

RECEIVED

Application No. 19-21
Date of Filing 8/23/21

AUG 23 2021

Application Fee _____
Escrow _____

APPLICATION TO ZONING BOARD ZONING ADJUSTMENT BERKELEY HEIGHTS, NJ

NOTE: It is the responsibility of the applicant to specify on the petition 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 Jean Looney for relief from the strict application of the provisions of the Zoning Ordinance of the Township of Berkeley Heights.

Petitioner Name Jean Looney residing at 42 Club Dr., Summit, NJ
Telephone No. 908-447-1428 Email address RJLOONEY98@yahoo.com

1. Petitioner is Owner of property at 42 Club Dr., Block 3905, Lot 5 on the Tax Map located in the R-20 Zone.

2. The Petitioner is requesting to use the property in the following manner with the following variances required: Install in-ground pool, 16 x 30', with pool patio which will exceed allowed other + total lot coverage.

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.)	20,000	18,709	18,709	nonconforming
Lot Width	100'	97.12	97.12	nonconforming
Lot Depth	150'	203'	203'	N
Front Setback	50'	53.5'	53.5'	N
Side Setback	12'	14.7'	14.7'	N
Side Setback	18'	20'	20'	N
Combined side setbacks	30'	34.7'	34.7'	N
Rear Setback	40'	93'	93'	N

b. Provide coverage numbers below. Do not include slotted deck in this section:

- Area of existing buildings/structures (house, attached/detached garage, covered porch, shed) to remain 2028 sq. ft.
- Area of proposed buildings/structures (house, attached/detached garage, covered porch, shed) 0 sq. ft.
- Total area to be occupied by buildings/structures 2028 sq. ft.
- Area of existing Other Items (patio, driveways, walks, pool) 2075 sq. ft.
- Area of proposed Other Items (patio, driveway, walks, pool) 1380 sq. ft.
- Total area to be occupied by Other Items 3455 sq. ft.
- TOTAL AREA OF EXISTING BUILDINGS/STRUCTURES AND OTHER ITEMS 4103 sq. ft.
- TOTAL AREA OF EXISTING & PROPOSED BUILDINGS/STRUCTURES & OTHER ITEMS 5483 sq. ft.

c. Lot Coverage (from 5.b., Page 1)	R-15/20 Zone	Maximum Allowed	
		R-10 Zone	
Existing buildings/structures (Item 1/sq.ft. of lot) <u>10.84</u> percent		15%	20%
Existing Other coverage (Item 4/sq.ft. of lot) <u>11.09</u> percent		10%	10%
Total existing lot coverage (Item 7/sq. ft. of lot) <u>21.93</u> percent		25%	30%
Proposed buildings/structures (Item 3/sq.ft. of lot) <u>10.84</u> percent		15%	20%
Proposed Other coverage (Item 6/sq. ft. of lot) <u>18.47</u> percent		10%	10%
Total proposed lot coverage (Item 8/sq. ft. of lot) <u>29.31</u> percent		25%	30%

d. Accessory buildings/structures (if applicable): In-ground pool + patio
 (type: pool, etc.)
 Area proposed 512 (pool) 800 (patio) square feet
 Proposed Set Backs
 Maximum height proposed 0 feet
 Side 16' Side 27' Rear 15.5'

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:

Nonconforming under sized lot area, rear loading garage required
 excessive driveway coverage, aesthetic improvement to lot,

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 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.

Sean C. Jones
 Petitioner Signature
42 Club Dr.
 Address
Summit, NJ 07901
908-447-1428
 Phone
RJLOONEY98@yahoo.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: 5/25/2021
Application Number: ZA-21-335
Permit Number: _____
Project Number: _____
Fee: \$0

Denial of Application

Date: 5/28/2021

To: LOONEY, JEAN C
42 CLUB DRIVE
SUMMIT, NJ 07901

CC: APP TELE:(908) 447-1428
APP EMAIL:RJLOONEY98@YAHOO.COM

RE: 42 CLUB DRIVE
BLOCK: 3905 LOT: 5 QUAL: ZONE: R-20

DEAR LOONEY, JEAN C,

The applicant has submitted a revised plot plan to install an in-ground pool, pool surround patio and pool enclosure fence.

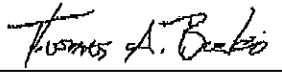
Section 6.1.1B "Schedule of General Regulations" of the Municipal Land Use Procedures Ordinance allows for a maximum of 10% other coverage where nonconforming 11.09% is existing and 18.47% is proposed. Total lot coverage allowed is 25% where 21.93% is existing and 29.31% is proposed.

Existing nonconforming: lot area, other coverage, driveway off set from side property line, lot width, shed location.

FEMA Flood Zone Determination - Panel 16F 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

Applicant Jean Looney
Application # 19-21

Township of Berkeley Heights

Township Official

General Construction and Design & Grounds and Landscaping Considerations

<u>Applicant</u>	<u>Reviewed</u>	<u>Item</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.
(✓)	()	Minimize disturbance to soils and vegetation. Use proper planning to protect vegetation during construction and prevent damage to surrounding areas.
(✓)	()	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.
(✓)	()	Recycle and/or salvage non-hazardous construction and demolition debris.
(✓)	()	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).
(✓)	()	The use of local construction companies and products (i.e. local and sustainable woods) is recommended.
(✓)	()	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>
(✓)	()	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>
(✓)	()	Consider providing natural daytime lighting as much as possible with skylights or solo tubes. Consider using triple-pane windows, with protection against sun damage.
(✓)	()	Consider choosing energy-efficient light bulbs. Use solar lighting outdoors.
(✓)	()	Consider use of motion sensor lighting where applicable. In commercial/industrial settings consider use of sensor controls.
(✓)	()	Conserve energy, reduce electricity use and if possible incorporate renewable energy.
(✓)	()	Consider choosing ENERGY STAR appliances.

Heating and Cooling Considerations

<u>Applicant</u>	<u>Reviewed</u>	<u>Item</u>
(/)	()	Consider Increasing amount of insulation by using 2 x 6 studs.
(/)	()	Consider installation programmable thermostats and attic fans to regulate heating and cooling.
(/)	()	Consider installation heat pumps to transfer energy heat and cold.
(/)	()	Consider use high efficiency boilers/furnaces.
(/)	()	Consider use light color roofing materials to limit heat absorbed by dark colored roofs. Consider tile or metal roofs.
(/)	()	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>
(/)	()	Consider use of low-flow shower heads.
(/)	()	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: _____ _____ _____ _____

TOWNSHIP OF BERKELEY HEIGHTS
PLANNING BOARD / ZONING BOARD OF ADJUSTMENT

SITE INSPECTION CONSENT FORM

Applicant: Jean Looney Application No.: _____

Block: 3905 Lot: 5

Street Address: 42 Club Drive

I, Jean Looney, the owner of the above property, hereby acknowledge that a site inspection may be scheduled with the Planning Board/Zoning Board of Adjustment for a mutually convenient date and time. I hereby authorize members of the Planning Board/Zoning Board of Adjustment and their representatives and consultants (or other designated officials) to enter onto the property which is the subject of this application at the time of any site inspections for the purpose of evaluating the application.

Signature: Jean Looney Date: 8/10/21