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TO: Pequannock Township Zoning Board of Adjustment
FROM: Jill A. Hartmann, PP, AICP
RE: VARIANCE APPLICATION TO CONSTRUCT A TWO STORY ADDITION TO AN EXISTING SINGLE FAMILY RESIDENCE; 37 PARK AVENUE; BLOCK 3301, LOT 27; APPLICANT: ARTHUR LYNCH.
DATE: November 1, 2020

This is a Variance Application to construct a two story addition to an existing single family residence. The subject site is located in the R-11 District. The existing single family residence and proposed addition are both permitted in the R-11 District. The Zoning Board of Adjustment has jurisdiction to hear this application. The following submitted documents were utilized in the preparation of this planning and zoning report:

- Completed Pequannock Township Application for Variance, signed by Arthur T. Lynch, dated June 22, 2020.
- Variance Plan, consisting of 2 sheets, prepared by Richard J. Trautwein, AIA, dated March 2, 2020.+

ZONING ANALYSIS AND COMMENTS

1. The subject site is an 18,000 square foot interior parcel fully developed with a 1 story single family home, a detached one car garage and accessory structure (shed). The site is non-conforming in terms of its front yard setback and building coverage.
2. The application proposes a substantial one and two story addition to the existing one story single family residence. The renovation and addition will result in the following floor plan:
 - Ground Floor Kitchen with Breakfast Nook; Living Room; Sitting Room; Master Bedroom Suite with Full Bathroom; Laundry Room; Powder Room; Access to rear covered patio with fireplace.
 - Second Floor Two Bedroom with Deck off Bedroom #1; Full Bathroom.

No changes are proposed accessory buildings located in the rear yard. It should be noted that the shed is non-conforming in terms of its location. It is located on the rear property line where a 5' setback is required. The Building Department/Planning Department does not have any record of an approved Zoning Permit for the shed. The shed contributes to the existing and proposed excessive building coverage. This issue must be addressed by the applicant.

3. The proposed addition requires a variance from the permitted building coverage where 16% is permitted; 16.5% exists and 19.4% is proposed.


The Board and applicant should note that the zone table, that is part of the submitted plan, has a typo. The existing lot is ±18,000 square feet. In addition, the calculation for the proposed building coverage and impervious surface coverage are slightly greater than shown on the submitted plan zone table. The attached zone table provides the corrected figures.

The existing non-conforming front yard setback of 24' will not be impacted by the proposed addition.

4. The required variance is classified as a "c" variance. As with all "c" variance applications, the applicant must provide testimony as to how the variance requested addresses the statutory requirements of N.J.S.A 40:55D-70c (1) hardship or (2) that the variances requested benefit the community in that they represent a better zoning alternative for the property.

The c(1) hardship variance must relate to a specific piece of property or in other words the hardship arises out of a condition of the land itself or structures lawfully existing on the site. The c(2) variance does not require the showing of undue hardship. What must be shown is that the application (1) relates to a specific piece of property and (2) that the purposes of the Municipal Land Use Law would be advanced by a deviation from the zoning ordinance. Essentially, the variances requested must benefit the community in that they represent a better zoning alternative for the property

It is certified that all copies of this document are in conformance with the original prepared by Jill A. Hartmann, PP, AICP, License No. 4088


Jill A. Hartmann, PP, AICP

Zone Table

37 Park Avenue
Block 3301, Lot 27

R-11 District Requirements

Item	Required	Proposed	Variance
Lot Area	11,250 sf	18,000 sf	OK
Lot Width	90'	90'	OK
Lot Frontage	90'	90'	OK
Lot Depth	125'	200'	OK
Front Yard Setback	50'	24'	Existing Non-Conforming Condition
Side Yard Setback	10'	26'/25'	OK
Rear Yard Setback	30'	49.1' 135	OK
Building Coverage	16%	19.4%	Variance Required
Impervious Surface Coverage	40%	32.2%	OK
Parking	2 spaces	+2 spaces	OK