

RECEIVED

Application No. APP22-0008
Date of Filing 4/11/22

Application Fee \$250.00
Escrow \$500.00

APR 11 2022

PLANNING ZONING ENGINEERING
TOWNSHIP BOARD OF ADJUSTMENT, Berkeley Heights, NJ

NOTE: It is the responsibility of the applicant to state in the 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 PAOLA GARRO for relief from the strict application of the provisions of the Zoning Ordinance of the Township of Berkeley Heights.

Petitioner Name PAOLA GARRO residing at 39 SOUTHVIEW DR

Telephone No. _____, Email address _____

1. Petitioner is PAOLA GARRO of property at 39 SOUTHVIEW, Block 4503, Lot 3 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:
2 STY ADDITION 12-7" X 17-3" REAR CORNER FOR GUEST RM & M. DRRM
MIN. 40' REAR SETBACK, EXIST IS 28.6' & 34' PROPOSED. LOT COVERAGE
ALLOWED IS 25%, 25% EXIST W/ 26.2% PROPOSED

3. Does the Application concern a request for Certificate of Nonconformity? YES
Does the Application concern a Use Variance? _____, and: a) Site Plan _____ b) Subdivision _____

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 _____ Section 6.1.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.)	20,000	16,713	16,713	
Lot Width	100'	145'	145'	
Lot Depth	150'	110'	110'	
Front Setback	50	40.6'	40.6'	pre-existing nonconforming
Side Setback	12	29.8'	29.8'	N
Side Setback	12	51.8'	51.8'	N
Combined side setbacks	30	81.6'	81.6'	N
Rear Setback	40	28.6'	34'	Y

SEE LTR OF DENIAL FOR FURTHER EXPLANATION OF ADJACENT ITEMS

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 2056 sq. ft.
- Area of proposed buildings/structures (house, attached/detached garage, covered porch, shed) 213 sq. ft.
- Total area to be occupied by buildings/structures 2269 sq. ft.
- Area of existing Other Items (patio, driveways, walks, pool) 2123 sq. ft.
- Area of proposed Other Items (patio, driveway, walks, pool) _____ sq. ft.
- Total area to be occupied by Other Items 2123 sq. ft.
- TOTAL AREA OF EXISTING BUILDINGS/STRUCTURES AND OTHER ITEMS 4179 sq. ft.
- TOTAL AREA OF EXISTING & PROPOSED BUILDINGS/STRUCTURES & OTHER ITEMS 4392 sq. ft.

SEE ACCOMPLISH LTR FROM ALLOW'S + MURPHY

c. <u>Lot Coverage</u> (from 5.b., Page 1)	Maximum Allowed	
	R-15/20 Zone	R-10 Zone
Existing buildings/structures (Item 1/sq.ft. of lot) <u>12.30</u> percent	15%	20%
Existing Other coverage (Item 4/sq.ft. of lot) <u>12.70</u> percent	10%	10%
Total existing lot coverage (Item 7/sq. ft. of lot) <u>25.0</u> percent	25%	30%
Proposed buildings/structures (Item 3/sq.ft. of lot) <u>13.58</u> percent	15%	20%
Proposed Other coverage (Item 6/sq. ft. of lot) <u>12.70</u> percent	10%	10%
Total proposed lot coverage (Item 8/sq. ft. of lot) <u>26.28</u> percent	25%	30%

d. Accessory buildings/structures (if applicable): _____

(type: pool, etc.)
 Area proposed _____ square feet
 Maximum height proposed _____ feet
 Proposed Set Backs
 Side _____ Side _____ Rear _____

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:
THE LOT IS IRREGULAR & UNDERSIZED MAKING IT IMPOSSIBLE TO ADD ANYTHING TO THE HOME - SEE SURVEY

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.

NT COLETTA ARCHITECT
 Petitioner Signature
B7 CHAUCER DR
 Address
BERKELEY CA 947
908-202-0850
 Phone Cell Phone
NTCOLETTA@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: 2/17/2022
 Application Number: _____
 Permit Number: _____
 Project Number: _____
 Fee: \$0

Denial of Application

Date: 3/3/2022

To: GARRO, PAOLA
 39 SOUTHVIEW DR
 BERKELEY HEIGHTS, NJ 07922

CC: APP EMAIL:PAOLA.GARRO@HOTMAIL.COM

RE: 39 SOUTHVIEW DR
 BLOCK: 4503 LOT: 3 QUAL: ZONE: R-20

DEAR GARRO, PAOLA,

The property owner is proposing a two story principal addition, 12'7" x 17'3" to the rear southern corner of the single family dwelling to consist of a guest room and master bedroom.

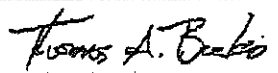
Section 6.1.1B "Schedule of General Regulations" of the Municipal Land Use Procedures Ordinance requires a minimum 40' rear yard setback, where 28.6' is existing and 34' is proposed to the new addition. Total lot coverage allowed is 25%, where 25% is existing and 26.28% is proposed.

Existing nonconforming; lot area, lot depth, principal front yard setback, shed location (rear & side yard setbacks), other coverage.

FEMA Flood Zone Determination - Panel 018F 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: PAOLA GARRO Application No.: _____

Block: 4583 Lot: 3

Street Address: 39 SOUTHVIEW DR

I, PAOLA GARRO, 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: Paola Garro Date: 4/22/22

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

29 Park Ave. Berkeley Heights, NJ 07922

TEL: (908)-464-2700 FAX: (908) 464-3791

LIST OF PROPERTY OWNERS TO BE SERVED NOTICE

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: 04/20/2022 List #: 712

Block: 4503 Lot(s): 3 Address: 39 Southview Drive

<u>Block</u>	<u>Lot</u>	<u>Owner</u>	<u>Address</u>	<u>Service</u>
--------------	------------	--------------	----------------	----------------

SEE ATTACHED LIST

(If applicable; this list does not include any additional properties in other municipalities)

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: 04/20/2022

Howard Van Salzbury
Tax Assessor's Office

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

Date: 4-20-2022

Rachelle DeLuca
Tax Collector

OWNER & ADDRESS REPORT

BERKELEY HEIGHTS

CERTIFIED 200' LIST FOR BLOCK 4503 LOT 3 - 39 SOUTHVIEW DR

04/20/22 Page 1 of 2

BLOCK	LOT	QUAL	CLA	PROPERTY OWNER	PROPERTY LOCATION	Add'l Lots
4502	7		2	YUEN, TIMOTHY & MELANY 301 DIAMOND HILL RD BERKELEY HEIGHTS, NJ 07922	301 DIAMOND HILL RD	
4502	7.01		2	SHEA, BETTY J. 307 DIAMOND HILL ROAD BERKELEY HEIGHTS, NJ 07922	307 DIAMOND HILL RD	
4502	8		2	PARIZMAN, CHAD E & LINDSAY J 317 DIAMOND HILL RD BERKELEY HEIGHTS, NJ 07922	317 DIAMOND HILL RD	
4502	9		2	ALVARADO, CRISTIAN & CLARISSA 325 DIAMOND HILL RD BERKELEY HEIGHTS, NJ 07922	325 DIAMOND HILL RD	
4502	10		2	ABDALLA, MAHMOUD & MUHS, JENNIFER C 331 DIAMOND HILL ROAD BERKELEY HEIGHTS, N J 07922	331 DIAMOND HILL RD	
4503	1		2	LIU, XUAN & DINGXIE 304 DIAMOND HILL RD BERKELEY HEIGHTS, NJ 07922	304 DIAMOND HILL RD	
4503	2		2	PILLA, JOSEPH A & JOANNE 25 SOUTHVIEW DRIVE BERKELEY HEIGHTS, N J 07922	25 SOUTHVIEW DR	
4503	4		2	MILLS, SARA W. 47 SOUTHVIEW DRIVE BERKELEY HEIGHTS, N J 07922	47 SOUTHVIEW DR	
4503	5		2	BHATTACHARYA, SAUBHIK&DIXIT, NEHA 55 SOUTHVIEW DR BERKELEY HEIGHTS, NJ 07922	55 SOUTHVIEW DR	
4503	12		2	LOMBARDO, ANTHONY G JR & SALLY A 342 DIAMOND HILL ROAD BERKELEY HEIGHTS, N J 07922	342 DIAMOND HILL RD	
4503	13		2	DE CORSO, JOHN M & LINDA M 330 DIAMOND HILL ROAD BERKELEY HEIGHTS, N J 07922	330 DIAMOND HILL RD	
4503	14		2	SAMPATH, SESHADRI & SHARMA, P N 324 DIAMOND HILL RD BERKELEY HEIGHTS, NJ 07922	324 DIAMOND HILL RD	
4503	15		2	DE PINHO, MARCO & MARTA 314 DIAMOND HILL RD BERKELEY HEIGHTS, NJ 07922	314 DIAMOND HILL RD	
4504	1		2	DELLI SANTI, DEAN L. & PATRICIA A. 6 SOUTHVIEW DRIVE BERKELEY HEIGHTS, N J 07922	6 SOUTHVIEW DR	
4504	2		2	ADAMS, STEVEN J. & MARGARET G. 14 SOUTHVIEW DRIVE BERKELEY HEIGHTS, N J 07922	14 SOUTHVIEW DR	
4504	3		2	BARROS, DANIEL & PAVLINOVA, ELENA 20 SOUTHVIEW DR BERKELEY HEIGHTS, NJ 07922	20 SOUTHVIEW DR	
4504	4		2	TESORO, ROBERT F. & ELLEN M. 26 SOUTHVIEW DRIVE BERKELEY HEIGHTS, N J 07922	26 SOUTHVIEW DR	
4504	5		2	PATTI, CHRISTOPHER & MEAGHAN 34 SOUTHVIEW DRIVE BERKELEY HEIGHTS, N J 07922	34 SOUTHVIEW DR	
4504	6		2	ZIOLKOWSKI, BRUNO & MARIA 44 SOUTHVIEW DRIVE BERKELEY HEIGHTS, N J 07922	44 SOUTHVIEW DR	

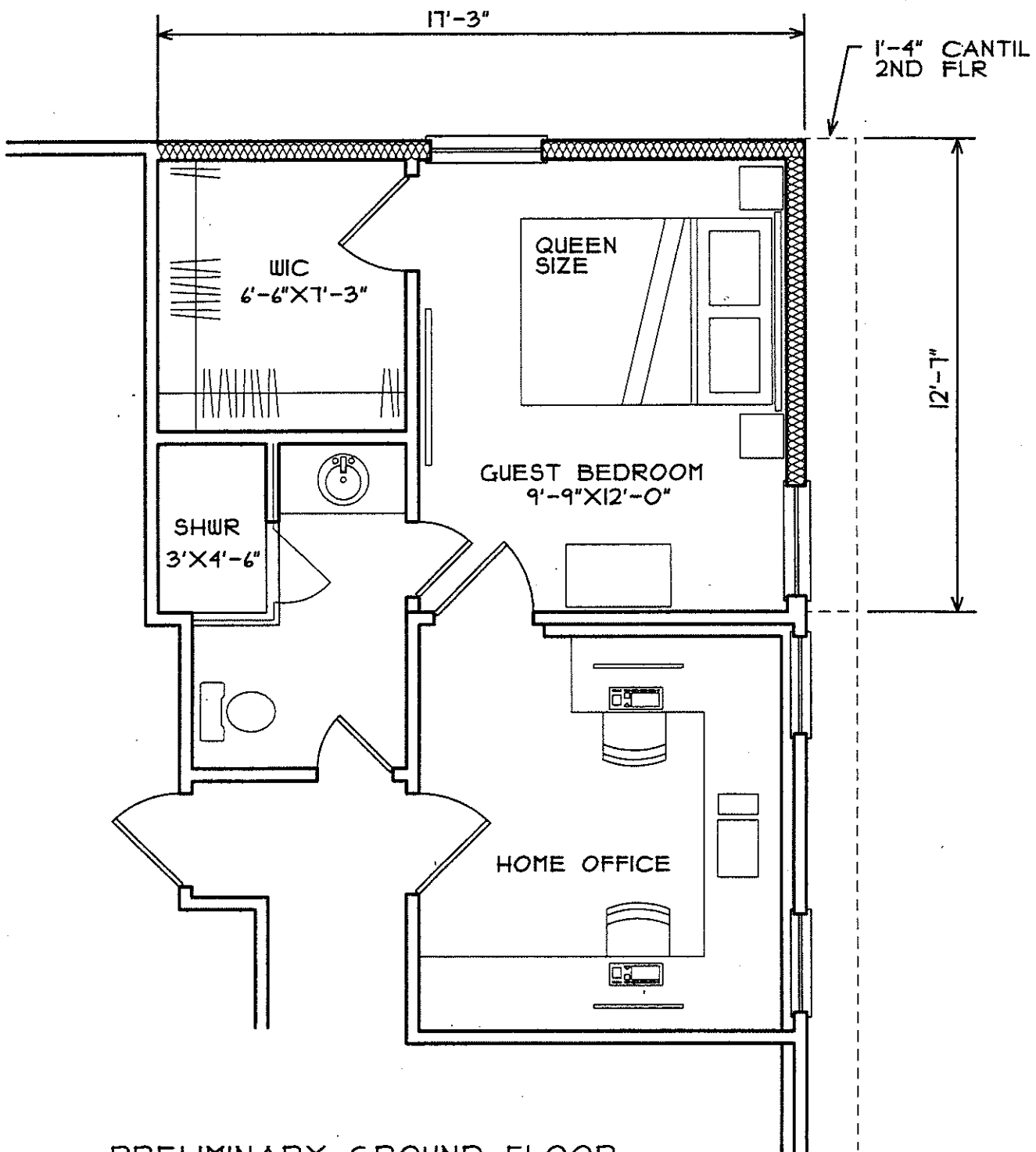
OWNER & ADDRESS REPORT

BERKELEY HEIGHTS

CERTIFIED 200' LIST FOR BLOCK 4503 LOT 3 - 39 SOUTHVIEW DR

04/20/22 Page 2 of 2

BLOCK	LOT	QUAL	CLA	PROPERTY OWNER	PROPERTY LOCATION	Add'l Lots
4504	7		2	BOYER, MICHAEL A. & JEAN C. 52 SOUTHVIEW DRIVE BERKELEY HEIGHTS, N J 07922	52 SOUTHVIEW DR	
4504	8		2	BREWSTER, ROBERT S & VALERIE E 60 SOUTHVIEW DR BERKELEY HEIGHTS, NJ 07922	60 SOUTHVIEW DR	



PRELIMINARY GROUND FLOOR

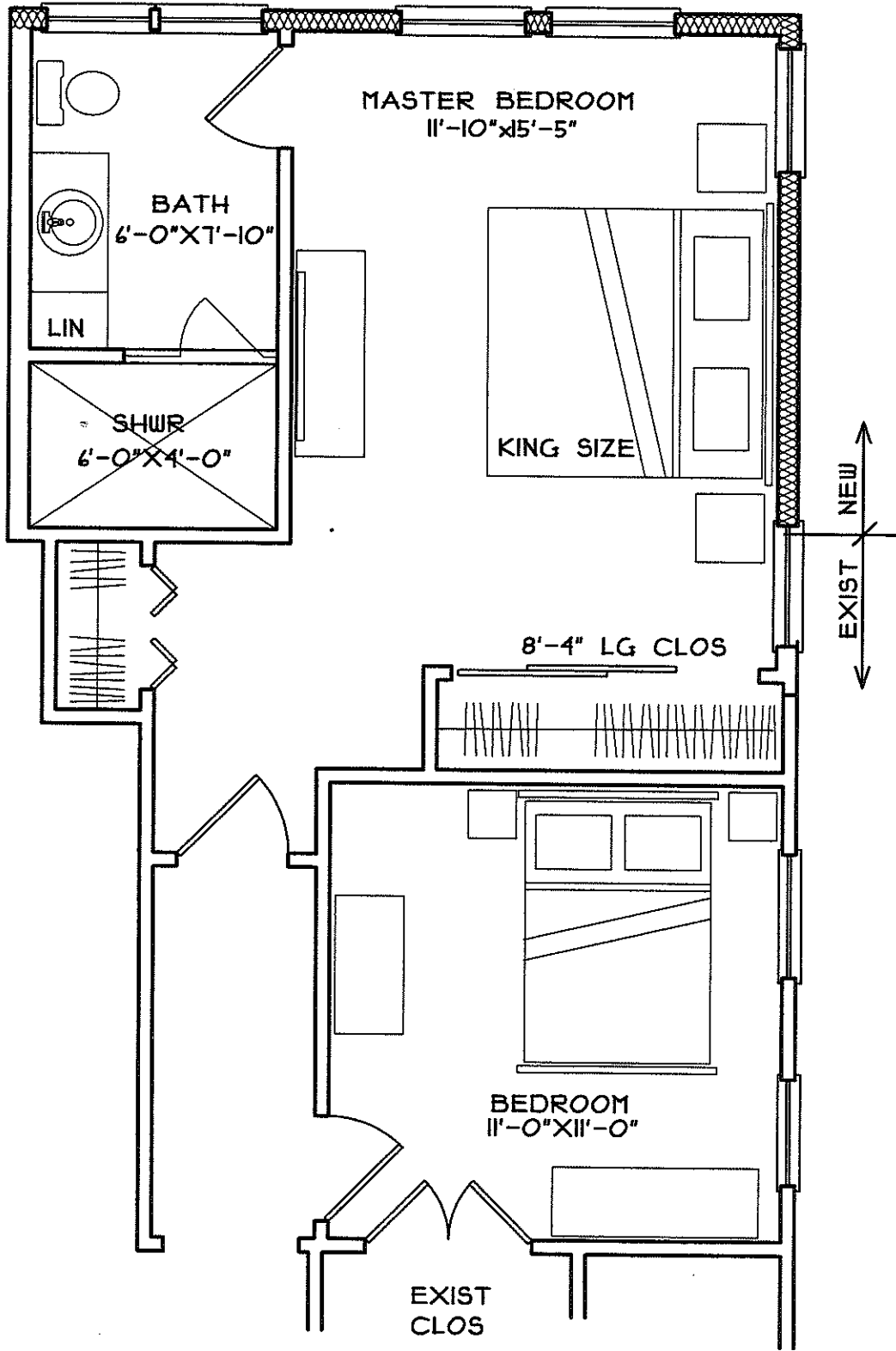
RESIDENTIAL ADDITION

M/M DANIEL GARRO
39 SOUTHWIND DRIVE BERKELEY HTS

SCALE 1/4"=1'-0" 4/11/22

ROBERT P COLETTA, ARCHITECT C-6639
131 CHAUCER DRIVE BERKELEY HTS, NJ

Robert P. Coletta



PRELIMINARY SECOND FLOOR

RESIDENTIAL ADDITION

M/M DANIEL GARRO
39 SOUTHVIEW DRIVE BERKELEY HTS

SCALE 1/4"=1'-0" 4/11/22

ROBERT P COLETTA, ARCHITECT
131 CHAUCER DRIVE BERKELEY HTS NJ

C-6639

Robert P. Coletta