

Application No. APP22-0007
 Date of Filing 3/11/2022

Application Fee _____
 Escrow _____

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 41 Putnam Ave LLC for relief from the strict application of the provisions of the Zoning Ordinance of the Township of Berkeley Heights.

Petitioner Name 41 Putnam Ave LLC, residing at c/o Giovanna Stover, P.O. Box 10, Fords, NJ 08863
 Telephone No. 973-216-8210, Email address mj041505@yahoo.com

1. Petitioner is owner of property at 41 Putnam Avenue, Block 1803, Lot 9 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: Applicant is proposing a first and second floor addition; covered porch; rear deck and new driveway; which will require variance relief for (1) minimum front yard setback of 35.7ft from Putnam Ave and 25.98 ft from corner (50ft req.); (2) minimum rear yard setback of 13.65ft from deck and 15.4ft from corner (40ft req.); (3) maximum building coverage of 17.24% (15% permitted); and (4) maximum impervious coverage of 25.35% (25% permitted).

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 _____ Section 6.1.B of the Zoning Ordinance.

5. a. Description of the Property:

corner lot	Required See Attached Schedule 6.1.1B	Existing	Proposed	Variance Required: Y/N
Lot Area (sq. ft.)	16,500	10,313 (PE)	10,313	Pre-existing
Lot Width	100	110	110	NO
Lot Depth	150	99.6 (PE)	99.6	Pre-existing
Front Setback	50 / <u>50</u>	38.1 at front porch <u>26.52 @ Bottom</u>	35.7 at front porch <u>25.98 @ Bottom</u>	YES / YES
Side Setback	12	<u>36.92</u>	16.38	NO
Side Setback	12	N/A	N/A	NO
Combined side setbacks	N/A	N/A	N/A	NO
Rear Setback	40	15.4	13.65 at rear deck 15.41 at corner	YES

Putnam/Bottom

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 1,215 sq. ft.
- Area of proposed buildings/structures (house, attached/detached garage, covered porch, shed) 563 sq. ft.
- Total area to be occupied by buildings/structures 1778 sq. ft.
- Area of existing Other Items (patio, driveways, walks, pool) 967 sq. ft.
- Area of proposed Other Items (patio, driveway, walks, pool) (131) sq. ft.
- Total area to be occupied by Other Items 836 sq. ft.
- TOTAL AREA OF EXISTING BUILDINGS/STRUCTURES AND OTHER ITEMS 2,182 sq. ft. (21.16%)
- TOTAL AREA OF EXISTING & PROPOSED BUILDINGS/STRUCTURES & OTHER ITEMS 2,614 sq. ft. (25.35%)

		Maximum Allowed	
		R-15/20 Zone	R-10 Zone
c. <u>Lot Coverage</u> (from 5.b., Page 1)			
Existing buildings/structures (Item 1/sq. ft. of lot)	11.8% percent	15%	20%
Existing Other coverage (Item 4/sq. ft. of lot)	9.38% percent	10%	10%
Total existing lot coverage (Item 7/sq. ft. of lot)	21.16% percent	25%	30%
Proposed buildings/structures (Item 3/sq. ft. of lot)	17.24% percent	15%	20%
Proposed Other coverage (Item 6/sq. ft. of lot)	8.11% percent	10%	10%
Total proposed lot coverage (Item 8/sq. ft. of lot)	25.35% percent	25%	30%

d. Accessory buildings/structures (if applicable): N/A
 (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? YES ~~NO~~ (If yes, attach Resolution.)

7. Facts in support of petitioner's relief:
See attached Addendum.

8. Set forth the particular Statute under which this Application is made (NJSA 40:55D-70)
 a) Appeal _____ b) Interpretation _____ c) Hardship c-2 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 _____
 Property is currently not occupied. single family residential use.

If the property is not to be owner occupied, name the Lessee and the proposed Use of the building and premises.
single family residential use

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.

41 Putnam Ave LLC
 X [Signature]
 Petitioner Signature
 P.O. Box 10, Fords, NJ 08863
 Address

 973-216-8210
 Phone _____ Cell Phone _____
 mj041505@yahoo.com
 E-Mail Address _____



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

Application Date: 3/17/2022
 Application Number: ZA-22-152
 Permit Number: _____
 Project Number: _____
 Fee: \$0

Denial of Application

Date: 4/1/2022

To: 41 PUTNAM AVE. LLC
 C/O GIOVANNA STOVER
 P.O. BOX 10
 FORDS, NJ 08863

CC: Kurt J. Ludwig, AIA, Inc.
 77 North Main Street
 Milltown, NJ 08850

RE: 41 PUTNAM AVENUE
 BLOCK: 1803 LOT: 9 QUAL: ZONE: R-15

DEAR C/O GIOVANNA STOVER,

The applicant is proposing to re-construct an existing single family dwelling due to fire damage. Changes are proposed; interior renovation, new 2 car garage, new coverage front porch, new second story addition, new rear yard deck, sidewalk & driveway modifications.

The property is a corner lot with frontage on improved Putnam Ave. and unimproved Bolton Blvd.

Section 6.1.1B "Schedule of General Regulations" of the Municipal Land Use Procedures Ordinance requires a minimum 50' front yard setback along both street fronts (Putnam & Bolton). Existing principal front yard setback from Putnam is 38.1' and 35.7' is proposed to the new covered front portico. Existing principal front yard setback from unimproved Bolton Blvd. is 26.52' and 25.98' is proposed to the new second story cantilevered addition. Minimum rear yard setback is 40', where 15.41' is existing and 13.65' is proposed to the new deck.

Building coverage allowed is 15% of the lot area, where 11.78% is existing and 17.24% is proposed. Total lot coverage is limited to 25%, where 21.16% is existing and 25.35% is proposed.

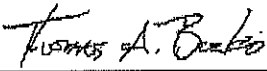
Existing nonconforming: lot area (corner lot), lot depth, principal front (both streets), rear yard setback.

FEMA Flood Zone Determination - Panel 016F Zone AE

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.

A prior Bd. of Adjustment application Case #8-16 approved modifications to this dwelling. Condition #6 of that resolution required NJDEP approval due to flood zone determination zone AE.

Sincerely,


 Thomas A. Bocko - Zoning Officer

Block 1803 Lot 9 3/2022
AMENDMENT TO BOARD APPLICATION

Applicant:

41 Putnam Ave LLC

Zone: R-15

Subject Property:

41 Putnam Avenue

Plans submitted:

Proposed Reconstruction (Design Plans/architecturals)
dated 01/09/2022 prepared by Kurt J. Ludwig, AIA

Reason for Application:

To reconstruct the existing uninhabitable dwelling to add both a first and second floor addition, covered porch, rear deck and new driveway within the general nature and size of the existing neighborhood. This property is located on a cul-de-sac.

Variance(s) Requested/Required (along with any other relief that may be required)

- (1) variance for minimum front yard setback of 50 feet is required, wherein 38.1 feet currently exists at front covered porch and 42.67 feet at the corner, wherein 35.7 feet is proposed at the new front porch and 40.67 feet at the corner is proposed;
- (2) variance for minimum rear yard setback of 40 feet is required, wherein 13.65 feet is proposed at the rear deck and 15.41 feet at the corner is proposed;
- (3) maximum building coverage of 15% is permitted, wherein 17.2% is proposed; and
- (4) maximum impervious coverage of 25% is permitted, wherein 26.7% is proposed (however 26.8% currently exists and is being improved by this application)

The following non-conforming pre-existing conditions exist and will remain unchanged as a result of this application:

- (1) Lot area of 15,000 ft. required and 10,313 ft exists;
- (2) Lot width of 100 ft. is required and 96.5 ft exists; and
- (3) Lot depth of 150 ft. is required and 99.6 ft exists.

Applicant's Argument(s) as to Why the Variances Requested Should be Granted:

N.J.S.A. 40:55D70(c)(1)(c) by reason of an extraordinary and exceptional situation uniquely affecting the property (*i.e.* corner lot).

- and-

N.J.S.A. 40:55D70(c)(2) *a/k/a the flexible variance* = allows a bulk variance even without "hardship" or an unusual site condition, where planning goals would be advanced and the detriments, if any, are outweighed by the planning benefits.

1. The plan allows for adequate light, air and open space as the application is for the reconstruction and a first and second addition to an existing single family dwelling in a mature neighborhood. **40:55D-2(c)**
2. The plan fits within the general scheme and requirements of the neighborhood and will contribute to the well being of the neighborhood and community by fitting within the scope and size of neighboring properties and restoring the existing uninhabitable dwelling. **40:55D-2(e)**
3. The property in question provides sufficient space for the applicant's plan as it actually decreasing the existing non-conforming impervious coverage. **40:55D-2(g)**
5. The plan does not promote traffic congestion or blight as it is restoring the existing single family dwelling in a mature neighborhood on a cul-de-sac. **40:55D-2(h)**
6. The plan will promote a desirable visual residential environment in the neighborhood and will enhance the neighborhood by reconstructing the existing dwelling. **40:55D-2(i)**
7. Finally, the plan will make more effective use of the property. **40:55D-2(m)**

TOWNSHIP OF BERKELEY HEIGHTS
PLANNING BOARD / ZONING BOARD OF ADJUSTMENT

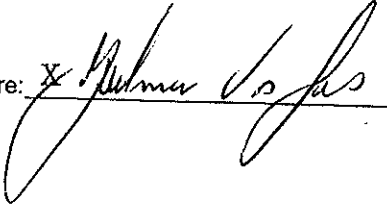
SITE INSPECTION CONSENT FORM

Applicant: 41 Putnam Ave LLC Application No.: _____

Block: 1803 Lot: 9

Street Address: 41 Putnam Avenue

I, Giovanna Stover, managing member, 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: 3-8-22

Applicant 41 Putnam Ave LLC

Application # _____

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.
() 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>
(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.
() 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>
(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: _____ _____ _____