

Application No. APP22-0013
 Date of Filing 6/9/22

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 MATTHEW & ANDREA MITCHELL for relief from the strict application of the provisions of the Zoning Ordinance of the Township of Berkeley Heights.
 (applicant name)

Petitioner Name MATTHEW & ANDREA MITCHELL residing at 148 SPRINGFIELD AVE.

Telephone No. 201-805-2918, Email address matthew.mitchell83@gmail.com

1. Petitioner is OWNER of property at 148 SPRINGFIELD AVE, Block 804, Lot 3
 (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:
FRONT YARD (corner lot): 50' MIN., 40' EXISTING, 32' PROPOSED & 17' EXISTING, 20' SUPPL. 32' PROP.
BUILDING COVERAGE: 15% MAX., 15.11% EXISTING, 15.31% PROPOSED.
TOTAL COVERAGE: 25% MAX., 27.39% EXISTING, 27.59% PROPOSED.

3. Does the Application concern a request for Certificate of Nonconformity? YES
 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 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.)	15,000 SF	13,062 SF	UNCHANGED	N
Lot Width	100'	85.44'	UNCHANGED	N
Lot Depth	130'	158.58'	UNCHANGED	N
Front Setback (corner lot)	50' / 50'	40' / 17'	37.88' / 38.0'	Y
Side Setback	12'	8' *	8' *	Y
Side Setback	N/A (corner)	N/A (corner)	N/A (corner)	N
Combined side setbacks	30'	N/A	N/A	N
Rear Setback	40'	85.49'	UNCHANGED	N

* PRE-EXISTING NON-CONFORMING

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 1,974 sq. ft.
- Area of proposed buildings/structures (house, attached/detached garage, covered porch, shed) 26 sq. ft.
- Total area to be occupied by buildings/structures 2,000 sq. ft.
- Area of existing Other Items (patio, driveways, walks, pool) 1,604 sq. ft.
- Area of proposed Other Items (patio, driveway, walks, pool) (SAME) 1,604 sq. ft.
- Total area to be occupied by Other Items 1,604 sq. ft.
- TOTAL AREA OF EXISTING BUILDINGS/STRUCTURES AND OTHER ITEMS 3,578 sq. ft.
- TOTAL AREA OF EXISTING & PROPOSED BUILDINGS/STRUCTURES & OTHER ITEMS 3,604 sq. ft.

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>15.11</u> percent	15%	20%
Existing Other coverage (Item 4/sq.ft. of lot)	<u>12.28</u> percent	10%	10%
Total existing lot coverage (Item 7/sq. ft. of lot)	<u>27.39</u> percent	25%	30%
Proposed buildings/structures (Item 3/sq.ft. of lot)	<u>19.31</u> percent	15%	20%
Proposed Other coverage (Item 6/sq. ft. of lot)	<u>12.28</u> percent	10%	10%
Total proposed lot coverage (Item 8/sq. ft. of lot)	<u>27.59</u> percent	25%	30%

d. Accessory buildings/structures (if applicable): NONE
 (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:
EXISTING CORNER LOT FRONTYARD SETBACK ARE PRE-EXISTING, NEW PORTICO HAS A MINOR ENCROACHMENT. SECOND FLOOR EXPANSION IS REQUIRED TO PROVIDE MORE LIVING SPACE FOR A FAMILY OF FIVE WITH (3) SMALL EXISTING BEDROOMS.

8. Set forth the particular Statute under which this Application is made (NJSA 40:55D-70)
 a) Appeal X 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 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
148 Springfield Ave
 Address
Berkeley Heights NJ
973-868-7387
 Phone Cell Phone
Matthew.mitchell143@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: 5/31/2022
 Application Number: ZA-22-269
 Permit Number: _____
 Project Number: _____
 Fee: \$0

Denial of Application

Date: 5/31/2022

To: GRA ARCHITECTS
 310 SPRINGFIELD AVE.
 BERKELEY HEIGHTS, NJ 07922

CC: Matthew & Andrea Mitchell
 148 Springfield Ave.
 Berkeley Heights, NJ 07922

RE: 148 SPRINGFIELD AVE
 BLOCK: 804 LOT: 3 QUAL: ZONE: R-15

DEAR GRA ARCHITECTS,

The property owner is proposing a principal addition to this single family dwelling situated on a corner lot with two front yards, one along Robbins Ave., the other along Springfield Ave. A second story is proposed above a portion of the first story, a new portico over the front porch facing Springfield Ave. and interior modifications.

Section 6.1.1B "Schedule of General Regualtions" of the Municipal Land Use Procedures Ordinance requires a principal front yard setback of 50' off both street fronts, where nonconforming 40' is existing off Springfield Ave.; 37.88' is proposed to the new portico and 41' to the new second story addition. Existing nonconforming 17' front yard setback along Robbins Ave. and 38' to the new second story addition.

Building coverage allowed is 15%, where nonconforming 15.11% is existing and 15.31% is proposed. Total lot coverage allowed is 25% of the lot area, where nonconforming 27.39% is existing and 27.59% is proposed.

Existing nonconfroming: lot area, lot width, both principal front yard setbacks, principal side yard setback, building, other & total lot coverage, accessory structure (detached garage) located in the front yard.

FEMA Flood Zone Determination - Panel 07F Zone AE (100 year flood zone).

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 MATT & ANDREA MITCHELL

Application # _____

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).
(N/A)	()	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>
(✓)	()	Consider providing natural daytime lighting as much as possible with skylights or solar 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.
(N/A)	()	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.
(NO)	()	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: MATTHEW ANDREA MITCHELL Application No.: _____

Block: 804 Lot: 3

Street Address: 148 SPRINGFIELD AVE.

I, MATTHEW MITCHELL, 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: Matthew Mitchell Date: 6/9/22



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: 6/13/2022 List #: 724

Block: 804 Lot(s): 3 Address: 148 Springfield Ave

<u>Block</u>	<u>Lot</u>	<u>Owner</u>	<u>Address</u>	<u>Service</u>
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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: 6/13/2022

Michael D. ...
Tax Assessor's Office

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

Date: 6-23-2022

Richard A. ...
Tax Collector

* Berkeley Heights, NJ 07922 (unless otherwise noted)

OWNER & ADDRESS REPORT

BERKELEY HEIGHTS

CERTIFIED 200' LIST FOR BLOCK 804 LOT 3 - 148 SPRINGFIELD AVE

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BLOCK	LOT	QUAL	CLA	PROPERTY OWNER	PROPERTY LOCATION	Add'l Lots
301	7		15C	DIV. OF PARKS & REC./UNION CTY,ADM.B ELIZABETH TOWN PLAZA ELIZABETH, N J 07207	SNYDER AV & CAMPTOWN DR	
804	1		2	DONNER, JOSEPH & VIRGINIA 160 SPRINGFIELD AVENUE BERKELEY HEIGHTS, NJ 07922	160 SPRINGFIELD AVE	
804	2		2	ACHENBACH, MARK B. & GABRIELA P. 10246 SWEET FENNEL DRIVE LAS VEGAS, NV 89135	152 SPRINGFIELD AVE	
804	4		2	CARREIRO, PAULA 17 ROBBINS AVE BERKELEY HEIGHTS, NJ 07922	17 ROBBINS AVE	
804	5		2	TESTA, NUNZIO & ANGELINA 25 ROBBINS AVENUE BERKELEY HEIGHTS, N J 07922	25 ROBBINS AVE	
804	36		2	GERMANSKY, JESS & THOMAS, MAUREEN 30 LAWRENCE DRIVE BERKELEY HEIGHTS, N J 07922	30 LAWRENCE DR	
804	37		2	COCCIA, VIRGINIA 20 LAWRENCE DRIVE BERKELEY HEIGHTS, N J 07922	20 LAWRENCE DR	
901	1		2	NASTO, DEAN 14 ROBBINS AVENUE BERKELEY HEIGHTS, N J 07922	14 ROBBINS AVE	
901	2		2	ROMANO, ALBERT J. & KAREN G. 126 SPRINGFIELD AVENUE BERKELEY HEIGHTS, NJ 07922	126 SPRINGFIELD AVE	
901	36		2	LIM, FIDEL DR. & ALEGRIA 30 ROBBINS AVENUE BERKELEY HEIGHTS, N J 07922	30 ROBBINS AVE	
901	37		2	SINCAGLIA, J.C. & M./TRUSTORS 22 ROBBINS AVENUE BERKELEY HEIGHTS, N J 07922	22 ROBBINS AVE	

Subject Property & 804-3

