

APPLICATION OR APEAL#: 28-22

APPLICATION TO NEW FAIRFIELD ZONING BOARD OF APPEALS

Please check appropriate box(es) Variance Appeal of Cease & Desist

1) Applicant: Erich Diller; Agent (Evolve Design Group, LLC)
Mailing Address: Po Box 669 Sherman, CT 06784
Phone#: (203) 470-7408
Email: ejdiller21@gmail.com

2) Premises located at: 85 Lake Drive North on the (N) S E W side of the street
at approx. 7000' feet (N) S E W from Sunset Drive North (nearest intersecting road).

3) Property Owner Name: Lori Demavich
Interest in Property: OWNER CONTRACT PURCHASER LEASEE AGENT

4) Tax Assessor Map No.: 15 Block No.: 1 Lot No.: 62

5) Zone in which property is located: R-44 Area of Lot: 0.128 Acres (5,585 s.f.)

6) Dimensions of Lot: Frontage: 50.0' Average Depth: ±85'

7) Do you have any Right of Ways or Easements on the property? No

8) Is the property within 500 feet of Danbury, Sherman or New York State? No

9) Have any previous applications been filed with ZBA on this property? ~~NO~~ YES

If so, give dates and application numbers: ~~NO~~ Variance 17035, 5.15.03, 5.11.02

10) Proposal for which variance is requested: Existing home has minimal floor area and headroom at portion of upper level. Asking for increase in roof ridge of 4'-0" plus (3) 8'-0" wide dormers and (2) 4'-0" wide dormers. Increase height of chimney by ±5'-0" and add upper deck of 13'-0" x 6'-2" over exist. deck

Hardship: Pre-existing non-conforming narrow, shallow lot w/ significant slope and ledge at goppings preventing additional footprint.

11) Date of Zoning Commission Denial: April 26, 2022

12) Variance(s) Requested: () USE () DIMENSIONAL

Zoning Regulations (sections): See attached Non-Compliance Letter

Setbacks Requested: Front to: 13.7' AFFECTED BUT SAME Rear to: 24.3' AFFECTED BUT SAME
Side to: 4.2' AFFECTED BUT SAME Side to: 15.1' UNAFFECTED

13) Use to be made of property if variance is granted: Residential

14) If this Application relates to a Cease and Desist Order then this application must be made within 30 Days of the issue date of that Cease and Desist Order. CEASE & DESIST ORDER DATE: _____

SIGNATURE OF OWNER OR AGENT: [Signature] DATE: 4.19.22

#5

received
4-21-22

**TOWN OF NEW FAIRFIELD
ZONING REPORT**

SUBJECT: VERIFICATION OF NON-COMPLIANCE

FROM: Evan G. White, Zoning Enforcement Officer

DATE: April 26, 2022

PROPERTY OWNER: Lori Dernavich

PROPERTY ADDRESS: 85 Lake Drive North

APPLICANT/AGENT: Eric Diller (Evolve Design Group LLC.)

MAILING ADDRESS: P.O. Box 669 Sherman, CT 06784

ZONING DISTRICT: R-44 **MAP:** 15 **BLOCK:** 1 **LOT:** 62

Please be advised that the applicant would like to (See Application for Description).

Review of the New Fairfield Zoning Regulations indicated that the above proposal fails to meet the following Zoning Requirements:

Sections:

3.2.5-Minimum Lot Area & Frontage (A+B)

3.2.6-Minimum Building & Structure Setbacks (A+B+C)

3.2.7-Maximum Building Area

3.2.8-Maximum Impervious Surfaces

3.2.11-Minimum Lot Dimensions


7.1.12-Improved Lots Not In a Validated or Approved Subdivision

7.2.3-Nonconforming Use of Building or Structure; Nonconforming Buildings or Structures (A+B+E)

THE INFORMATION ON THIS REPORT IS TO GUIDE THE APPLICANT/PETITIONER AND THE ZONING BOARD OF APPEALS TO APPLY FOR VARIANCES AND/OR OTHER RELIEF, AND IS BASED ON REPRESENTATIONS MADE BY THE PROPERTY OWNER/APPLICANT.

THE OWNER/APPLICANT SHALL BE RESPONSIBLE FOR ANY DECISION MADE FROM RELIANCE ON THIS FORM AND IT SHALL NOT CREATE LIABILITY ON THE PART OF ANY OFFICER OR THE TOWN OF NEW FAIRFIELD.

IN COMPLEX MATTERS, THE OWNER/APPLICANT MAY WISH TO SECURE THE SERVICES OF AN ATTORNEY.


Evan White, Zoning Enforcement Officer
Town of New Fairfield



Lori Dernavich & Allen Puwalski
85 Lake Drive North
Candlewood Isle
New Fairfield, CT
06810

April 18, 2022

To Whom it may concern,

As the present property owners of 85 Lake Drive North in New Fairfield, CT, we hereby authorize Erich Diller of Evolve Design Group, LLC in Sherman CT to act on our behalf as our Agent in all matters regarding the approvals and permitting process for our home extension and renovations, which he is designing.

Sincerely,

Lori Dernavich
Allen Puwalski

evolve design group, llc

PO Box 669
Sherman, CT 06784
p. 860.354.2775
c. 203.470.7408

April 21, 2022

Zoning Board of Appeals
Town of New Fairfield
New Fairfield, CT 06810

Dear members of the New Fairfield Zoning Board of Appeals,

Thank you for considering and hearing our proposal. The current owners of the home, Lori Dernavich and Allen Puwalski, purchased their home at 85 Lake Drive North on Candlewood Isle in May 2019. The existing vintage 1750 square foot home was built in 1935. When they purchased the home, they were looking for a small home with charm and views of the lake where they would find respite on the weekends. The house they purchased fit that bill perfectly and they fell in love with it. Since that time, and given the way much of the business world has transformed to remote working, Lori and Allen have sold their home in NYC, and both also moved their home offices from NYC to the subject home in New Fairfield. They've become fully part of the Candlewood Isle community. They are both sole proprietors of their own consulting firms and do not have employees working with them in New Fairfield, nor do they ever have clients or customers coming to the home. The existing house has two bedrooms, and one of their offices is currently in the Master Bedroom. The other is in a converted Porch/ Sunroom space at the rear of the house. The current set up of makeshift offices is limiting valuable functional space by using it for purposes other than for which it was intended. Lori and Allen are in their mid-50s and have no desire to leave this home.

Although many of the homes on Candlewood Isle seem to have parts of the home or additions and/or garages that are closer to the road, we did not feel that an addition to the home was the most sympathetic option for the neighborhood as it would increase the density. Although Lori and Allen would love a Garage, again, we did not feel this was worth pursuing. We therefore decided to expand vertically on top of the existing footprint. Not a new floor level, just an increase of the existing 7:12 roof pitch to a new 10:12 roof pitch while keeping the existing plate height/eave line. The proposed 10:12 roof pitch matches the other, unaffected left side of the home and increases the roof height on the right side of the house by only +/- 4'-0". It also makes the 'Attic' at the front of the home with a 5'-6" head height, into a usable office space with (2) 8'-0" wide dormers. We are also proposing (1) additional 8'-0" dormer and (2) 4'-0" dormers at the SE side of home to increase the usable floor area and introduce more natural light to the upper level. We will also need to increase the existing non-code compliant chimney approximately 5'-6" to clear the roofline. Lastly, we would like to ask for a variance to put a new 13'-6" x 6'-2" permeable deck off the upper level lakeside Office. This would sit partially on the footprint of the existing permeable deck below.

Being new neighbors, the owners are sympathetic to their neighbor's views, especially toward the lake. But due to the height of the homes across the street at numbers 72, 74 & 76 we feel that the increase in height of approximately 4'-0" would have little to no impact to those neighbors' views. We estimate that their first floors are approximately 30-40 feet above the roof line of 85 Lake Drive North. Lori and Allen have spoken

to their neighbors directly across the street at 74 Lake Drive North, Frank and Patricia LoPresti, and they approve of our hopes to raise the headroom. They've indicated that their property is so high, that our plans would not impede their views.

Our hardship is that the entire house and its lot are pre-existing and non-conforming. The narrow and shallow lot with significant slope and ledge outcroppings, overage on lot coverage and distance to setbacks do not allow for additional footprint.

Here are some specific issues that we believe reinforce our application:

1. The house sits on an undersized lot in the R-44 Zone. Property is only 0.128 acres and/or 5,585 sq.ft.
2. The lot currently has overlapping 40 ft front yard, 20 ft side yard and 50 ft rear yard setbacks from the property lines preventing any area for additional footprint.
3. The existing grade and steep slope down to the front of the house as well as the overage on lot coverage do not allow for expansion of living space towards the street.
4. Existing rooflines and shallower roof pitch do not maximize interior headroom and square footage on the upper level. It also creates a non-code compliant Bathroom with less than 6 ft of ceiling height at the toilet and shower.

The owner's direction to me was to offer solutions for increasing the usable floor area and ceiling heights on the upper level while keeping the massing and height of the vertical extension to the absolute minimum. Their goal is to minimize the impact and visibility of the home from the lake, road, and neighbors properties. We hope that this modest extension accomplishes that while offering a solution that is in keeping with the architectural vernacular and scale of the existing home. Given that an addition was not feasible, we believe the application in front of you posed the best solution to preserve the spirit, purpose and intent laid out in the zoning regulations. We also believe that it would have the least impact to the public. To put it plainly, even after the roof extension and dormers are added, they still want their home to feel like the charming little lakehouse they fell in love with.

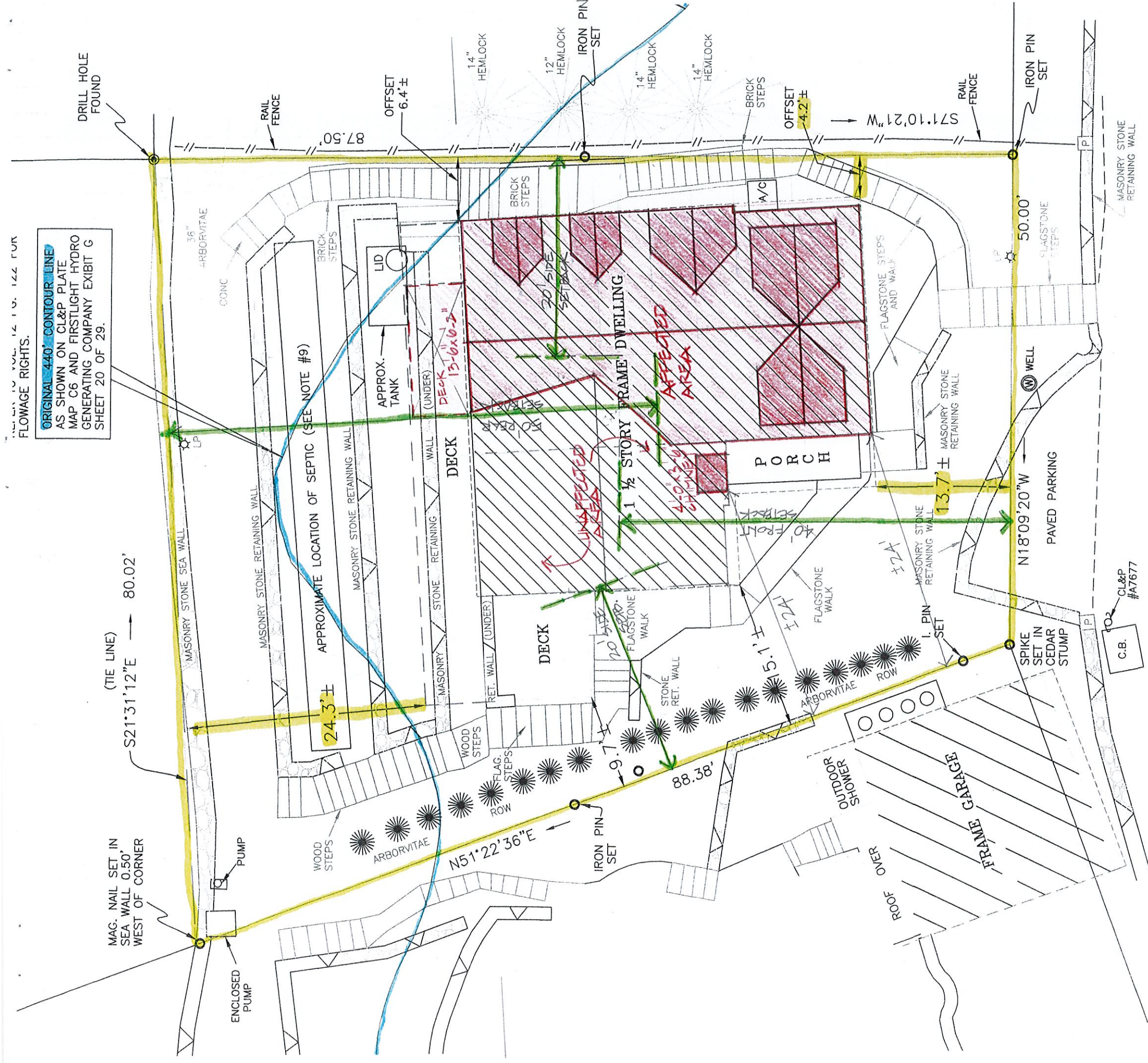
Thank you for your time and consideration.

Sincerely,

Erich J. Diller
Evolve Design Group
Acting as Owners Agent

FLOWAGE RIGHTS.

ORIGINAL 440' CONTOUR LINE AS SHOWN ON CL&P PLATE MAP C6 AND FIRSTLIGHT HYDRO GENERATING COMPANY EXHIBIT G SHEET 20 OF 29.



85 LAKE DRIVE NORTH

PROPOSED ROOF AREA INCREASE (28A)

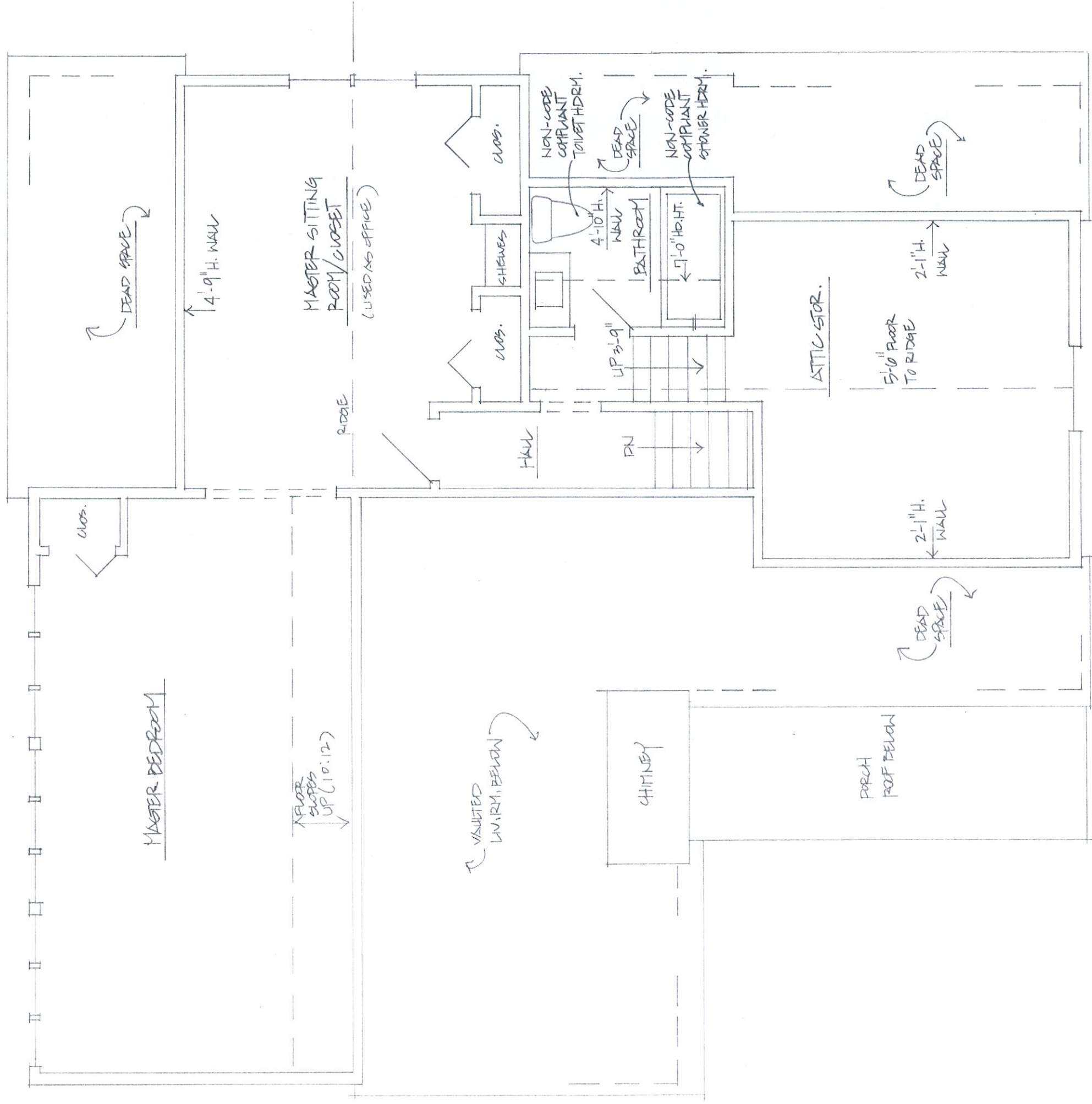
1"=10'
4.18.22
OVERLAPPING SETBACKS SHOWN IN GREEN

R-44 ZONE
 0.128 ACRES (5,585^{sq})
 EXIST. BLDG. cov/g: 32.2% PROPOSED: 32.2%
 IMPERV. cov/g EXIST: 47.8%
 PROPOSED IMP. cov/g: 47.8%

evolve design group llc project 85 LAKE DRIVE NORTH title ZBA SUBMITTAL

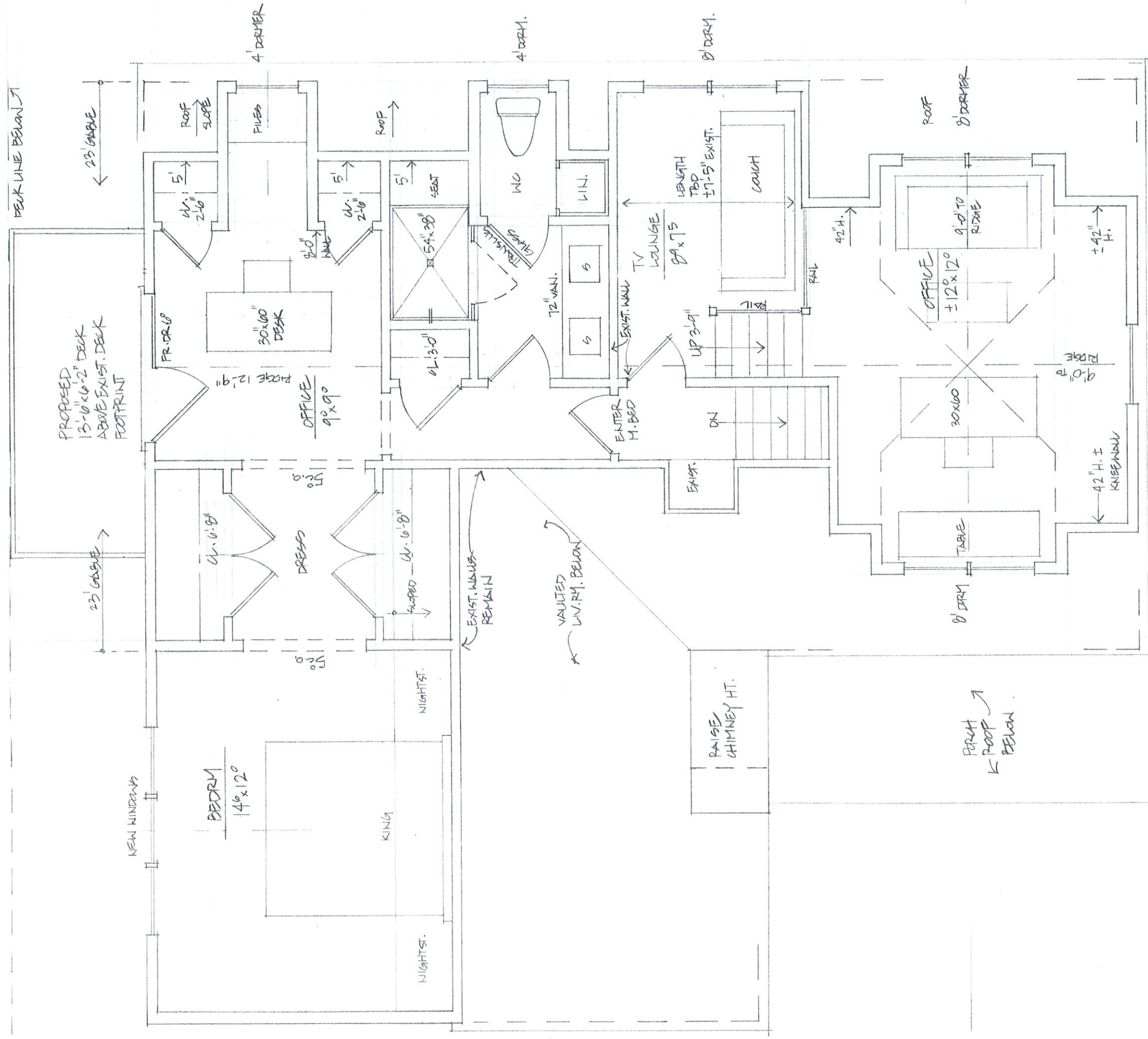
po box 669 sherman, ct 06784 203.470.7408 scale 1"=10' date 4.18.22

EXIST. DECK BELOW



85 UDN

EXISTING UPPER LEVEL PLAN
1/4" = 1'-0" (ON 11x17 PAPER)



05 LDN
 PROPOSED UPPER LEVEL PLAN (on an exist. FOOTPRINT)
 1/4" = 1'-0" (on 11x17 PAPER)

evolve design group llc

project 05 LDN

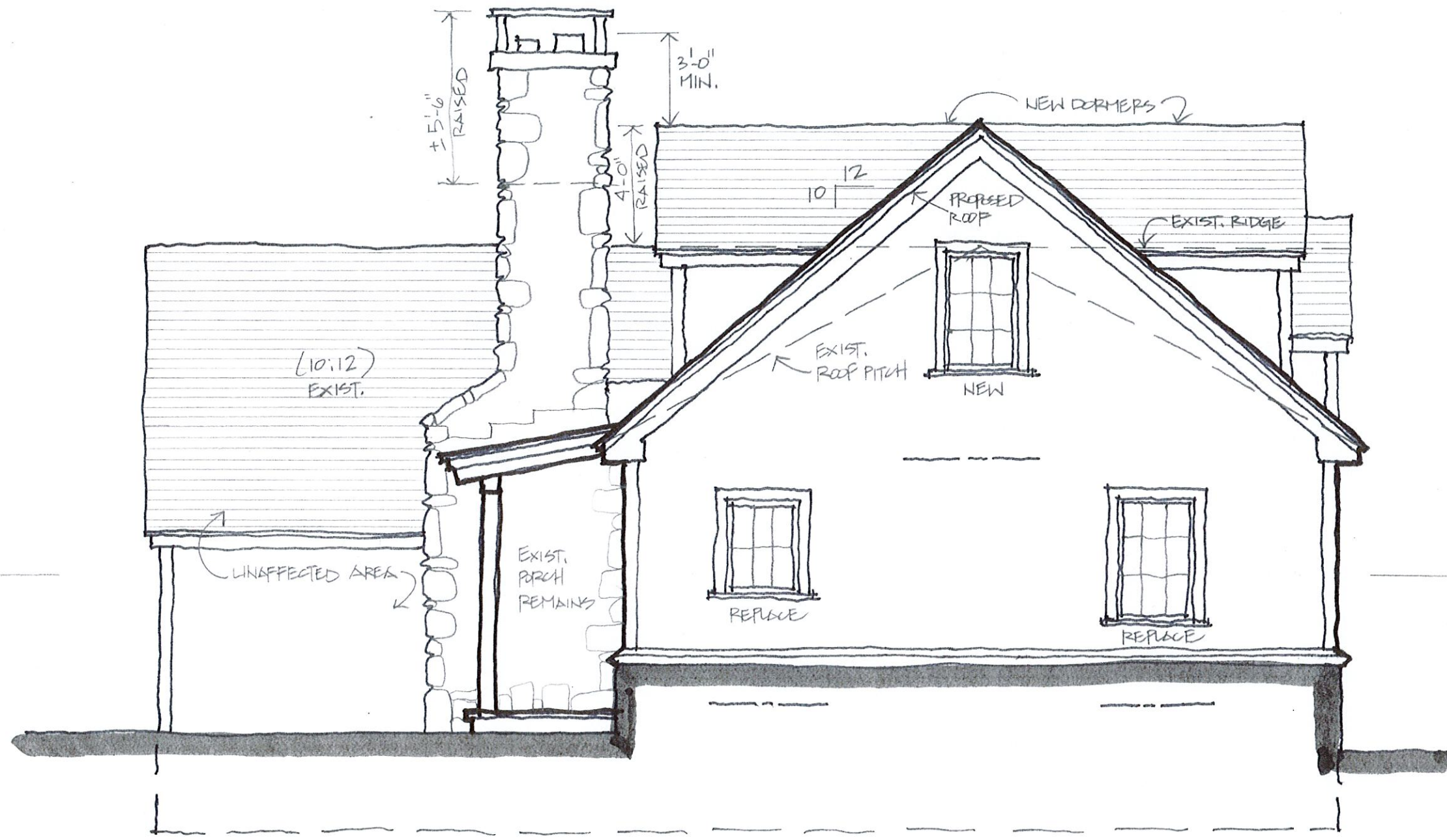
title ZDA

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scale 1/4" = 1'-0"

date 4.18.22



PROPOSED FRONT ELEVATION (STREET)
 1/4" = 1'-0"



PROPOSED SIDE ELEVATION
 1/4" = 1'-0"

title 2BA

date 4.18.22

project 05 LCN

scale 1/4" = 1'-0"

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PROPOSED REAR ELEVATION (LAKE)
 1/4" = 1'-0"

title ZBA

date 4.18.22

project 85 LDN

scale 1/4" = 1'-0"

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