

APPLICATION OR APEAL#: 49-22

APPLICATION TO NEW FAIRFIELD ZONING BOARD OF APPEALS

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

1) Applicant: ANDREW & AURILY SANDLER

Mailing Address: 3 FOLD DRIVE

OLD WESTBURY, N.Y. 11568 Phone#: 516-220-6992 (AURILY)

Email: AURILY@gmail.com

2) Premises located at: 59 SAIL HARBOUR DRIVE on the (N S E W) side of the street
at approx. 255 feet (N S E W) from HERITAGE ISLAND RD (nearest intersecting road).

3) Property Owner Name: ANDREW & AURILY SANDLER

Interest in Property: OWNER CONTRACT PURCHASER LEASEE AGENT

4) Tax Assessor Map No.: 3 Block No.: 3 Lot No.: 13

5) Zone in which property is located: R-44 Area of Lot: 221,603 SF (5.087 AC)

6) Dimensions of Lot: Frontage: 50' Average Depth: ± 490'

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

If so, give dates and application numbers: _____

10) Proposal for which variance is requested: DECK ENCRoACHING ON REAR YARD SETBACK. VARIANCE REQUEST OF 13.9' (FROM 50' TO 36.1')

Hardship: REMOVE & REPLACE EXISTING NON CONFORMING DECK. LOCATION OF HOUSE ON PROPERTY LIMITS LOCATION OF DECK

11) Date of Zoning Commission Denial: 10/25/22

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

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

Setbacks Requested: Front to: 381.7' Rear to: 36.1'
Side to: 94.72' Side to: 173.93'

13) Use to be made of property if variance is granted: SINGLE FAMILY RESIDENCE

#8

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: 10/18/22

received
10-20-22

**TOWN OF NEW FAIRFIELD
ZONING REPORT**

SUBJECT: VERIFICATION OF NON-COMPLIANCE

FROM: Evan G. White, Zoning Enforcement Officer

DATE: October 25, 2022

PROPERTY OWNER: Andrew & Aurily Sandler

PROPERTY ADDRESS: 59 Sail Harbour Drive

APPLICANT/AGENT: Andrew & Aurily Sandler/ Demotte Architects, P.C.

MAILING ADDRESS: 3 Polo Drive, Old Westbury, NY 11568

ZONING DISTRICT: R-44 **MAP:** 3 **BLOCK:** 3 **LOT:** 13

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:

3.2.6-Minimum Building & Structure Setbacks (C)

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

D E M O T T E
· A R C H I T E C T S · P C ·

October 17, 2022

Evan White, Zoning Enforcement Officer
New Fairfield Town Hall
4 Brush Hill Road
New Fairfield, CT. 06812

RE: Zoning variance application
Sandler Residence
59 Sail Harbour Drive
New Fairfield, CT. 06812

Dear Evan,

Please review the attached existing survey & proposed site plan for a proposed 3 story addition and a deck to an existing house located at 59 Sail Harbour Drive. The property is located in the R-44 zone which is a conforming lot & the house is code compliant. The existing deck encroaches into the rear yard building setback by 1.9' & is therefore nonconforming, which will be removed & replaced with a new deck.

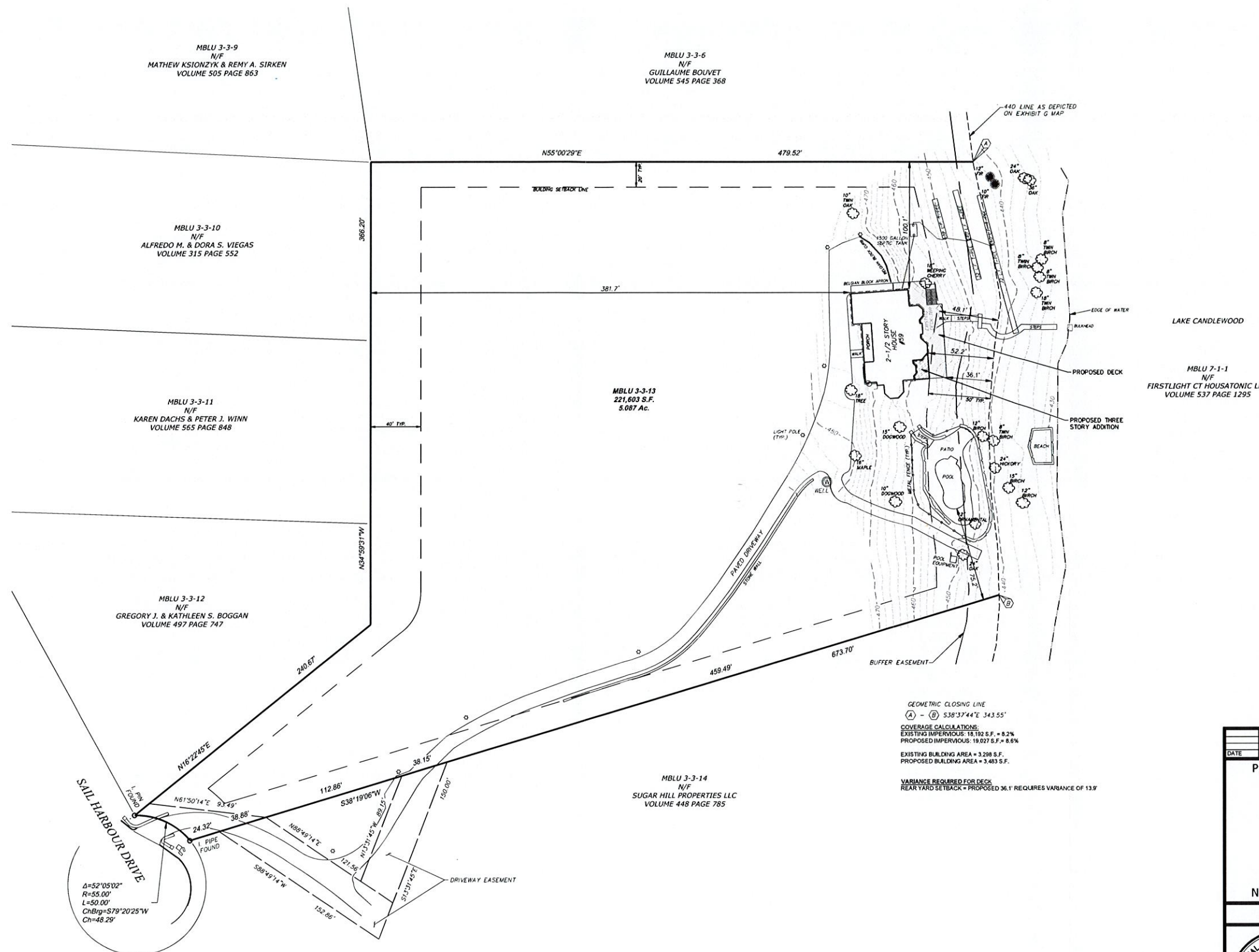
An addition & deck are being proposed to the rear of the house; the addition will be code compliant, but a variance will be required for the proposed deck for encroaching on the 50' rear yard building setback by 13.9'. A variance is being requested to reduce the rear yard building setback from 50.0' to 36.1'.

Upon review of this information, please write a verification of non-compliance letter and insert into the variance application we've recently submitted. If you have any questions regarding this information, please feel free to call me at your convenience.

Sincerely,



Brad DeMotte, R.A.



GEOMETRIC CLOSING LINE
 (A) - (B) S38°37'44\"/>

COVERAGE CALCULATIONS:
 EXISTING IMPERVIOUS: 18,192 S.F. = 8.2%
 PROPOSED IMPERVIOUS: 19,027 S.F. = 8.6%
 EXISTING BUILDING AREA = 3,298 S.F.
 PROPOSED BUILDING AREA = 3,483 S.F.

VARIANCE REQUIRED FOR DECK
 REAR YARD SETBACK = PROPOSED 36.1' REQUIRES VARIANCE OF 13.9'

- NOTES:**
1. THE SUBJECT PROPERTY LIES IN THE R-44 ZONE.
 2. ALL MONUMENTATION FOUND OR SET DEPICTED HEREON.
 3. SEPTIC LOCATION TAKEN FROM SEPTIC AS-BUILT BY R.J. GALLAGHER, JR. & ASSOCIATES ON FILE IN THE NEW FAIRFIELD HEALTH DEPARTMENT RECORDS.
 4. UPON VISUAL COMPARISON OF THE 440 LINE DEPICTED ON THE EXHIBIT G MAPS WITH THE 440 LINE DEPICTED ON T.C. MAP 2429 IT WAS DETERMINED THEY ARE SUBSTANTIALLY IN ACCORDANCE WITH EACH OTHER.
 5. THIS SURVEY WAS PREPARED WITHOUT BENEFIT OF A TITLE COMMITMENT REPORT AND IS SUBJECT TO THE COVENANTS, RESTRICTIONS AND EASEMENTS THAT MAY BE CONTAINED THEREIN.
- REFERENCES:**
1. TAX MAPS AND ZONING MAP OF THE TOWN OF NEW FAIRFIELD.
 2. MAP ENTITLED "EXHIBIT G - SHEET 14 OF 29 SHEETS - AUGUST 30, 2013, ROCKY RIVER DEVELOPMENT, HOUSATONIC RIVER PROJECT No. 2576, PROJECT MAP, FIRSTLIGHT POWER GENERATION COMPANY"
 3. TOWN CLERK MAP 2429.
 4. VOLUME 559 PAGE 258 (RECORD OWNER DEED)
 5. VOLUME 199 PAGE 745

MBLU 3-3-14
 N/F
 SUGAR HILL PROPERTIES LLC
 VOLUME 448 PAGE 785

DATE	DESCRIPTION
	PROPOSED ZONING LOCATION SURVEY PREPARED FOR ANDREW & AURILY SANDLER SAIL HARBOUR CLUB LOT 41 MBLU 3-3-13 59 SAIL HARBOUR DRIVE NEW FAIRFIELD CONNECTICUT

Scale: 1"=40'

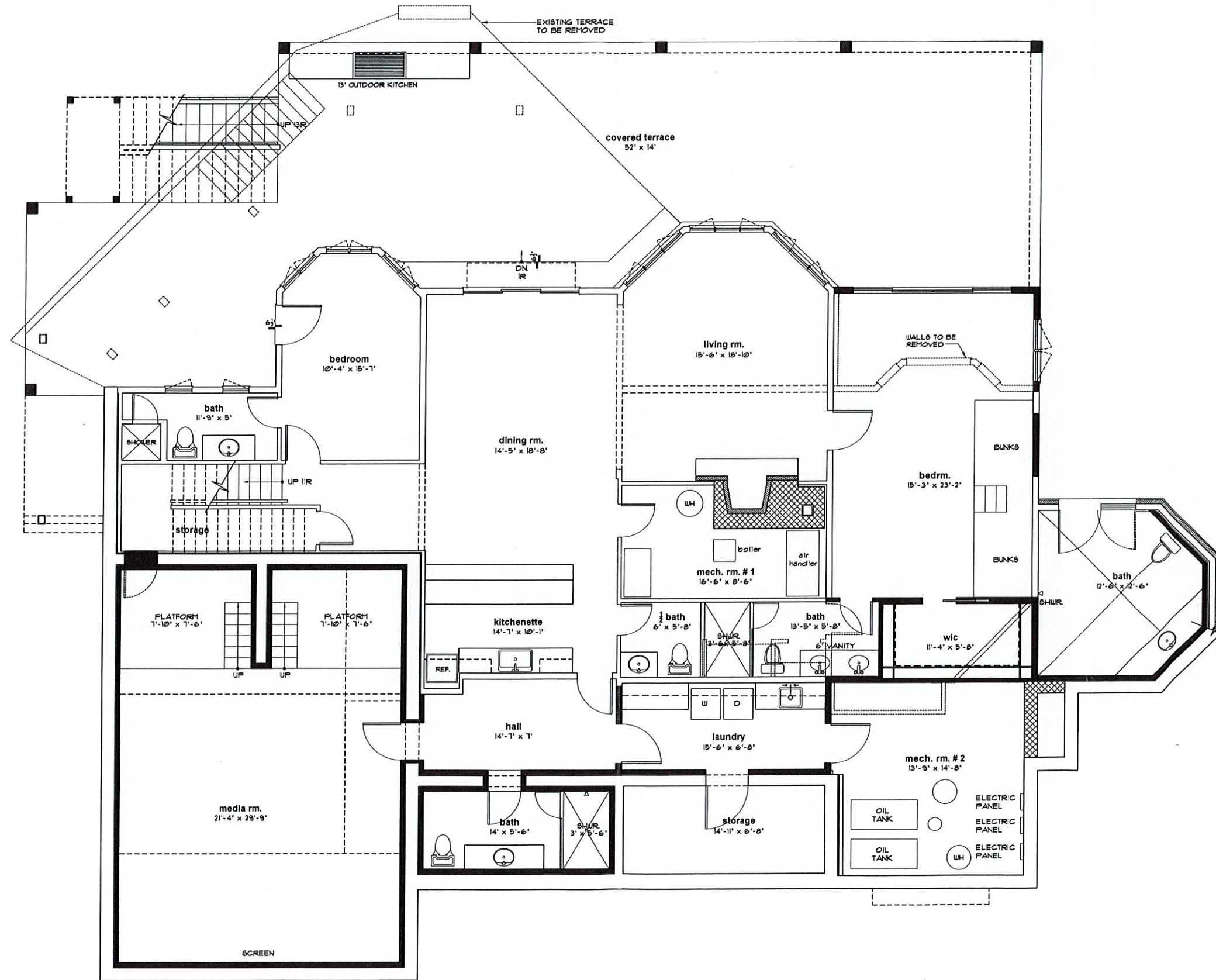
Date: 10/11/2022
 Scale: 1"=40'
 Project: 17-69141
 File: 4018
 Acad: 1769141-A2T2
 Sheet: 1 OF 1
 Drawn by: KST
 Checked by: DSB

40 Old New Milford Road
 Brookfield, Ct. 06804
 (203)775-6207
 www.ccaengineering.com

DOUGLAS S. BELKNAP, L.S.
 NOT VALID WITHOUT EMBOSSED SEAL

"I HEREBY DECLARE THAT TO MY KNOWLEDGE AND BELIEF, THIS MAP IS SUBSTANTIALLY CORRECT AS NOTED HEREON." IT HAS BEEN PREPARED IN ACCORDANCE WITH SECTIONS 20-300b-1 THROUGH 20-300b-20 OF THE REGULATIONS OF CONNECTICUT STATE AGENCIES AND STANDARDS AND SUGGESTED METHODS AND PROCEDURES FOR SURVEYS AND MAPS IN THE STATE OF CONNECTICUT AS ADOPTED BY THE CONNECTICUT ASSOCIATION OF LAND SURVEYORS (CALS) IN 2009.

THIS MAP IS A RESURVEY CONFORMING TO THE STANDARDS OF A HORIZONTAL CLASS A-2 AND A TOPOGRAPHIC CLASS T-2 SURVEY.



1 basement plan scale: 1/4" = 1'-0"

revisions:	date:

issued for:	date:

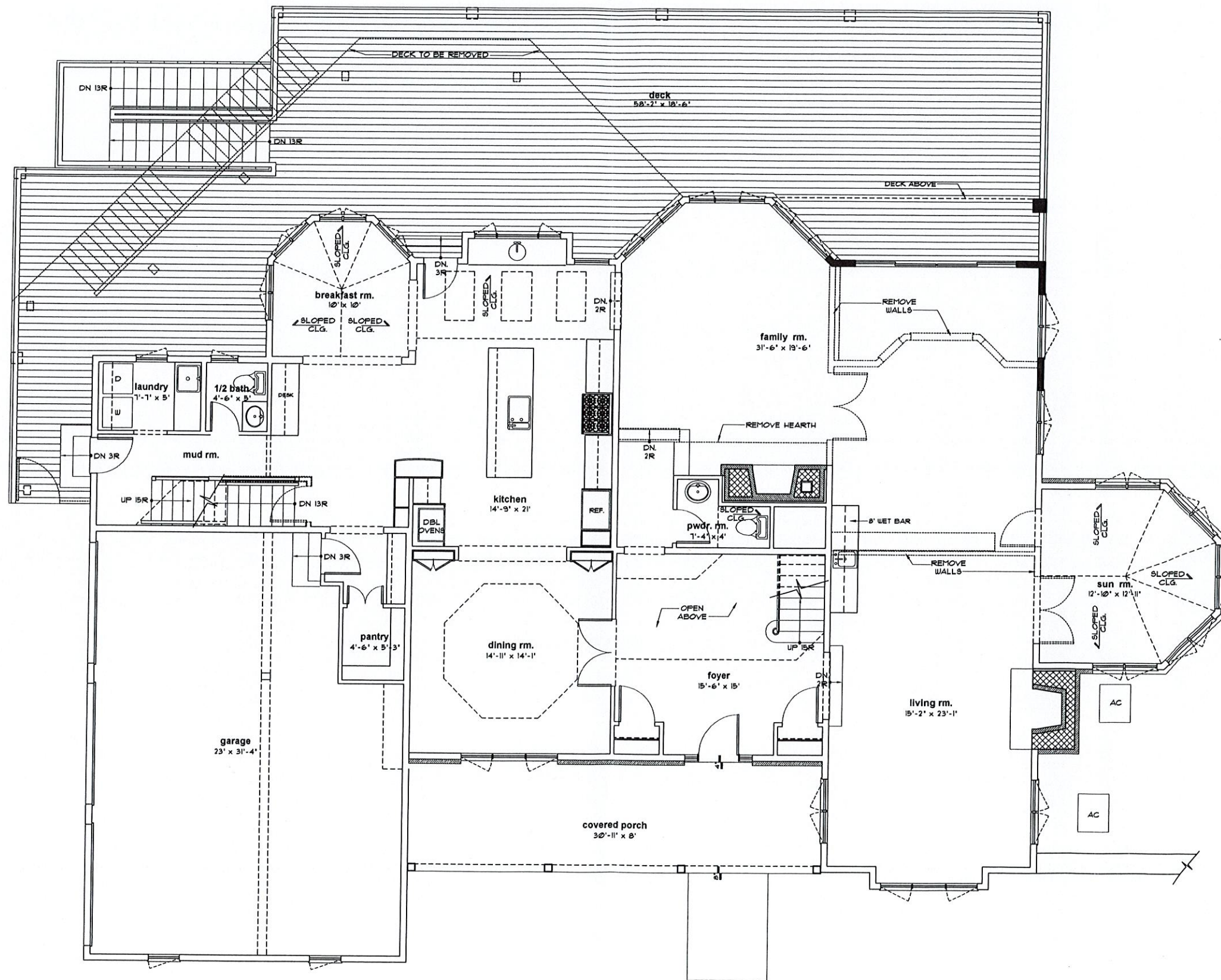
demotte architects, p.c.
 635 danbury road, suite 1a, ridgefield, ct. 06877
 203-431-8890
 www.demottearchitects.com
 brad@demottearchitects.com



basement plan
 proposed addition/alteration for:
andrew & aurily sandler
 59 sail harbour drive
 new fairfield, ct. 06812

scale: 1/4" = 1'-0"
 drawn by: jg
 checked by: jbd
 date:

A-1



1 first floor plan

scale: 1/4" = 1'-0"

revisions:	date:

Issued for: date:

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first floor plan
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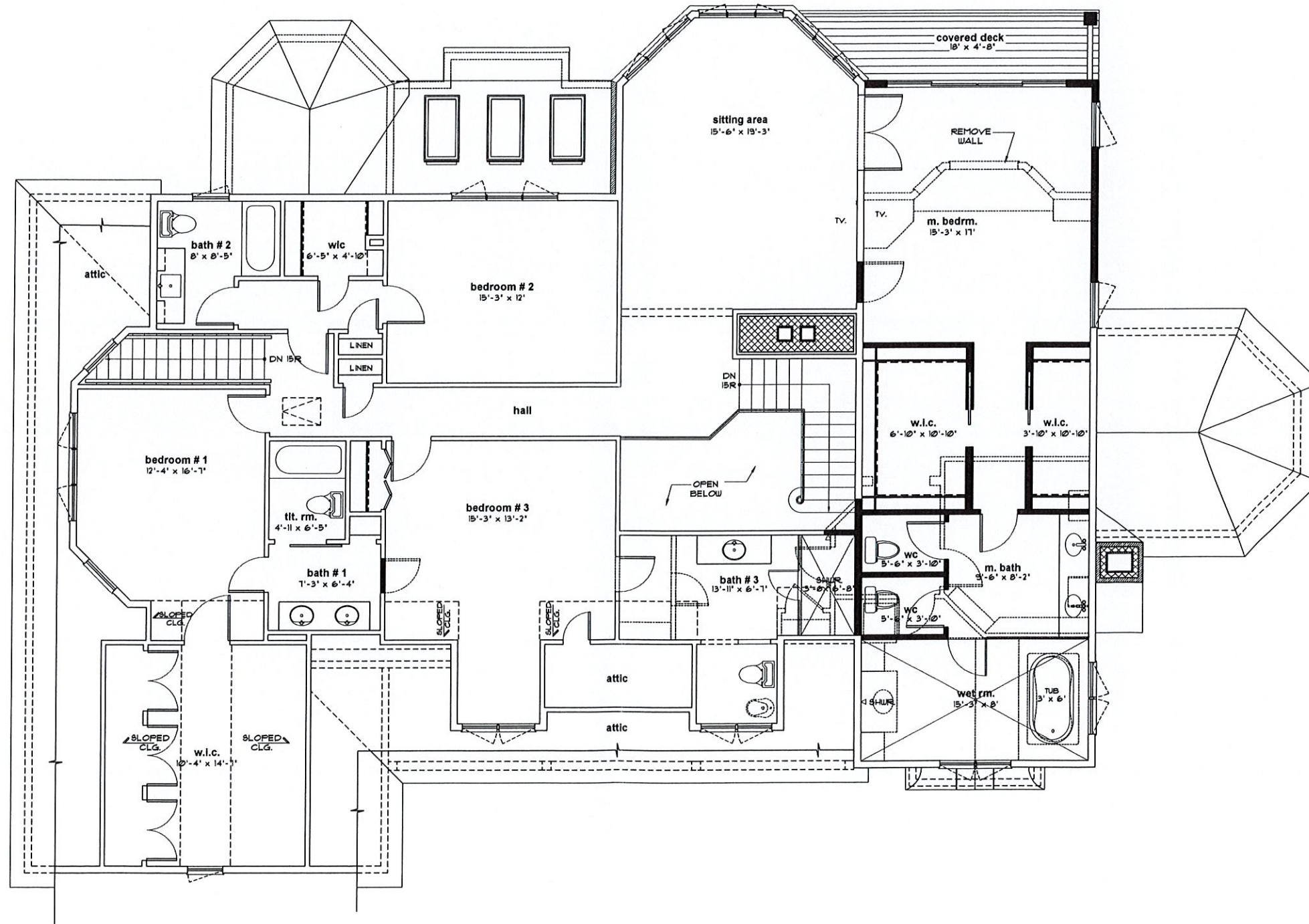
scale: 1/4" = 1'-0"

drawn by: jg

checked by: jbd

date:

A-2

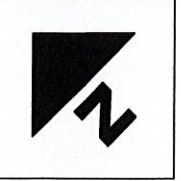


1 second floor plan scale: 1/4" = 1'-0"

revisions:	date:

issued for:	date:

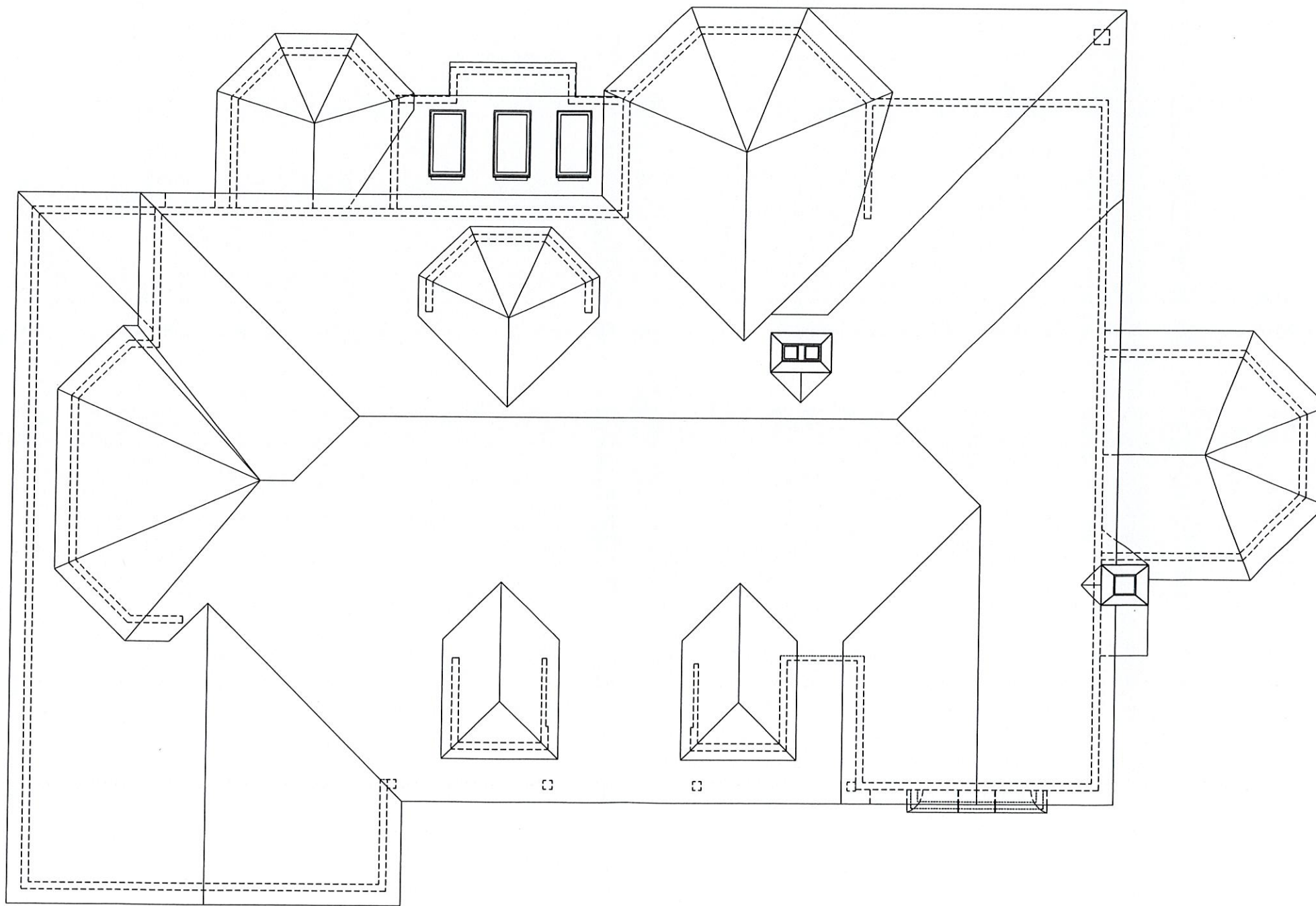
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second floor plan
 proposed addition/alteration for:
andrew & aurily sandler
 59 sail harbour drive
 new fairfield, ct. 06812

scale: 1/4" = 1'-0"
 drawn by: jg
 checked by: jbd
 date:

A-3



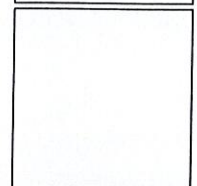
1 roof plan

scale: 1/4" = 1'-0"

revisions:	date:

issued for:	date:

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roof plan
 proposed addition/alteration for:
andrew & aurily sandler
 59 sail harbour drive
 new fairfield, ct. 06812

scale: 1/4" = 1'-0"
 drawn by: jg
 checked by: jbd
 date:

A-4

revisions:	date:

issued for:	date:



1 front elevation

scale: 1/4" = 1'-0"

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front elevation
 proposed addition/alteration for:
andrew & aurily sandler
 59 sail harbour drive
 new fairfield, ct. 06812

scale: 1/4" = 1'-0"
 drawn by: jg
 checked by: jbd
 date:



1 right side elevation

scale: 1/4" = 1'-0"

revisions:	date:

issued for: date:

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right side elevation
 proposed addition/alteration for:
andrew & aurily sandler
 59 sail harbour drive
 new fairfield, ct. 06812

scale: 1/4" = 1'-0"
 drawn by: jg
 checked by: jbd
 date:

revisions:	date:

issued for: date:

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rear elevation
 proposed addition/alteration for:
andrew & aurily sandier
 59 sail harbour drive
 new fairfield, ct. 06812

scale: 1/4" = 1'-0"
 drawn by: jg
 checked by: jbd
 date:

1 rear elevation scale: 1/4" = 1'-0"

revisions:	date:

Issued for:	date:



1 left side elevation

scale: 1/4" = 1'-0"

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left side elevation
 proposed addition/alteration for:
andrew & aurily sandler
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scale: 1/4" = 1'-0"
 drawn by: Jg
 checked by: jbd
 date: