

RECEIVED

Application No. # 30-20-
Date of Filing 10/25/2020

NOV 17 2020

Application Fee \$250
Escrow \$500

APPLICATION TO ZONING BOARD OF 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 Cory Rotkel for relief from the strict application of the provisions of the Zoning Ordinance of the Township of Berkeley Heights.

Petitioner Name Cory Rotkel, residing at 174 Maple Avenue

Telephone No. (917) 716-8905, Fed.ID# (if applicable) _____

1. Petitioner is (owner) of property at 174 Maple Ave., Block R48, Lot 13 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:
Install aboveground pool 15'x26'x52" high seeking relief from other total lot coverage and pool height of 52"

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.B of the Zoning Ordinance.

5. a. Description of the Property:

	Required See Attached Schedule 6.1.B	Existing	Proposed	Variance Required: Y/N
Lot Area (sq. ft.)	15,000	14,810	14,810	non conforming
Lot Width	100'	100'	100'	N
Lot Depth	130'	149'	149'	N
Front Setback	50'	50.9'	50.9'	N
Side Setback	12'	12.8'	12.8'	N
Side Setback	18'	32'	32'	N
Combined side setbacks	30'	44.8'	44.8'	N
Rear Setback	40'	54'	54'	N

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

- 1-Area of existing structures (house, attached garage, covered porch) to remain 1290 sq. ft.
- 2-Area of proposed structures (house, attached garage, covered porch) 0 sq. ft.
- 3- Total area to be occupied by structures 1290 sq. ft.
- 4-Area of existing Accessory Items (detached garage, patio, driveways, walks, pool, shed) 2271 sq. ft.
- 5-Area of proposed Accessory Items (detached garage, patio, driveway, walks, pool, shed) 390 sq. ft.
- 6-Total area to be occupied by Accessory Items 2661 sq. ft.
- 7-TOTAL AREA OF EXISTING STRUCTURES AND ACCESSORY ITEMS 3561 sq. ft.
- 8-TOTAL AREA OF EXISTING & PROPOSED STRUCTURES & ACCESSORY ITEMS 3951 sq. ft.

c. Accessory structures (if applicable): above ground pool
(type: shed, deck pool, etc.)

Area proposed 390 square feet

Proposed Set Backs

Maximum height proposed 52 feet inches

Side 18 Side 57 Rear 25

		Maximum Allowed	
		R-15/20 Zone	R-10 Zone
d. <u>Coverage</u> (from 5.b., Page 1)			
Existing structures (Item 1/sq.ft. of lot)	<u>8.71</u> percent	15%	20%
Existing accessory items (Item 4/sq.ft. of lot)	<u>15.33</u> percent	10%	10%
Total existing lot coverage	<u>24.04</u> percent	25%	30%
Total existing impervious (Item 1 + Item 4/sq. ft. of lot)	<u>24.04</u> percent	25%	30%
Proposed structures (Items 1 + 2/sq. ft. of lot)	<u>8.71</u> percent	15%	20%
Proposed accessory items (Items 4 + 5/sq. ft. of lot)	<u>17.97</u> percent	10%	10%
Total proposed lot coverage	<u>26.68</u> percent	25%	30%
Total proposed impervious (Items 1+2+4+5/sq. ft. of lot)	<u>26.68</u> percent	25%	30%

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:
Slightly undersized lot area, existing long driveway adds to cover marginal exceeds total lot cover, meets all setback requirement, play space for family

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 _____

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

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.

Cory Roth
 Petitioner Signature
174 Maple Avenue
 Address Berkeley Heights, N.J. 07921
(917) 716-8905
 Phone Cory Roth @ gmail.com Cell Phone
 E-Mail Address



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

Application Date: 6/12/2020
Application Number: ZA-20-234
Permit Number: _____
Project Number: _____
Fee: \$0

Denial of Application

Date: 6/12/2020

To: ROTKEL, CORY & FREDO
174 MAPLE AVE
BERKELEY HEIGHTS, NJ 07922

CC: LGD Contracting
211 Clearwater Dr.
Forked River, NJ 08731

RE: 174 MAPLE AVE
BLOCK: 1501 LOT: 13 QUAL: ZONE:

DEAR ROTKEL, CORY & FREDO,

Your request is hereby denied based upon the following requirements:

The applicant is proposing to install an above ground pool, 15' x 26' x 52" high, in the rear yard area and location as shown on the survey map submitted with the zoning application.

Section 6.1.1 "Schedule of General Regulation" of the Municipal Land Use Procedures Ordinance allows for a maximum of 10% other lot coverage, where nonconforming 15.33% is existing and 17.97% is proposed with the new pool. Total or combined lot coverage allowed is 25% of the lot area, where 24.04% is existing and 26.68% is proposed.

Section 3.1.7D "Swimming and Wading Pool" states that above ground pools shall not be higher than 48" from finished grade, the proposed pool is to be 52" high.

Nonconforming: lot area, existing other coverage, driveway off-set from side property line.

FEMA Flood Zone Determination - Panel 07 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,

A handwritten signature in cursive script, appearing to read "Thomas A. Bock".

Thomas A. Bock, Zoning Officer



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.: ZA-20-234 Date Requested: October 9, 2020

Block: 1501 Lot(s): 13 Address: 174 MAPLE AVE

<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: 10/28/2020 Robert M. Edgar
Tax Assessor TS.

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

Date: 10-28-2020 Michelle La Spegna
Tax Collector

OWNER & ADDRESS REPORT

BERKELEY HEIGHTS

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CERTIFIED 200' LIST FOR BLOCK 1501 LOT 13
174 MAPLE AVE

BLOCK	LOT	QUAL	CLA	PROPERTY OWNER	PROPERTY LOCATION	Add'l Lots
1501	9		2	CHONDHURY, S. & BASU, A. 143 BAKER AVENUE BERKELEY HEIGHTS, N J 07922	143 BAKER AVENUE	
1501	10		2	CHIANG, STEPHEN B & CECILIA Y. 151 BAKER AVENUE BERKELEY HEIGHTS, NJ 07922	151 BAKER AVENUE	
1501	11		2	RECANATINI, JOSEPH & MICHELE 182 MAPLE AVE BERKELEY HEIGHTS, NJ 07922	182 MAPLE AVE	
1501	12		2	SATYA, AJJIT NARAYANAN & RAMAMURTHY 178 MAPLE AVE BERKELEY HEIGHTS, NJ 07922	178 MAPLE AVE	
1501	14		2	MONTOYA, JORGE & LEYVA, RINA A. 170 MAPLE AVE BERKELEY HEIGHTS, NJ 07922	170 MAPLE AVE	
1501	15		2	COOK, EDWARD J. & JILL M. 162 MAPLE AVENUE BERKELEY HEIGHTS, NJ 07922	162 MAPLE AVE	
1501	16		2	SULLIVAN, MICHAEL & LINDSAY 154 MAPLE AVE BERKELEY HEIGHTS, NJ 07922	154 MAPLE AVE	
1501	17		2	CABRERA, DANIEL & MARIA D. 146 MAPLE AVE BERKELEY HEIGHTS NJ 07922	146 MAPLE AVE	
1501	18		2	FINKELSTEIN, MARK & KATHRYN 142 MAPLE AVENUE BERKELEY HEIGHTS, N J 07922	142 MAPLE AVE	
1502	20		2	POPOVITCH, ROBERT S. 77 KLINE BLVD BERKELEY HEIGHTS, NJ 07922	77 KLINE BLVD	
1502	21		2	GORDON, DANIEL A. & BOXILL, LAVINIA 71 KLINE BLVD BERKELEY HEIGHTS, N J 07922	71 KLINE BLVD	
1502	22		2	CHEA, BORAVANN & ANGELA Y 65 KLINE BLVD BERKELEY HEIGHTS, NJ 07922	65 KLINE BLVD	
1502	22.01		2	ROMANO, JANINE M. 59 KLINE BLVD BERKELEY HEIGHTS, NJ 07922	59 KLINE BLVD	
1502	23		2	RUBINO, JAMES M. & ANGELA 51 KLINE BLVD BERKELEY HEIGHTS, N J 07922	51 KLINE BLVD	
1502	35		2	WEINSTEIN, DAVID & ELSA C 181 MAPLE AVENUE BERKELEY HEIGHTS, N J 07922	181 MAPLE AVE	
1502	36		2	US BANK TRUST C/O HUDSON HOMES MGMT 3701 REGENT BLVD, STE 200 IRVING, TX 75063	177 MAPLE AVE	
1502	37		2	BRINTON, GREGORY & LORI D. 173 MAPLE AVENUE BERKELEY HEIGHTS, N J 07922	173 MAPLE AVE	
1502	38		2	BJORGE, JOHN M. & DIANA S. 169 MAPLE AVENUE BERKELEY HEIGHTS, N J 07922	169 MAPLE AVE	
1502	39		2	ROTHFELD, JANE 165 MAPLE AVE BERKELEY HEIGHTS, NJ 07922	165 MAPLE AVE	

OWNER & ADDRESS REPORT

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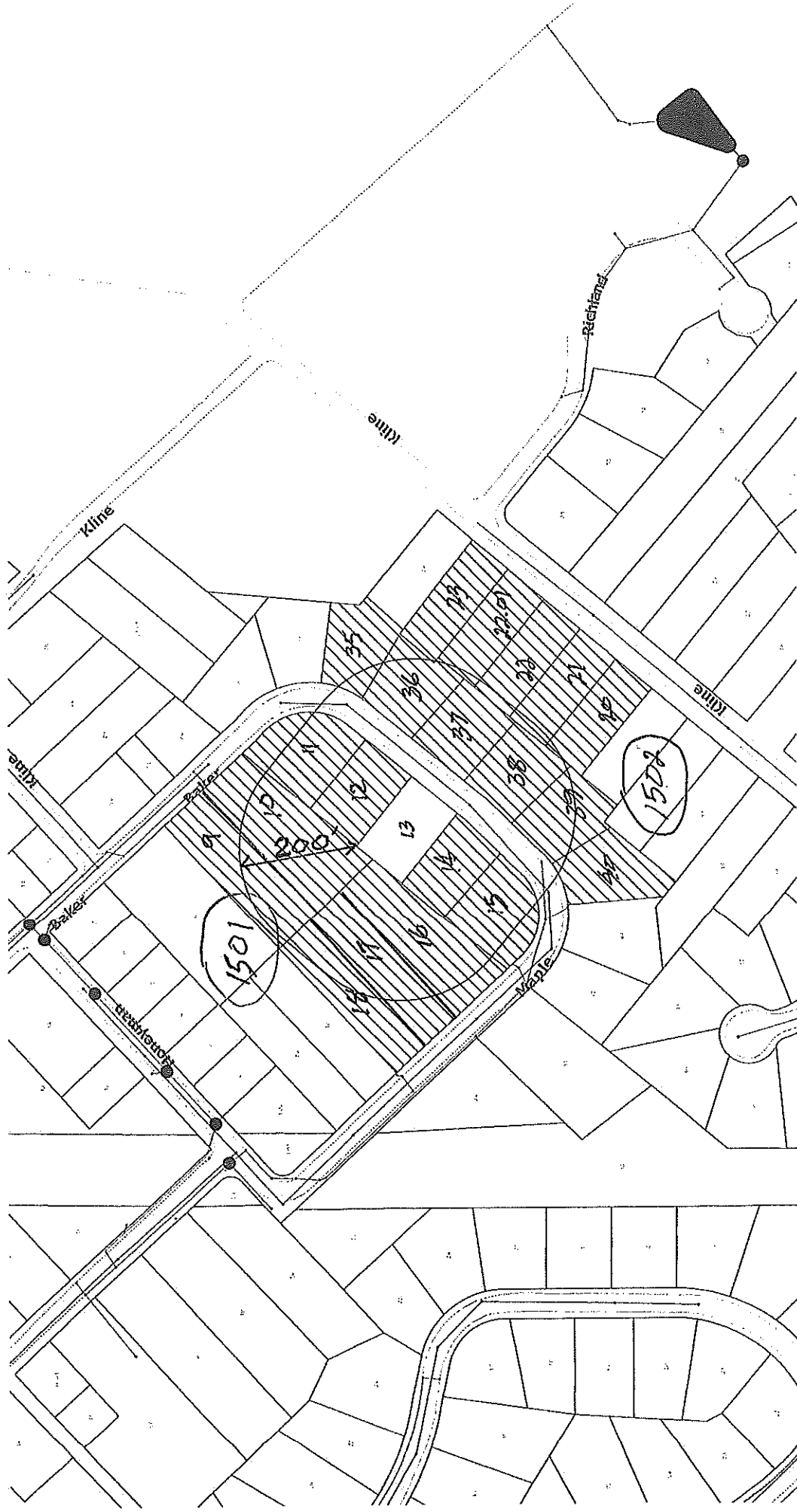
BERKELEY HEIGHTS

CERTIFIED 200' LIST FOR BLOCK 1501 LOT 13
174 MAPLE AVE

BLOCK	LOT	QUAL	CLA	PROPERTY OWNER	PROPERTY LOCATION	Add'l Lots
1502	40		2	GLYNN, JOHN E & CELESTE E 161 MAPLE AVENUE BERKELEY HEIGHTS, N J 07922	161 MAPLE AVE	

200' radius map
(174 Maple Ave.)

for
block 1501 lot 13



Applicant Cory + Carol Rothel
Application # ZA-20-234

Township of Berkeley Heights

Township Official

General Construction and Design & Grounds and Landscaping Considerations

<u>Applicant</u>	<u>Reviewed</u>	<u>Item</u>
N/A	()	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.
N/A	()	Minimize disturbance to soils and vegetation. Use proper planning to protect vegetation during construction and prevent damage to surrounding areas.
N/A	()	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.
N/A	()	Recycle and/or salvage non-hazardous construction and demolition debris.
N/A	()	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).
N/A	()	The use of local construction companies and products (i.e. local and sustainable woods) is recommended.
N/A	()	Where practicable, place parking spaces in shaded areas and consider using paving materials with an SRI value >29 (this will reflect, not absorb solar heat).

Storm Water Management Considerations

<u>Applicant</u>	<u>Reviewed</u>	<u>Item</u>
(N/A)	()	Consider limiting impervious surfaces such as use of an open grid pavement system (at least 50% pervious).
(N/A)	()	Consider reducing impervious cover to promote infiltration that captures and treats storm water runoff from rainfall.
(N/A)	()	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.
N/A	()	If there are any other sustainable building practices not mentioned before, that will be used in this project, please describe: <hr/> <hr/> <hr/> <hr/>