

Application #: 15-20

KARELUS VARIANCE APPLICATION

Applicant: Tammy Karelus
Property Address: 14 Pine Grove Road, Berkeley Heights, NJ
Phone: 310-951-2494
E-mail: tammydp73@yahoo.com

Contents included:

- Completed Application to Zoning Board of Adjustment
- Denial Letter
- Property Survey
- Pool Specs Brochure
- 200'-foot Radius Map & list of Property Owners
- General Construction and Design & Grounds and Landscaping Considerations

RECEIVED

Application No. 15-20 Application Fee _____
Date of Filing 7/14/20 Escrow _____
JUL 14 2020

PLANNING / ZONING / ENGINEERING
APPLICATION TO ZONING BOARD ~~ADJUSTMENT~~ ADJUSTMENT, Berkeley Heights, NJ

NOTE: It is the responsibility of the applicant to specify in this application all requests for relief from any section of the ordinance that may be needed. Should any unspecified violation be found prior to or during the course of a public hearing, no such relief can be granted and the case cannot be permitted to proceed without re-advertising the notices. If the failure is not discovered by the Board until it commences its deliberation after closing the public hearing, the result may be a denial of the entire application, or the grant or recommendation that the variance be granted limited to the specific relief requested, which will result in the necessity for a re-application to obtain the remaining relief required.

In the matter of the petition of Tammy Karelus for relief from the strict application of the provisions of the Zoning Ordinance of the Township of Berkeley Heights.

Petitioner Name Tammy Karelus, residing at 14 Pine Grove Rd, Berkeley Hts
Telephone No. 310-951-2494, Fed.ID# (if applicable) _____

1. Petitioner is owner of property at 14 Pine Grove Rd, Block 2201, Lot 2 on the Tax Map located in the R-15 Zone.

2. The Petitioner is requesting to use the property in the following manner with the following variances required:
exceeding "other" lot coverage with the installation of above ground pool with attached deck + pool height limit of 48" above finished grade

3. Does the Application concern a request for Certificate of Nonconformity? No

Does the Application concern a Use Variance? No, and: a) Site Plan No b) Subdivision No

NOTE: If Application concerns site plan or subdivision, appropriate plans and additional forms must be filed with the Zoning Board of Adjustment as an additional part of the Application.

4. The proposed building/subdivision/use is contrary to Article 6.1 Section 6.1.1B of the Zoning Ordinance.
3.1 3.1-7D

5. a. Description of the Property:

Required See Attached Schedule 6.1.1B	Existing	Proposed	Variance Required: Y/N
Lot Area (sq. ft.)	13,645	13,645	non conforming
Lot Width	76'	76'	non conforming
Lot Depth	180'	180'	N
Front Setback	40.26'	40.26'	non conforming
Side Setback	8.29'	8.29'	non conforming
Side Setback	11.77'	11.77'	non conforming
Combined side setbacks	20.06'	20.06'	non conforming
Rear Setback	102'	102'	N

b. NOTE: DO NOT INCLUDE DECK IN THIS SECTION:

- 1-Area of existing structures (house, attached garage, covered porch) to remain Shed 1470 sq. ft.
- 2-Area of proposed structures (house, attached garage, covered porch) 0 sq. ft.
- 3- Total area to be occupied by structures 1470 sq. ft.
- 4-Area of existing Accessory Items (detached garage, patio, driveways, walks, pool, shed) 1220 sq. ft.
- 5-Area of proposed Accessory Items (detached garage, patio, driveway, walks, pool, shed) 450 sq. ft.
- 6-Total area to be occupied by Accessory Items 1670 sq. ft.
- 7-TOTAL AREA OF EXISTING STRUCTURES AND ACCESSORY ITEMS 2690 sq. ft.
- 8-TOTAL AREA OF EXISTING & PROPOSED STRUCTURES & ACCESSORY ITEMS 3140 sq. ft.

c. Accessory structures (if applicable): Pool - above ground

Area proposed 15' X 30' X 54" (450) square feet
(type: shed, deck pool, etc.)

Proposed Set Backs

Maximum height proposed 54" feet Side 23' Rear 37'

	Maximum Allowed	
	R-15/20 Zone	R-10 Zone
d. Coverage (from 5.b., Page 1)		
Existing structures (Item 1/sq.ft. of lot)	<u>10.77</u> percent	<u>20%</u>
Existing accessory items (Item 4/sq.ft. of lot)	<u>8.94</u> percent	<u>10%</u>
Total existing lot coverage	<u>19.71</u> percent	<u>30%</u>
Total existing impervious (Item 1 + Item 4/sq. ft. of lot)	<u>19.71</u> percent	<u>30%</u>
Proposed structures (Items 1 + 2/sq. ft. of lot)	<u>10.77</u> percent	<u>20%</u>
Proposed accessory items (Items 4 + 5/sq. ft. of lot)	<u>12.24</u> percent	<u>10%</u>
Total proposed lot coverage	<u>23.01</u> percent	<u>30%</u>
Total proposed impervious (Items 1+2+4+5/sq. ft. of lot)	<u>23.01</u> percent	<u>30%</u>

6. Has there been a previous petition for relief involving the property? No (If yes, attach Resolution.)

7. Facts in support of petitioner's relief:

Under sized lot area, conforms to total lot coverage, property improvement for family activity, meets all set back requirements

8. Set forth the particular Statute under which this Application is made (N.J.S.A. 40:55D-70)

a) Appeal _____ b) Interpretation _____ c) Hardship X d) Use _____

9. Has the Building or Zoning Department examined the plans for the proposed building and refused a building permit? Yes If Yes, please attach the Zoning Officer's Denial letter.

10. If the property is not owner occupied, name the Lessee and Use of the existing building and premises N/A

If the property is not to be owner occupied, name the Lessee and the proposed Use of the building and premises. N/A

11. Attach hereto and made a part hereof are the following:

- a) Complete set of plans of any proposed building alteration or extension, including all items set forth in instructions
- b) 200-foot radius map and copy of certified list (provided by the Township) of property owners within 200 feet
- c) Architectural plans or equivalent

I hereby certify that the above statements made by me and the statements contained in the papers submitted herewith are true. I am aware that if any of the foregoing statements are willfully false, I am subject to punishment.



Petitioner Signature

14 Pine Grove Rd

Address

Berkeley Hts, NJ 07922

Phone 310-951-2494

Cell Phone

Tammydp73@yahoo.com

E-Mail Address



Berkeley Heights Township
ZONING
29 PARK AVE
BERKELEY HEIGHTS, NJ 07922
908-464-2700, 2115
TBOCKO@BHTWP.COM

Application Date: 6/24/2020
Application Number: ZA-20-267
Permit Number:
Project Number:
Fee: \$0

Denial of Application

Date: 6/24/2020

To: KARELUS, DAVID M & TAMMY P CC: APP TELE:(310) 951-2494
14 PINE GROVE RD APP EMAIL:TAMMYDP73@YAHOO.COM
BERKELEY HEIGHTS, NJ 07922

RE: 14 PINE GROVE RD
BLOCK: 2201 LOT: 2 QUAL: ZONE: R-15

DEAR KARELUS, DAVID M & TAMMY P,

Your request is hereby denied based upon the following requirements:

The applicant is proposing to install an above ground pool, 15' x 30' x 54" high in the rear yard area. A slotted deck, 25' x 15' is to be attached to the pool surround.

Section 6.1.1B "Schedule of General Regulations" of the Municipal Land Use Procedures Ordinance allows a maximum 10% of the lot area for "other" coverage where 8.94% is existing and 12.24% is proposed with the addition of the pool.

Section 3.1.7D "Swimming and Wading Pools" allows for a maximum above ground pool height of 48", where 54" is proposed.

Nonconforming: lot area, lot width, principal front, side and combined side yard setbacks.

FEMA Flood Zone Determination - Panel 17F Zone X

You have a right to appeal this determination to the Berkeley Heights Zoning Board of Adjustment. Please call Connie Valenti at 908-464-2700, ext., 2124.

Sincerely,

THOMAS A. BOCKO, ZONING OFFICER

* Top line

last longer

= 30 yrs



Available Exclusively at

Cachet 54'



30 yrs

Enhance the natural beauty of your backyard

Innovative in its guidelines, the Cachet pool introduces new textures and warm colors that redefine the norm. The combination of steel uprights with metallic finish and the Synflex Resin injection-molded top ledges, ledge covers and foot covers, offers this pool the highest quality in manufacturing and visual style. With a perfect amount of unity between the linear wall graphic and the structural components, the Cachet will provide a highly attractive enhancement for your backyard enjoyment.

The Pelican Difference

What makes us a leader is what sets us apart. What makes Pelican's pools stand out is the way we offer unique design quality with practicality, offering innovative styling to create smooth round or oval aboveground pools with absolutely no angular joints. We also owe our success to distinctive components that make all the difference, including textured walls, ultra-strong uprights and top rails, solid joints and continuous curve top seats. At Pelican we know how important it is to offer the perfect balance between function and aesthetics, and we have leading pool offerings to fit every situation. That is what you should expect from a company that has been totally committed to the pursuit of the total backyard experience since 1960.

Safety

Your aboveground pool has been designed to provide you with years of safe family fun. This entails that water safety must always be taken into account. When used incorrectly your aboveground pool can be dangerous. Aboveground pools are shallow, and this makes diving and jumping unsafe. To ensure your aboveground pool is used safely, you must observe the safety precautions that are provided to you when you purchase an aboveground pool and conform to all local regulations.



FEATURES

**Why is the Cachet such a hit with homeowners?
It's all in the detail...**

- Robust resin and steel structure
- Steel wall finished with dual-density ArmorCoat exterior or wall sealer
- LiquidLok epoxy interior wall backing with Copper Guard
- Stainless Steel service panel
- Sun Safe 7.5" resin top ledge
- Sculpted wrap-around ledge covers
- Krystal Kote 6" steel uprights
- Resin bottom plates and tracks
- Space-saving braceless oval system
- *** SALTWATER PLUS warranty**

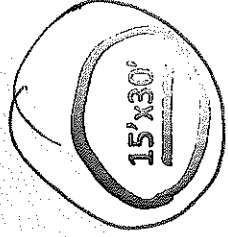
30 years

Available Sizes --- Round

12' 15' 18' 21' 24' 27' 30' 33'

Available Sizes --- Oval

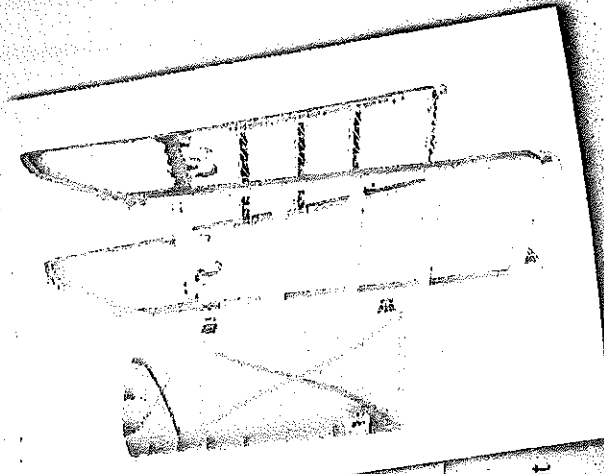
12'x20' 12'x24' 15'x26' 18'x33'



— = in stock **O** = Pre-ordered

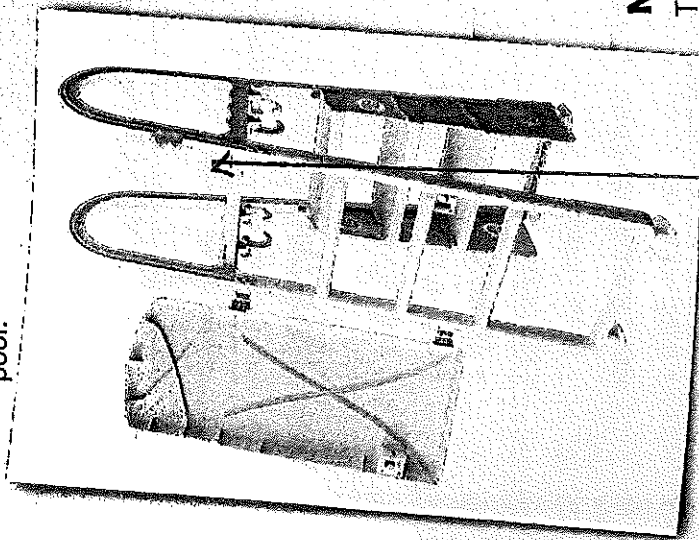
The Innov-A-Frame

Ideal for non-deck above ground pools 48" to 54", the Innov-A-Frame ladder has the durability you want and all the safety features you need without the high price. The outer self-closing and self-latching ladder prevents unauthorized access to your pool.



Key Points of Compliance:

- A) Section 421.10.1, item 1 : Complies with minimum barrier height of 48 inches from ground level
- B) Section 421.10.1, item 3 : Smooth finish and design does not contain protrusions/indentations which can be climbed.
- C) Section 421.10.1, item 8 : Ladder is equipped with locking device/mechanism which is self closing and self latching located more than 54 inches from ground level. Access door opens outwards from the pool.



\$1 379.00

The Innov-A-Frame Deluxe

PG3011

Just like its basic counterpart, the Innov-A-Frame Deluxe ladder easily adjusts to non-deck above ground pools 48" to 54". The inner ladder features side barriers to prevent entrapment for maximum security while the outer self-closing and self-latching outer ladder prevents unauthorized access to your pool.

Note:

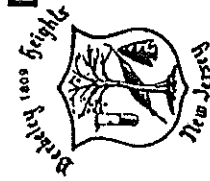
The mechanism of the PG-9000, PG-3010 and PG-3011 constitutes a locking device under the BOCA regulations. Innovapias strongly recommends the use of a padlock when the pool is closed and not in use.

64" LATCH KEIGHT

Innovapias
370, Lajeunesse, St-Jérôme (Québec) J7Y 4E5
Tél. : 450.504.8641
Fax : 450.504.8645
info@innovapias.com

InnovaPias

www.innovapias.com



LIST OF PROPERTY OWNERS TO BE SERVED NOTICE TOWNSHIP OF BERKELEY HEIGHTS

29 PARK AVENUE
BERKELEY HEIGHTS, NEW JERSEY 07922

☆

PHONE: (908) 464-2700
FAX: (908) 464-8150

The following property owners shall be notified at least 10 days prior to the date set for hearing. The applicant shall clearly indicate the type of service, i.e., P.S. (Personal Service) or R.M.S. (Registered Mail Service) used to notify each owner. See instruction for method of service and filing of affidavit.

Application No.: _____ Date Requested: July 1, 2020.

Block: 2201 Lot(s): 2 Address: 14 Pine Grove Road

<u>Block</u>	<u>Lot</u>	<u>Owner</u>	<u>Address</u>	<u>Service</u>
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SEE ATTACHED LIST

I certify that the above is an accurate and complete list of property owners and addresses as prepared from the most recent tax lists. The owners must be given notice pursuant to NJSA 40:55D-12.

Date: 07/01/2020 Robert J. Edgar
Tax Assessor RS

I certify that no taxes, or assessments for local improvements, are due or delinquent on the subject property.

Date: 7-1-2020 [Signature]
Tax Collector

BERKELEY HEIGHTS

OWNER & ADDRESS REPORT

CERTIFIED 200' LIST FOR BLOCK: 2201 LOT: 2
14 PINE GROVE ROAD

07/01/20 Page 1

BLOCK	LOT	QUAL	CLA	PROPERTY OWNER	PROPERTY LOCATION	Add'l Lots
1816	11		2	MC LAUGHLIN, MATTHEW F JR & C A 5 WEBSTER DR BERKELEY HEIGHTS, NJ 07922	5 WEBSTER DR	
2101	7		2	STITZ, ERIN & MICHAEL 6 WEBSTER DR BERKELEY HEIGHTS, NJ 07922	6 WEBSTER DR	
2101	8		2	GRILLO, GLAUCO & JENNIFER 511 SNYDER AVE BERKELEY HEIGHTS, NJ 07922	511 SNYDER AVE	
2101	9		2	ALVAREZ, VINCENT & HEATHER 5 HARDING DR BERKELEY HEIGHTS, NJ 07922	5 HARDING DR	
2201	1		2	GARAY, FRANCISCO L I I 6 PINE GROVE RD BERKELEY HEIGHTS, NJ 07922	6 PINE GROVE RD	
2201	3		2	PHILLIPS, ROBERT J. & DAWN M. 20 PINE GROVE ROAD BERKELEY HEIGHTS, NJ 07922	20 PINE GROVE RD	
2201	4		2	MARIE J D'INNOCENZIO REVOCABLE TRUS 26 PINE GROVE RD BERKELEY HEIGHTS, NJ 07922	26 PINE GROVE RD	
2201	5		2	KHANNA, KUNAL & DIPTI 34 PINE GROVE RD BERKELEY HEIGHTS, NJ 07922	34 PINE GROVE RD	
2201	15		15A	BOARD OF EDUCATION PLAINFIELD AVENUE BERKELEY HEIGHTS, NJ 07922	460 SNYDER AVE	
2301	1		2	CASAZZA, HAROLD J. & ANDREA B. 5 PINE GROVE ROAD BERKELEY HEIGHTS, N J 07922	5 PINE GROVE RD	
2301	2		2	BOTTONE, DOMINICK & MARGARET 15 PINE GROVE ROAD BERKELEY HEIGHTS, NJ 07922	15 PINE GROVE RD	
2301	3		2	SMITH, ELIZABETH 25 PINE GROVE RD BERKELEY HEIGHTS, NJ 07922	25 PINE GROVE RD	
2301	4		2	FREDO, THERESA 88 BEECH AVENUE BERKELEY HEIGHTS, NJ 07922	88 BEECH AVE	
2301	39		2	KAMAKOTI, PREETI & NIESEN, URS 536 SNYDER AVE BERKELEY HEIGHTS, NJ 07922	536 SNYDER AVE	



200' radius map
for
block 2201 lot 2

(14 Pine Grove Rd.)

Township of Berkeley Heights

Township Official

General Construction and Design & Grounds and Landscaping Considerations

<u>Applicant</u>	<u>Reviewed</u>	<u>Item</u>
<u>N/A</u>	()	Consider the orientation and design to maximize passive solar heat/cooling. For example, orient the building along its east-west axis to have a larger surface exposure to the south, and use deciduous vegetation to block the sun in the summer months and maximize light and heat in the winter months.
<u>✓</u>	()	Minimize disturbance to soils and vegetation. Use proper planning to protect vegetation during construction and prevent damage to surrounding areas.
<u>✓</u>	()	Create landscapes that use native plantings to limit the need for lawn chemicals and maintenance (mowing, trimming, watering). Consider using captured rainwater (rain barrel) or recycled grey water for irrigation.
<u>N/A</u>	()	Recycle and/or salvage non-hazardous construction and demolition debris.
<u>N/A</u>	()	Consider the use of renewable building materials and products. Consider choosing products with low VOCs and avoid products that contain hazardous chemicals (i.e. formaldehyde, cyanide).
<u>N/A</u>	()	The use of local construction companies and products (i.e. local and sustainable woods) is recommended.
<u>N/A</u>	()	Where practicable, place parking spaces in shaded areas and consider using paving materials with an SRJ value >29 (this will reflect, not absorb solar heat).

Storm Water Management Considerations

<u>Applicant</u>	<u>Reviewed</u>	<u>Item</u>
(✓)	()	Consider limiting impervious surfaces such as use of an open grid pavement system (at least 50% pervious).
(✓)	()	Consider reducing impervious cover to promote infiltration that captures and treats storm water runoff from rainfall.
(✓)	()	Consider avoiding runoff to other properties by installing an underground cistern or rain garden. This will keep water on your own property and out of the sewer.

Energy & Lighting Considerations

<u>Applicant</u>	<u>Reviewed</u>	<u>Item</u>
N/A	()	Consider providing natural daytime lighting as much as possible with skylights or solo tubes. Consider using triple-pane windows, with protection against sun damage.
N/A	()	Consider choosing energy-efficient light bulbs. Use solar lighting outdoors.
N/A	()	Consider use of motion sensor lighting where applicable. In commercial/industrial settings consider use of sensor controls.
N/A	()	Conserve energy, reduce electricity use and if possible incorporate renewable energy.
N/A	()	Consider choosing ENERGY STAR appliances.

Heating and Cooling Considerations

<u>Applicant</u>	<u>Reviewed</u>	<u>Item</u>
(N/A)	()	Consider increasing amount of insulation by using 2 x 6 studs.
(N/A)	()	Consider installation programmable thermostats and attic fans to regulate heating and cooling.
(N/A)	()	Consider installation heat pumps to transfer energy heat and cold.
(N/A)	()	Consider use high efficiency boilers/furnaces.
(N/A)	()	Consider use light color roofing materials to limit heat absorbed by dark colored roofs. Consider tile or metal roofs.
(N/A)	()	Consider use roofing material with a solar reflectance index (SRI) equal or greater than 78 for low roofs and 29 for steep-sloped roofs.

Water Usage Considerations

<u>Applicant</u>	<u>Reviewed</u>	<u>Item</u>
(N/A)	()	Consider use of low-flow shower heads.
(N/A)	()	Consider installing dual-flush toilets.
()	()	If there are any other sustainable building practices not mentioned before, that will be used in this project, please describe:

