

PEQUANNOCK TOWNSHIP  
APPLICATION FOR VARIANCE

Applicant's Name: \_\_\_\_\_

Fee Paid: \_\_\_\_\_

Date Received: \_\_\_\_\_

Escrow Paid: \_\_\_\_\_

Date Received: \_\_\_\_\_

DO NOT WRITE ABOVE THIS LINE

1. Applicant's Name, Address and Telephone Number: \_\_\_\_\_

Christopher Anello, 22 Foothills Drive, Pompton Plains NJ 07444, 973-725-3059

2. Present Owner's Name, Address and Telephone Number: \_\_\_\_\_

Christopher Anello, 22 Foothills Drive, Pompton Plains NJ 07444, 973-725-3059

3. Attorney's Name, Address and Telephone Number: \_\_\_\_\_

Lindsay R. Janel, Esq., 260 Wanaque Ave., Pompton Lakes NJ 07442, 973-513-9802

4. N.J.S.A. 40:55D-70

\_\_\_\_\_ (a) Review of Order \_\_\_\_\_ (b) Interpretation

X (c) Hardship or C(2) Variance \_\_\_\_\_ (d) Use Variance

5. Permission to: \_\_\_\_\_ (a) Alter or add to an existing building  
(Check applicable) \_\_\_\_\_ (b) Construct a new building on vacant land  
\_\_\_\_\_ (c) Change from existing use  
\_\_\_\_\_ (d) Subdivide land creating one or more nonconforming lots  
X (e) Other: variance needed for preexisting conditions on the property

6. Proposed building or use is contrary to the following sections of the Zoning Ordinance:

Section

Brief Description

189.03.030 (B)(3)

Building has a currently existing decorative roof spire that is 36.9 feet in height; the allowable roof height in the R 22 District is 35 feet.

189.03.030 (B)(7)

Building has a currently existing total impervious lot coverage of 42.97%; the allowable total impervious lot coverage in the R 22 District is 30%.

Unknown

Bulk variance had previously been acquired to construct an additional pool house/garage. The prior owner installed a bathroom in this pool house/garage, however, the installation of same was not explicitly permitted when said variance was granted.

7. Location of Lot: Number and Street:

22 Foothill Drive

Block 202 Lot 4 Zoning R-22

8. Dimensions of Lot 1.07 acres 46,657 square feet

Front yard setback 50.1 Rear yard setback 101 +/-

Side yard setback 15.01 and 30.5

Lot depth 364 Lot width 128

9. Do lots have frontage on a public street or ROW?

Yes X No \_\_\_\_\_

Property is located on a X Municipal, \_\_\_\_\_ County or  
\_\_\_\_\_ State Road. (Check all that apply)

10. Has tract been involved in a prior application before the Zoning Board of Adjustment or the Planning Board? Yes X No \_\_\_\_\_

If Yes, name of Board Board of Adjustment

Type of Application Bulk Variance

Action Taken: Granted and accessory building 23' in height was built.

Number of buildings or structures existing 2, proposed 0

Ground floor area of all structures 1560 square feet

Dimensions of proposed addition 0 square feet.

12. Have efforts been made to acquire additional land to be joined with the subject premises? Explain: NO

13. Are there any existing covenants or deed restrictions on the property?

Yes \_\_\_\_\_ No X If Yes, Describe: \_\_\_\_\_

14. Is the property located in the 100 year Floodplain or Floodway as shown on the FEMA Maps dated July 3, 1986? Yes \_\_\_\_\_ No X

15. Name, Address and Title of person preparing the plats and exhibits presented:

Fredrick C. Meola, PE-PLS  
82 Whippany Road  
Whippany, NJ 07981

16. List all the plans and other exhibits submitted with this application:

As Built Survey

17. Explain reasons why relief should be granted (attach narrative giving complete factual and legal contentions):

a. Pursuant to NJSA 40:55D-70(c)(2), if a deviation from the zoning ordinance would advance the purpose of the MLUL, and the benefit from the deviation outweighs the detriment, the Board has the power to grant the variance.

Regarding the roof height, the home was purchased by the applicant with this existing condition. While the existing roof height is 37.5', this height is within the 10% buffer of the requisite 35' maximum height. Further, it would be extremely costly to remediate this situation, as roof work, duct work and electrical work would have to be performed in order to reduce the height of the roof. Therefore the benefit of the deviation from the ordinance outweighs the detriment of not enforcing same.

As to the total impervious lot coverage, the home was purchased with this existing condition. To remove the pavers and blacktop to reduce the total impervious lot coverage from 42.97% to 30% would be costly and burdensome. Additionally, the pavers are part of the pool/patio area and the additional blacktop extends to the pool house/garage, which is needed by the applicant for to his business and large family. Therefore the benefit of the deviation from the ordinance outweighs the detriment of not enforcing same.

b. As to the additional bathroom in the pool house/garage, while it is unclear if a variance is needed, applicant wants to ensure that the bathroom constructed within the structure is permitted, as this accessory building was constructed via a variance granted to the prior owner.

**I HEREBY CERTIFY THAT THE ABOVE INFORMATION IS CORRECT TO THE BEST OF MY KNOWLEDGE.**



Signature of Applicant

Sworn to and Subscribed

Before me this 9th day  
of July 2019

  
Notary

**Lindsay R. Janel, Esq.**  
**Attorney at Law**  
**New Jersey and Pennsylvania**

TOWNSHIP OF PEQUANNOCK

SUPPLEMENT TO VARIANCE APPLICATION

The following questions are necessary for the Health Department's review of your application. The completed form will also be made available to the Board of Adjustment prior to the hearing date. Filling out this form completely and accurately will facilitate the application process and is required for your application to be deemed complete.

Property Owner(s) Christopher Anello

Address: 22 Foothills Drive, Pompton Plains

Block 202 Lot 4

Property to Sewered (X) Property is on Septic ( )

Number of bedrooms presently in structure ( 6 )

Number of bedrooms to be added ( 0 )

Number of bedrooms to be deleted ( 0 )

Total number of bedrooms when project is completed ( 6 )

Size of Septic (if known) N/A

Type and size of disposal field (if known) N/A

Please enclose an up to date plot plan or survey with this form. This survey should include all structures located on the property as well as any easements. The location of all septic system components must also be shown on the survey. The Health Department may have information that will assist you. Please contact them with your inquiries.