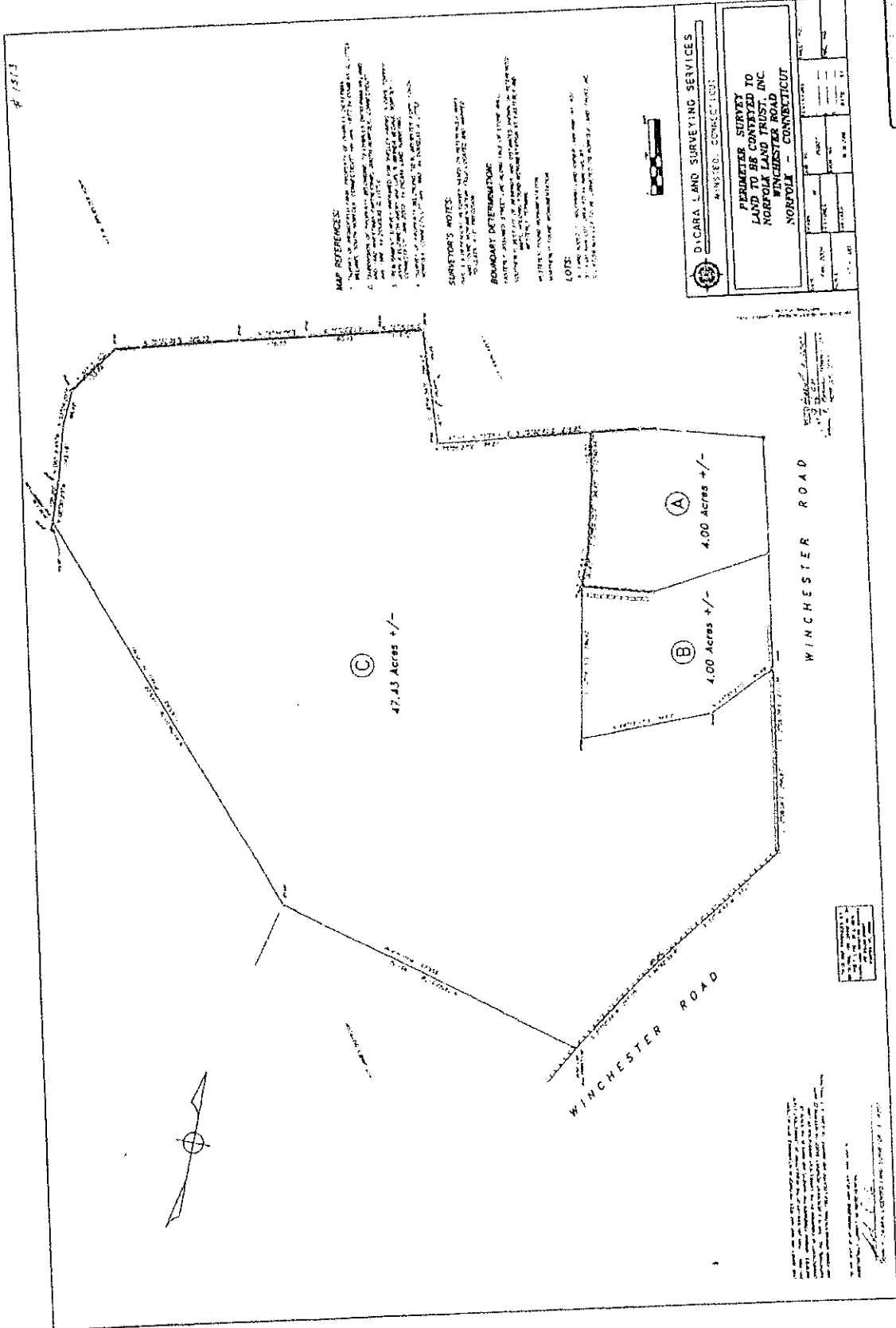
Personally appeared Luis Medina and Amanda Medina, signers of the foregoing instrument, who acknowledged the same to be their free act and deed, before me.

Barbara A. Tran
Commissioner of the
Superior Court
Notary Public 8/30/04

Grantee's Address:

SHARLENE W. HARMS Shelley.medina@ed.net

1313



MAP REFERENCES:
 1. Survey of 1938 showing the location of the lots in Block 1, Lot 10, of the 1st Subdivision of the 1st Addition to the Town of Danbury, Connecticut, as shown on the map of said subdivision filed for record in the Office of the State Register of Deeds at Hartford, Connecticut, on March 10, 1938, and as amended by the Survey of 1939 showing the location of the lots in Block 1, Lot 10, of the 1st Subdivision of the 1st Addition to the Town of Danbury, Connecticut, as shown on the map of said subdivision filed for record in the Office of the State Register of Deeds at Hartford, Connecticut, on March 10, 1939, and as amended by the Survey of 1940 showing the location of the lots in Block 1, Lot 10, of the 1st Subdivision of the 1st Addition to the Town of Danbury, Connecticut, as shown on the map of said subdivision filed for record in the Office of the State Register of Deeds at Hartford, Connecticut, on March 10, 1940, and as amended by the Survey of 1941 showing the location of the lots in Block 1, Lot 10, of the 1st Subdivision of the 1st Addition to the Town of Danbury, Connecticut, as shown on the map of said subdivision filed for record in the Office of the State Register of Deeds at Hartford, Connecticut, on March 10, 1941, and as amended by the Survey of 1942 showing the location of the lots in Block 1, Lot 10, of the 1st Subdivision of the 1st Addition to the Town of Danbury, Connecticut, as shown on the map of said subdivision filed for record in the Office of the State Register of Deeds at Hartford, Connecticut, on March 10, 1942, and as amended by the Survey of 1943 showing the location of the lots in Block 1, Lot 10, of the 1st Subdivision of the 1st Addition to the Town of Danbury, Connecticut, as shown on the map of said subdivision filed for record in the Office of the State Register of Deeds at Hartford, Connecticut, on March 10, 1943, and as amended by the Survey of 1944 showing the location of the lots in Block 1, Lot 10, of the 1st Subdivision of the 1st Addition to the Town of Danbury, Connecticut, as shown on the map of said subdivision filed for record in the Office of the State Register of Deeds at Hartford, Connecticut, on March 10, 1944, and as amended by the Survey of 1945 showing the location of the lots in Block 1, Lot 10, of the 1st Subdivision of the 1st Addition to the Town of Danbury, Connecticut, as shown on the map of said subdivision filed for record in the Office of the State Register of Deeds at Hartford, Connecticut, on March 10, 1945, and as amended by the Survey of 1946 showing the location of the lots in Block 1, Lot 10, of the 1st Subdivision of the 1st Addition to the Town of Danbury, Connecticut, as shown on the map of said subdivision filed for record in the Office of the State Register of Deeds at Hartford, Connecticut, on March 10, 1946, and as amended by the Survey of 1947 showing the location of the lots in Block 1, Lot 10, of the 1st Subdivision of the 1st Addition to the Town of Danbury, Connecticut, as shown on the map of said subdivision filed for record in the Office of the State Register of Deeds at Hartford, Connecticut, on March 10, 1947, and as amended by the Survey of 1948 showing the location of the lots in Block 1, Lot 10, of the 1st Subdivision of the 1st Addition to the Town of Danbury, Connecticut, as shown on the map of said subdivision filed for record in the Office of the State Register of Deeds at Hartford, Connecticut, on March 10, 1948, and as amended by the Survey of 1949 showing the location of the lots in Block 1, Lot 10, of the 1st Subdivision of the 1st Addition to the Town of Danbury, Connecticut, as shown on the map of said subdivision filed for record in the Office of the State Register of Deeds at Hartford, Connecticut, on March 10, 1949, and as amended by the Survey of 1950 showing the location of the lots in Block 1, Lot 10, of the 1st Subdivision of the 1st Addition to the Town of Danbury, Connecticut, as shown on the map of said subdivision filed for record in the Office of the State Register of Deeds at Hartford, Connecticut, on March 10, 1950.

SURVEYOR'S NOTES:
 1. This survey was made in accordance with the provisions of the Act of the General Assembly of the State of Connecticut, passed May 11, 1937, and amended May 11, 1939, and May 11, 1941, and the Act of the General Assembly of the State of Connecticut, passed May 11, 1943, and amended May 11, 1945, and May 11, 1947, and the Act of the General Assembly of the State of Connecticut, passed May 11, 1949, and amended May 11, 1951, and May 11, 1953, and the Act of the General Assembly of the State of Connecticut, passed May 11, 1955, and amended May 11, 1957, and May 11, 1959, and the Act of the General Assembly of the State of Connecticut, passed May 11, 1961, and amended May 11, 1963, and May 11, 1965, and the Act of the General Assembly of the State of Connecticut, passed May 11, 1967, and amended May 11, 1969, and May 11, 1971, and the Act of the General Assembly of the State of Connecticut, passed May 11, 1973, and amended May 11, 1975, and May 11, 1977, and the Act of the General Assembly of the State of Connecticut, passed May 11, 1979, and amended May 11, 1981, and May 11, 1983, and the Act of the General Assembly of the State of Connecticut, passed May 11, 1985, and amended May 11, 1987, and May 11, 1989, and the Act of the General Assembly of the State of Connecticut, passed May 11, 1991, and amended May 11, 1993, and May 11, 1995, and the Act of the General Assembly of the State of Connecticut, passed May 11, 1997, and amended May 11, 1999, and May 11, 2001, and the Act of the General Assembly of the State of Connecticut, passed May 11, 2003, and amended May 11, 2005, and May 11, 2007, and the Act of the General Assembly of the State of Connecticut, passed May 11, 2009, and amended May 11, 2011, and May 11, 2013, and the Act of the General Assembly of the State of Connecticut, passed May 11, 2015, and amended May 11, 2017, and May 11, 2019, and the Act of the General Assembly of the State of Connecticut, passed May 11, 2021, and amended May 11, 2023, and May 11, 2025.

BOUNDARY DETERMINATION:
 1. The boundary between the lots is determined by the survey of 1938, as amended by the surveys of 1939, 1940, 1941, 1942, 1943, 1944, 1945, 1946, 1947, 1948, 1949, 1950, 1951, 1953, 1955, 1957, 1959, 1961, 1963, 1965, 1967, 1969, 1971, 1973, 1975, 1977, 1979, 1981, 1983, 1985, 1987, 1989, 1991, 1993, 1995, 1997, 1999, 2001, 2003, 2005, 2007, 2009, 2011, 2013, 2015, 2017, 2019, 2021, 2023, and 2025.

LOTS:
 1. Lot A: 4.00 Acres +/-
 2. Lot B: 4.00 Acres +/-
 3. Lot C: 47.43 Acres +/-

DYCARA LAND SURVEYING SERVICES
 WINSTED, CONNECTICUT

**PERIMETER SURVEY
 LAND TO BE CONVEYED TO
 NORFOLK LAND TRUST, INC.
 WINCHESTER ROAD,
 NORFOLK - CONNECTICUT**

DATE	NOV 20 1985
BY	D. CARA
SCALE	AS SHOWN
PROJECT NO.	1313
CHECKED BY	
APPROVED BY	
STATE LICENSE NO.	
EXPIRES	
REVISIONS	

1313

1

measure all structures 2/12 900

TOWN OF NORFOLK
19 Maple Avenue, P.O. Box 552
Norfolk, CT 06058-0552
Phone: 860-542-6804 Fax: 860-542-5876
email: mhalloran@norfolkct.org

Permit # 33-044
Fee Paid: \$ 210.00 + 250.00
State of CT Fee: \$ 60.00
Check #: 2270
Date Paid: 12/12/23

EX post facto 250.00

ZONING PERMIT

Date: 12/12/23

Location: 524 Winchester Road

Map: 5-04 Lot: 4 Zone: 2 Acreage of Lot: 4

Property Owner: Luis Medina Phone # 860 542 6232

Owner's Mailing Address: 524 Winchester Road, Norfolk

email: htcdana@gmail.com

Applicant/Contractor: Self Phone# 860 542 6232

Mailing Address: 524 Winchester Road, Norfolk

email: htcdana@gmail.com

Reason for Permit: New Construction Addition Outbuilding Cow Barn

Change of Use: Sign: Swimming Pool: Other

Dimensions of new construction: 23x17 Height: 14'

This permit requires a site plan (based on an A-2 survey unless waived) for all new construction, including all set backs from property lines. Site plan must include dimensions of all structures, existing and proposed.

Property Information: Town Water Well Sewer Septic System

Description of proposed construction: Cow Barn

If a claim of pre-existing non-conforming use is being made, you must include written documentation of same from 1960 to present.

Site Plan Submitted: Yes X No _____

Plan Reviewed by Inland Wetlands? Yes NA No _____
Please attach copy of Wetlands Permit (if applicable).

- The issuance of this permit is for zoning purposes only and does not relieve the applicant of the responsibility of securing, without limitation, all necessary building, health and fire permits prior to the commencement of construction.
- Permit shall expire twelve (12) months from the date of issuance unless a valid building permit is in effect or the Commission renews the zoning permit for one additional period not to exceed twelve (12) months.

I do hereby declare under penalty of law that the above information is complete and accurate to the best of my knowledge and that no other work involving Norfolk Zoning Regulations is to be performed under this permit.

Owner's Signature: _____ Date: 12/12/23

(required)
Applicant's Signature: _____ Date: 12/12/23
(if different)

OFFICIAL USE ONLY

Acreage of lot: 4 acres = 174240 sq. ft.

Total square footage of all structures: 6842 = % lot coverage 0.04

Approved: As permitted by Zoning Regulation 3.03-1 F3

Denied: _____ Reason for Denial: _____

ZEO Signature: Michael J. Halloran Date: 12/12/23

Copy sent to Applicant: Date: 12/12 By: mail

Copy to Building Official: Date: 12/12 By: hand

Sec. 8-7. Appeals to board. Hearings. Effective date of exceptions or variances; filing requirements. The concurring vote of four members of the zoning board of appeals shall be necessary to reverse any order, requirement or decision of the official charged with the enforcement of the zoning regulations or to decide in favor of the applicant any matter upon which it is required to pass under any bylaw, ordinance, rule or regulation or to vary the application of the zoning bylaw, ordinance, rule or regulation. An appeal may be taken to the zoning board of appeals by any person aggrieved or by any officer, department, board or bureau of any municipality aggrieved and shall be taken within such time as is prescribed by a rule adopted by said board, or, if no such rule is adopted by the board, within thirty days, by filing with the zoning commission or the officer from whom the appeal has been taken and with said board a notice of appeal specifying the grounds thereof. Such appeal period shall commence for an aggrieved person at the earliest of the following: (1) Upon receipt of the order, requirement or decision from which such person may appeal, (2) upon the publication of a notice in accordance with subsection (f) of section 8-3, or (3) upon actual or constructive notice of such order, requirement or decision. The officer from whom the appeal has been taken shall forthwith transmit to said board all the papers constituting the record upon which the action appealed from was taken. An appeal shall not stay any such order, requirement or decision which prohibits further construction or expansion of a use in violation of such zoning regulations except to such extent that the board grants a stay thereof. An appeal from any other order, requirement or decision shall stay all proceedings in the action appealed from unless the zoning commission or the officer from whom the appeal has been taken certifies to the zoning board of appeals after the notice of appeal has been filed that by reason of facts stated in the certificate a stay would cause imminent peril to life or property, in which case proceedings shall not be stayed, except by a restraining order which may be granted by a court of record on application, on notice to the zoning commission or the officer from whom the appeal has been taken and on due cause shown. The board shall hold a public hearing on such appeal in accordance with the provisions of section 8-7d. Such board may reverse or affirm wholly or partly or may modify any order, requirement or decision appealed from and shall make such order, requirement or decision as in its opinion should be made in the premises and shall have all the powers of the officer from whom the appeal has been taken but only in accordance with the provisions of this section. Whenever a zoning board of appeals grants or denies any special exception or variance in the zoning regulations applicable to any property or sustains or reverses wholly or partly any order, requirement or decision appealed from, it shall state upon its records the reason for its decision and the zoning bylaw, ordinance or regulation which is varied in its application or to which an exception is granted and, when a variance is granted, describe specifically the exceptional difficulty or unusual hardship on which its decision is based. Notice of the decision of the board shall be published in a newspaper having a substantial circulation in the municipality and addressed by certified mail to any person who appeals to the board, by its secretary or clerk, under his signature in any written, printed, typewritten or stamped form, within fifteen days after such decision has been rendered. In any case in which such notice is not published within such fifteen-day period, the person who requested or applied for such special exception or variance or took such appeal may provide for the publication of such notice within ten days thereafter. Such exception or variance shall become effective upon the filing of a copy thereof (A) in the office of the town, city or borough clerk, as the case may be, but, in the case of a district, in the offices of both the district clerk and the town clerk of the town in which such district is located, and (B) in the land records of the town in which the affected premises are located, in accordance with the provisions of section 8-3d.

(1949 Rev., S. 843; 1951, 1953, S. 378d; 1959, P.A. 458; 577, S. 5; 614, S. 4; 1963, P.A. 55, S. 1; February, 1965, P.A. 622, S. 2; 1967, P.A. 884, S. 1; 1971, P.A. 862, S. 4; P.A. 75-86, S. 2; P.A. 77-450, S. 3; 77-509, S. 6; P.A. 84-122; P.A. 87-215, S. 4, 7; P.A. 89-356, S. 13; P.A. 03-144, S. 2; 03-177, S. 4.)

History: 1959 acts changed "appellant" to "applicant" in first sentence, provided for filing of exception, variance or reversal in case of a district, added requirement of newspaper publication of notice of hearing and added requirement appeal be decided within 60 days; 1963 act added requirement board record reasons for denial of exception or variance and for sustaining of order or decision; 1965 act required notice of board's decision on appeal to be mailed to appellant and to be published in a newspaper, eliminated requirement for publishing notice of the filing of the variance, exception or reversal and deleted statement that appeals from decisions of board may be made in the manner set forth in Sec. 8-8 within 15 days of their effective date; 1967 act stated in more detail the notification of decision required to be given the appellant and changed deadline for notification from within 3 days of decision to within 10 days of decision; 1971 act required that appeal be heard within 65 days of notice rather than within "a reasonable time", required that decision be rendered within 65, rather than 60, days of hearing and required publication of decision and notification of appellant within 15 rather than 10 days; P.A. 75-86 required recording of regulation varied or to which exception made and basis for reaching decision; P.A. 77-450 deleted provision requiring that decision be reached within 65 days of hearing and replaced 65-day limit between notice and hearing with reference to time period under Sec. 8-7d; P.A. 77-509 added provision concerning stay of order on appeal where prohibition of construction, expansion, etc. involved and provided that decisions become effective not at time fixed by board but by filing in clerk's office and in land records; P.A. 84-122 required that appeals be taken within 30 days if no set period for taking appeals is adopted by the board; P.A. 87-215 authorized board to provide by regulation for additional notice by mail to adjacent landowners; P.A. 89-356 added provision authorizing the person who requested or applied for a special exception or variance or took an appeal to provide for the publication of the notice of the decision of the board when such notice is not published in a timely manner; P.A. 03-144 added provisions re time for commencement of appeal; P.A. 03-177 replaced provisions re notice of time and place for public hearing and optional notice by mail to adjacent landowners with provision requiring that the public hearing be held in accordance with Sec. 8-7d, effective October 1, 2003, and applicable to applications filed on or after that date.

Cited. 140 C. 527; 142 C. 88; Id., 92; 148 C. 33; Id., 603. Since there was no applicable limitation of time for taking appeal, and since there was failure to show prejudice by any delay in taking appeal and thus doctrine of laches could not be invoked, it could not be said that appeal was barred by lapse of time. 150 C. 113. Cited. Id., 413. Provisions requiring hearing to be held by zoning board of appeals on "any appeal" are not limited to appeals in technical sense; they apply to every application invoking powers conferred on board by Sec. 8-6; recitation that applicant sought permission to change nonconforming use of his premises as a mink ranch to a "lesser" nonconforming use was insufficient notice to inform those who might be affected by change. Id., 532. Prior to 1965 amendment: Time for taking appeal from zoning board controlled by this section rather than Sec. 8-8. 151 C. 646. Cited. Id., 694; 153 C. 315; Id., 623; 154 C. 32; 155 C. 178. Although condition requiring petitioner to deed part of property for street widening was illegal and of no effect, remainder of board's decision granting exception for construction of

1/9/24, 10:02 AM

gasoline station was separable and therefore valid. Id., 350. Provisions not applicable to city municipality which has not adopted general enabling act as provided in Sec. 8-1; hence notice of hearing in conformance with Hartford zoning ordinance was proper notice of hearings before zoning board of appeals of city of Hartford. Id., 360. Section not applicable to hearing before municipal zoning board of appeal prior to adoption of chapter by municipality. Id., 422. Provision that board "shall decide" appeals within 60 days after hearing relates to procedure and directory, not mandatory. Id., 550. Zoning regulations required board to find "that the existing public streets" are adequate to handle additional traffic where an exception is granted and board could not grant exception conditional on determination of adequacy by town traffic commission. 157 C. 420. Board of appeals in hearing plaintiff's appeal from action of zoning commission was administrative body acting in a quasi-judicial capacity; plaintiff was given a fair hearing, witnesses not required to testify so that she might cross-examine them. 158 C. 158. Notice of hearing sufficient if it sufficiently apprises those interested of action proposed to enable them to prepare for hearing. Id., 202. Compliance with publication requirement by the board is presumed. Id., 331. Cited. Id., 336; 162 C. 74; 163 C. 379; 165 C. 185. Court, upon concluding that action taken by administrative agency was illegal, arbitrary or in abuse of its discretion, should go no further than to sustain appeal; direction of what action should be taken would be usurpation of administrative function. Id., 749. Cited. 173 C. 420; 174 C. 351; Id., 488; 195 C. 276; 211 C. 78; 212 C. 628; 213 C. 604; 218 C. 65; 219 C. 352. Without subject matter jurisdiction, board's action was a nullity; judgment of Appellate Court in 25 CA 611 reversed. 223 C. 171. Cited. 225 C. 432; Id., 575; 226 C. 80; Id., 913. Judgment of Appellate Court in 42 CA 272 reversed. 241 C. 180. Exhaustion of administrative remedies doctrine not applicable to plaintiffs; judgment of Appellate Court in 42 CA 272 reversed. 241 C. 180. Appeal may be taken to a zoning board of appeals by any aggrieved party during a period established by a rule of that board or, if no such rule is established, within 30 days of notice of the action from which appeal is sought. 261 C. 263. When a landowner receives written notice from a zoning compliance officer that the landowner's existing use of his property is in violation of applicable zoning ordinances or regulations, that interpretation constitutes a decision from which the landowner can appeal to the local zoning board of appeals; however, when such written notice concerns a proposed future use, such notice is not a decision from which the landowner can appeal. 306 C. 173. Municipal zoning enforcement officer's action or inaction with respect to homeowner's letter did not give rise to an independent "decision" that could be appealed to zoning board of appeals. 311 C. 356.

Cited. 2 CA 384; Id., 506; 4 CA 205; Id., 633. Statutory and classical aggrievement discussed. 7 CA 632. Cited. Id., 684; 16 CA 604; judgment reversed, see 212 C. 628; 17 CA 17; judgment reversed, see 212 C. 570; 20 CA 561; 23 CA 232; 25 CA 611; judgment reversed, see 230 C. 223 C. 171; 26 CA 187; 28 CA 256; judgment affirmed in part and modified in part, see 226 C. 80; 30 CA 395; judgment reversed, see 230 C. 452; Id., 797. Valid vote can occur only when agency members are present and convened together at a public meeting. 33 CA 281. Cited. 34 CA 552; 40 CA 692; 41 CA 89; 42 CA 272; judgment reversed, see 241 C. 180; 43 CA 512; Id., 563. Land use hardship standard is the proper standard of review applicable to an application to modify a variance by removing attached conditions, and four votes are required to approve such application. 54 CA 135. The threshold issue is whether an order, requirement or decision by zoning enforcement officer was made, thus triggering the statutory framework for appeal. 58 CA 74. Zoning board required to hold a hearing on plaintiff's zoning application. 69 CA 230. The determination of whether a letter issued by a zoning enforcement officer amounts to a decision appealable under statute depends on the facts and circumstances of each case, and in this case, the letter was a preliminary advisory opinion and not a decision subject to appeal. 114 CA 13. Where four board members were present and available to vote on plaintiff's application, that one member abstained, resulting in denial of the application, did not render vote invalid under section. 138 CA 481.

Board of zoning appeals members who will make decision must be present at public hearing. 19 CS 307. Cited. 23 CS 7. Appeal stays all proceedings in action appealed from including criminal proceedings provided for in Sec. 8-12. Id., 125. Cited. 25 CS 276. History discussed. 26 CS 88. Plaintiffs' claim that logic dictates that legislature did not intend that there should be an inconsistent procedure relative to appeals from decisions of zoning boards of appeal and zoning boards and that therefore the running of the appeal period in the case of a zoning regulation should be contingent on the statutory publication is without merit. Id., 90. Cited. Id., 169. Rule that board cannot reverse a former decision unless there has been a change in condition did not apply where former decision was invalid because of improper notice. Id., 255. Circumstances under which board's decisions should be overruled discussed. Id., 256. Where zoning was controlled by special act with different requirements as to notice of hearing, special act prevails. Id., 262. Equitable relief outside the framework of appeal procedure set up by statute might be granted in the presence of allegations of fraudulent connivance or collusion on the part of local zoning board of appeals; plaintiffs have been granted equitable relief when the zoning authority lacked jurisdiction to take the action which plaintiff was challenging; equitable relief by way of an injunction will not be granted if the court finds that the legal remedy afforded by statute has not been exhausted. Id., 334, 335. Cited. 32 CS 223; Id., 625; 35 CS 246; 38 CS 492; 39 CS 426; Id., 523; 41 CS 398; 43 CS 373.

(Return to Chapter
Table of Contents)

(Return to
List of Chapters)

(Return to
List of Titles)

N 10°24'15"W

244.45'

all structures
12/12/23
MSH

75'

23'

17

12/12/23
391

107.8'

101

100

384

SHED

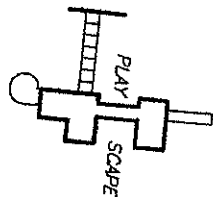
16.3'

16

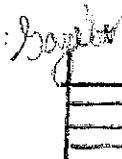
S 68°16'17"W

343.71'

CARRIAGE HOUSE



6742

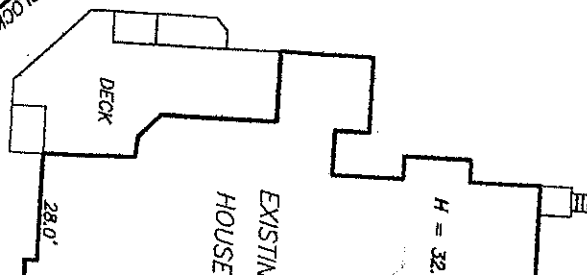


WISHING WELL

130



42.1'



PORCH

FRONT GATE



Recent Sales In Area

Sale date range:

From: 12/27/2013 To: 12/27/2023

Sales by Neighborhood

1500 Feet Sales by Distance

No data available for the following modules: Out Buildings\Extra Features, Permit Information, Sketch, Photos.

The Town of Norfolk Assessor makes every effort to produce the most accurate information possible. No warranties, expressed or implied are provided for the data herein, its use or interpretation. The assessment information is from the last certified tax roll. All other data is subject to change.

User Privacy Policy | GDPR Privacy Notice
Last Data Upload: 12/27/2023, 1:11:42 AM

Contact Us



grantees are collectively NET of WLT
WLT conservation restriction

Conservation restrictions on 47.43 A

restrictions 4 ac Grantor all six

The 47.43 ac Parcel C

4 ac Meadow Parcel B

4 ac. away Parcel A

I was made aware of easements after I issued zoning permit Post-decision

RepublicanAmerican

389 Meadow Street • Waterbury, CT 06702 • 1-800-992-3232

Classified Advertising Proof

Account Number: R18506
Order Number: RA0916531

MIKE HALLORAN
NORFOLK SELECTMEN
PO BOX 592
NORFOLK, CT 06058
860-542-5829

Title: Republican-American | Class: L-Legal -Public Notice 019
Start date: 1/18/2024 | Stop date: 1/25/2024 |
Insertions: 2

Title: Rep-Am.com | Class: L-Legal -Public Notice 019
Start date: 1/18/2024 | Stop date: 1/25/2024 |
Insertions: 2

TOWN OF NORFOLK ZONING BOARD OF APPEALS

This is to give notice to all concerned that a Public Hearing will be held on Thursday, February 1, 2024 at 6pm, 2nd floor at the Norfolk Town Hall, 19 Maple Ave. for the following purpose:

To hear an appeal from the Norfolk Zoning Regulations, Sections 3.03-1F3, buildings or structures accessory to an allowed principal use on the same lot provided that such building or structure is smaller than the principal building. The property owners of record are Amanda and Luis Medina of 524 Winchester Road, Norfolk Connecticut and the appeal is brought by David S. Torrey of 10 Schoolhouse Road in Norfolk, Connecticut. The appeal is regarding a violation of CGS 47-42d.

At this hearing interested parties may appear and be heard and written communications will be received. A copy of the appeal application is on file in the Town Clerks office.

Dated this 10th day
of January, 2024 at Norfolk, CT.
Michael Halloran, ZEO
R-A January 18 & 25, 2024