

BOARD OF ADJUSTMENT
TOWNSHIP OF BERKELEY HEIGHTS

Case No. 6-17

RESOLUTION

WHEREAS, CHRISTOPHER and KIMBERLY COZIC have applied to the Board of Adjustment of the Township of Berkeley Heights for permission to renovate and expand their single family residence which is located at 15 Oak Ridge Road on property designated as Lot 13, Block 2105 on the Berkeley Heights Tax Map, which premises is located in the R-15 Zone, and

WHEREAS, the application was presented by Christopher and Kimberly Cozic and their Architect Brian Siegel, AIA at the May 25th, 2017 Board of Adjustment meeting, and

WHEREAS, the subject property has a number of non-conformities including a narrow lot width of 86.7 feet, while the minimum lot width in the R-15 Zone is 100 feet, and

WHEREAS, a portion of the front of the home and part of the driveway are to be removed, and

WHEREAS, a second story will be added to the 1½ story home, the garage will be rebuilt and expanded, a bedroom will be constructed over the garage, and decks will be built, and

WHEREAS, building coverage will be increased from 10.74% to 14.62%, while the Zoning Ordinance limits building coverage to 15% in the R-15 Zone, and

WHEREAS, other or accessory lot coverage will decrease from 10.26% to 8.71%, while the Zoning Ordinance limits other or accessory lot coverage to 10% in the R-15 Zone, and

WHEREAS, total lot coverage will increase from 21% to 23.32%, while the Zoning Ordinance limits total lot coverage of 25% in the R-15 Zone, and

WHEREAS, the sideyards will be 12.2 feet on each side, which conforms with the minimum sideyard requirement of 12 feet, but does not meet the combined sideyard requirement of 30 feet in the R-15 Zone, and

WHEREAS, the Board finds that a practical difficulty and undue hardship exists pursuant to N.J.S.A. 40:55D-70c(1)(a) by reason of the exceptional narrowness of the subject property, and

WHEREAS, the Board finds that the requested variance is also justified under N.J.S.A. 40:55D-70c(2) on the basis of advancing a purpose under the Municipal Land Use Law (MLUL) in N.J.S.A. 40:55D-2i by creating a desirable visual environment by the attractive renovations to the home, and

WHEREAS, the benefits from the deviation substantially outweigh the detriments, and

WHEREAS, the requested relief can be granted without substantial detriment to the public good and without substantially impairing the intent and purpose of the Zone Plan and Zoning Ordinance of the Township of Berkeley Heights.

NOW, THEREFORE, BE IT RESOLVED by the Board of Adjustment of the Township of Berkeley Heights on this 8th day of June 2017 that the application of CHRISTOPHER and KIMBERLY COZIC be approved, in

accordance with a plan titled: "COZIC RESIDENCE 15 OAK RIDGE ROAD BERKELEY HEIGHTS, NJ 07922" consisting of Sheets A1-9 and last revised February 17th, 2017, subject, however, to the following conditions:

1. The applicants shall obtain approval from the Township Tree Inspector prior to removing any trees.

2. The architecture and exterior materials for the home shall match.

3. The applicants shall submit a drainage plan to the Township Engineer for his approval. A building permit shall not be issued until the plan is approved. The drainage plan is to be implemented to the approval of the Township Engineer.

4. There shall be no hot tub, jacuzzi, or the like on the deck.

5. No storage under the deck.

6. All lights on the deck shall be shielded. There shall be no glare or sky glow from the lights on adjoining properties or public roads.

7. The removal of a portion of the driveway and part of the home so that the coverage figures, after construction, do not exceed those in the within resolution.

8. Access to the bedroom over the garage shall be solely from the home and not the garage.

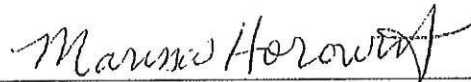
Roll Call Vote

Those in Favor: Mr. Sullivan, Mr. Delia, Mr. Mustacchi, Mr. Nappi,
Mr. Sylvester and Mr. Ringwood

Those Opposed: NONE

The foregoing is a true copy of a resolution adopted by the Board of Adjustment of the Township of Berkeley Heights at its meeting on June 8, 2017 as copied from the minutes of said meeting.

The within resolution memorializes a motion which was adopted by the Board of Adjustment of the Township of Berkeley Heights on May 25, 2017.



MARISSA HOROWITZ, SECRETARY
BOARD OF ADJUSTMENT
TOWNSHIP OF BERKELEY HEIGHTS
STATE OF NEW JERSEY