

RECEIVED

Application No. APP22-0006
Date of Filing 3/7/22

MAR 07 2022

Application Fee _____
Escrow _____

PLANNING ZONING ENGINEERING
TWP. OF BERKELEY HEIGHTS, NJ

NOTE: It is the responsibility of the applicant to specify in the application a request 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 Pamela & Harry Davis for relief from the strict application of the provisions of the Zoning Ordinance of the Township of Berkeley Heights.

Petitioner Name Pamela Davis, residing at 64 River Bend Rd
Telephone No. 908-334-1067, Email address pamBdavis@gmail.com

1. Petitioner is owner of property at 64 River Bend Rd, Block 507, Lot 2 (owner or tenant etc.) 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: Rebuild following house fire. Renovation to include extension over existing garage structure to extend master bedroom to include a larger master bath & walk-in closet over the damaged garage.

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 6.1.1(B) of the Zoning Ordinance.

5. a. Description of the Property:

	Required See Attached Schedule 6.1.1B	Existing	Proposed	Variance Required: Y / N
Lot Area (sq. ft.)	15,000 SF	12,250 SF	no change	N
Lot Width	100'	±118'	no change	N
Lot Depth	130'	±122'	no change	N
Front Setback	50'	45'	45' / ±47'	Y
Side Setback	12'	14.17'	±13.0'	N
Side Setback	N/A	±13.0'	±13.0'	—
Combined side setbacks	30'	27.17'	±26.0'	Y
Rear Setback	40'	±39.5'	±39.5'	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 1803 sq. ft.
- Area of proposed buildings/structures (house, attached/detached garage, covered porch, shed) 32 sq. ft.
- Total area to be occupied by buildings/structures 1835 sq. ft.
- Area of existing Other Items (patio, driveways, walks, pool) 1098 sq. ft.
- Area of proposed Other Items (patio, driveway, walks, pool) -0- sq. ft.
- Total area to be occupied by Other Items 1098 sq. ft.
- TOTAL AREA OF EXISTING BUILDINGS/STRUCTURES AND OTHER ITEMS 2901 sq. ft.
- TOTAL AREA OF EXISTING & PROPOSED BUILDINGS/STRUCTURES & OTHER ITEMS 2933 sq. ft.

c. <u>Lot Coverage</u> (from 5.b., Page 1)		<u>Maximum Allowed</u>	
		<u>R-15/20 Zone</u>	<u>R-10 Zone</u>
Existing buildings/structures (Item 1/sq.ft. of lot)	<u>14.72</u> percent	15%	20%
Existing Other coverage (Item 4/sq.ft. of lot)	<u>8.96</u> percent	10%	10%
Total existing lot coverage (Item 7/sq. ft. of lot)	<u>23.68</u> percent	25%	30%
Proposed buildings/structures (Item 3/sq.ft. of lot)	<u>14.98</u> percent	15%	20%
Proposed Other coverage (Item 6/sq. ft. of lot)	<u>8.96</u> percent	10%	10%
Total proposed lot coverage (Item 8/sq. ft. of lot)	<u>23.94</u> percent	25%	30%

d. Accessory buildings/structures (if applicable): N/A
 (type: pool, etc.)

Area proposed _____ square feet Proposed Set Backs
 Maximum height proposed _____ feet Side _____ Side _____ Rear _____

6. Has there been a previous petition for relief involving the property? yes (If yes, attach Resolution.)
Board of Adjustment Resolution Case No. 5-96

7. Facts in support of petitioner's relief:
The variances are driven by existing non-conforming site conditions, as well as by our desire to enlarge the relatively tight Master Bedroom & Bathroom and to provide a comfortable shared Walk-In Closet to replace the relatively small linear Closet that we currently share. Given our need to repair and restore the home following the recent fire, we thought this was a good time to do these upgrades that we hope to enjoy in the years ahead.

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
64 River Bend Rd
 Address
Berkeley Heights, NJ 07922

 Phone 908-334-1067 Cell Phone
pamBdavis@gmail.com
 E-Mail Address



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

Application Date: 2/24/2022
Application Number: ZA-22-70
Permit Number: _____
Project Number: _____
Fee: \$0

Denial of Application

Date: 3/3/2022

To: DAVIS JR, HARRY R & PAMELA B
64 RIVER BEND ROAD
BERKELEY HEIGHTS, NJ 07922

CC: APP TELE:(908) 334-1067
APP EMAIL:PAMBDAVIS@GMAIL.COM

RE: 64 RIVER BEND RD
BLOCK: 507 LOT: 2 QUAL: ZONE: R-15

DEAR DAVIS JR, HARRY R & PAMELA B,

The property owner is proposing to restore that portion of their house that was damaged by fire, add a second story over top of the fire damaged garage with a 3' cantilever (extension) to the rear.

Section 6.1.1B "Schedule of General Regulations" of the Municipal Land Use Procedures Ordinance requires a minimum 50' front yard setback, where a nonconforming 45' is existing and 47' is proposed to a new second story addition. Combined side yard setbacks shall total a minimum of 30 feet, where 27.17' is existing and 26' is proposed to a new second story addition (cantilever).

Note;

Board of Adjustment Resolution Case No. 5-96 granted variance approval for a principal addition needing combined side yard setbacks and rear yard setback variance.

Existing nonconforming: lot area, principal front yard setback, principal rear yard setback & combined side yard setback variance granted through Case No. 5-96.

FEMA Flood Zone Determination - Panel 016F 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

TOWNSHIP OF BERKELEY HEIGHTS
PLANNING BOARD / ZONING BOARD OF ADJUSTMENT

SITE INSPECTION CONSENT FORM

Applicant: Harry & Pamela Davis Application No.: _____

Block: 507 Lot: 2

Street Address: 64 River Bend Rd

I, Pamela Davis, 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:  Date: 3-7-22

Township of Berkeley Heights

Township Official

General Construction and Design & Grounds and Landscaping Considerations

<u>Applicant</u>	<u>Reviewed</u>	<u>Item</u>
(x)	()	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.
(x)	()	Minimize disturbance to soils and vegetation. Use proper planning to protect vegetation during construction and prevent damage to surrounding areas.
(x)	()	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.
(x)	()	Recycle and/or salvage non-hazardous construction and demolition debris.
(x)	()	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).
(x)	()	The use of local construction companies and products (i.e. local and sustainable woods) is recommended.
(x)	()	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>
(x)	()	Consider limiting impervious surfaces such as use of an open grid pavement system (at least 50% pervious).
(x)	()	Consider reducing impervious cover to promote infiltration that captures and treats storm water runoff from rainfall.
(x)	()	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>
(x)	()	Consider providing natural daytime lighting as much as possible with skylights or solo tubes. Consider using triple-pane windows, with protection against sun damage.
(x)	()	Consider choosing energy-efficient light bulbs. Use solar lighting outdoors.
(x)	()	Consider use of motion sensor lighting where applicable. In commercial/industrial settings consider use of sensor controls.
(x)	()	Conserve energy, reduce electricity use and if possible incorporate renewable energy.
(x)	()	Consider choosing ENERGY STAR appliances.

Heating and Cooling Considerations

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

BOARD OF ADJUSTMENT

TOWNSHIP OF BERKELEY HEIGHTS

CASE NO. 5-96

RESOLUTION

WHEREAS, HARRY AND PAMELA DAVIS, have applied to the Board of Adjustment of the Township of Berkeley Heights for permission to construct an addition to an existing single family residence which is located at 64 Riverbend Road on property designated as Lot 2 in Block 507 on the Municipal Tax Map, which premises is located in the R15 Zone, and

WHEREAS, the proposed 15'x23'2" addition would provide space for an expanded kitchen, eat-in area, and den, and

WHEREAS, the subject property is irregularly shaped, being located on the bend of Riverbend Road and being pie shaped, with substantial frontage on the road which narrows to the rear property line, and

WHEREAS, the proposed addition would have a side yard of 13 feet which would meet the minimum side yard requirement of 12 feet for one side, however, when combined with the side yard of 14.17 feet on the other side of the property would total 27.17 feet while the Zoning Ordinance requires a minimum combined side yards of 30 feet, and

WHEREAS, the requested variance is justified under N.J.S.A. 40:55D-70c(1)(a) by reason of the exceptional narrowness, shallowness and shape of the subject property,

and

WHEREAS, at the public hearing it was discovered that the applicant also requires a rear yard setback variance by reason of the sloping sidelines, and

WHEREAS, the Board of Adjustment permitted the application to be amended to include a request for a rear yard variance as well as a side yard variance for the addition, and

WHEREAS, the requested variances 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 9th day of May, 1996 that the application of HARRY AND PAMELA DAVIS be approved.

Roll Call Vote Kelly, Kent, Flynn, Kriegsman, Ferrara

Those in Favor:

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 May 9, 1996 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 April 25, 1996.

Sarah R. Mueller

SARAH R. MUELLER, SECRETARY
BOARD OF ADJUSTMENT
TOWNSHIP OF BERKELEY HEIGHTS
STATE OF NEW JERSEY