

Application No. APP23-0001
 Date of Filing 1-19-23

RECEIVED

Application Fee _____
 Escrow _____

JAN 19 2023

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 NAKUL PANDIT & RADHIKA KARAJGI for relief from the strict application of the provisions of the Zoning Ordinance of the Township of Berkeley Heights.
 (applicant name)

Petitioner Name NAKUL PANDIT & RADHIKA KARAJGI, residing at 6 MAPLE AVENUE

Telephone No. 716361-5398, Email address nspandit@gmail.com

1. Petitioner is OWNER of property at 6 MAPLE AVE., Block 902, Lot 1.02 on the Tax Map located in the R-15 Zone.
 (owner or tenant etc.)

2. The Petitioner is requesting to use the property in the following manner with the following variances required:
CONSTRUCTION OF A 240 sq ft patio (paver) WHEREIN THERE IS A VARIANCE FOR TOTAL COVERAGE OF 27.79%, WHICH EXCEEDS THE MAXIMUM PERMITTED TOTAL COVERAGE OF 25%. ALL OTHER CONDITIONS AT THE PROPERTY ARE PRE-EXISTING FOR WHICH VARIANCE WAS GRANTED

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 1b 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	8500	8500	N*
Lot Width	100	85	85	N*
Lot Depth	130	100	100	N*
Front Setback	50	22.5	22.5	N*
Side Setback	12	15.5	15.5	N
Side Setback	18	25.4	25.4	N
Combined side setbacks	30	40.9	40.9	N
Rear Setback	40	40.5	40.5	N

* PRE-EXISTING CONDITION FOR WHICH VARIANCE WAS GRANTED

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 1621 sq. ft.
- Area of proposed buildings/structures (house, attached/detached garage, covered porch, shed) 0 sq. ft.
- Total area to be occupied by buildings/structures 1621 sq. ft.
- Area of existing Other Items (patio, driveways, walks, pool) 501 sq. ft.
- Area of proposed Other Items (patio, driveway, walks, pool) 240 sq. ft.
- Total area to be occupied by Other Items 741 sq. ft.
- TOTAL AREA OF EXISTING BUILDINGS/STRUCTURES AND OTHER ITEMS 2122 sq. ft.
- TOTAL AREA OF EXISTING & PROPOSED BUILDINGS/STRUCTURES & OTHER ITEMS 2362 sq. ft.

	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) <u>19.07</u> percent	<u>15%</u>	20%
Existing Other coverage (Item 4/sq.ft. of lot) <u>5.89</u> percent	<u>10%</u>	10%
Total existing lot coverage (Item 7/sq. ft. of lot) <u>24.96</u> percent	<u>25%</u>	30%
Proposed buildings/structures (Item 3/sq.ft. of lot) <u>19.07</u> percent	<u>15%</u>	20%
Proposed Other coverage (Item 6/sq. ft. of lot) <u>8.72</u> percent	<u>10%</u>	10%
Total proposed lot coverage (Item 8/sq. ft. of lot) <u>27.79</u> percent	<u>25%</u>	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.)
 SUBDIVISION

7. Facts in support of petitioner's relief:
THE PROPERTY IS COMPLIANT IN OTHER COVERAGES. THE DEVIATION IN TOTAL COVERAGE IS RELATIVELY MINOR. THE LOCATION IN THE REAR YARD IS ADEQUATELY BUFFERED DUE TO OVERSIZED SIDE YARDS & A FULLY COMPLIANT REAR YARD. THE PATIO IS SCREENED BY PLANTINGS ON RIGHT SIDE YARD & REAR YARD. THE DRYWELL IS DESIGNED TO HANDLE COVERAGE CAPACITY. THE GRADING & DRAINAGE PLAN WILL RESULT IN NO ADDITIONAL IMPACT TO NEIGHBORS.

8. Set forth the particular Statute under which this Application is made (NJSA 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? 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.

N/A

 Petitioner Signature

 Address

 Phone (716) 361-5398 Cell Phone (SAME)
 E-Mail Address ns.pandit@gmail.com



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

Application Date: 1/10/2023
Application Number: ZA-23-27
Permit Number: _____
Project Number: _____
Fee: \$0

Denial of Application

Date: 1/17/2023

To: NAKILL PANDIT
6 MAPLE AVE
BERKELEY HEIGHTS, NJ 07922

CC: APP TELE:(716) 361-5398
APP EMAIL: NSPANDIT@GMAIL.COM

RE: 6 MAPLE AVE.
BLOCK: 902 LOT: 1.02 QUAL: ZONE: R-15

DEAR NAKILL PANDIT,

The property owner is proposing to install an outdoor patio, 20' x 12' x at grade, off the rear door of the house. The 240 sq. ft. increase in "other" coverage increases total lot coverage to 27.79% where Section 6.1.1B Schedule of General Regulations of the Municipal Land Use Procedures Ordinance allows for a maximum 25% total lot coverage.

Nonconforming; existing items have been addressed in minor subdivision approval granted by the Planning Board through resolution App. #M-3-20.

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.

FEMA Flood Zone Determination - Panel 07F Zone X

Sincerely,

Thomas A. Bocko - Zoning Officer

Applicant _____

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).
(✓)	()	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.
N/A	()	Consider choosing ENERGY STAR appliances.

Heating and Cooling Considerations

<u>Applicant</u>	<u>Reviewed</u>	<u>Item</u>
N/A	()	Consider Increasing amount of insulation by using 2 x 6 studs.
N/A	()	Consider installation programmable thermostats and attic fans to regulate heating and cooling.
N/A	()	Consider installation heat pumps to transfer energy heat and cold.
N/A	()	Consider use high efficiency boilers/furnaces.
N/A	()	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>
N/A	()	Consider use of low-flow shower heads.
N/A	()	Consider installing dual-flush toilets.
N/A	()	If there are any other sustainable building practices not mentioned before, that will be used in this project, please describe: <hr/> <hr/> <hr/> <hr/>



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: 1/20/2023

Block: 902 Lot(s): 1.02 Address: 6 Maple Ave List: 756

<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: 1/20/2023

Tax Assessor's Office

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

Date: 1-20-2023

Tax Collector

250

OWNER & ADDRESS REPORT

BERKELEY HEIGHTS

CERTIFIED 200' LIST FOR BLOCK 902 LOT 1.02 6 MAPLE AVE

01/20/23 Page 1 of 2

BLOCK	LOT	QUAL	CLA	PROPERTY OWNER	PROPERTY LOCATION	Add'l Lots
401	9		2	MALONEY, MATTHEW W. 105 SPRINGFIELD AVE BERKELEY HEIGHTS, NJ 07922	105 SPRINGFIELD AVE	
401	10		2	POON, WING & YEUNG, SUET 99 SPRINGFIELD AVE BERKELEY HEIGHTS, NJ 07922	99 SPRINGFIELD AVE	L 2
401	11		2	KORTBAOUI, CHRISTOPHER & BRASS, ROBIN 89 SPRINGFIELD AVE BERKELEY HEIGHTS, NJ 07922	89 SPRINGFIELD AVE	
401	12		2	DELACRUZ, JOSEPH 77 SPRINGFIELD AVE BERKELEY HEIGHTS, NJ 07922	77 SPRINGFIELD AVE	
401	13		2	MELLUSI, DAVID EDWARD & ELEANOR 67 SPRINGFIELD AVENUE BERKELEY HEIGHTS, N J 07922	67 SPRINGFIELD AVE	
401	14		2	KOCZOT, GERALD J 55 SPRINGFIELD AVENUE BERKELEY HEIGHTS, N J 07922	55 SPRINGFIELD AVE	
901	3		2	FURINO, LARRY & LESPERANCE, JESSICA 110 SPRINGFIELD AVE BERKELEY HEIGHTS, NJ 07922	110 SPRINGFIELD AVE	
901	4		2	HUBERT, JOSEPH, JR. & PATRICIA M. 106 SPRINGFIELD AVENUE BERKELEY HEIGHTS, N J 07922	106 SPRINGFIELD AVE	
901	5		2	D'AURIA, MARG J. & APREA, EMILY M. 5 MAPLE AVENUE BERKELEY HEIGHTS, NJ 07922	5 MAPLE AVE	
901	6		2	PATHAK, PREETI & SHARMA, NITIN 9 MAPLE AVE BERKELEY HEIGHTS, NJ 07922	9 MAPLE AVE	
901	7		2	RUERUP, HENRY J. 15 MAPLE AVENUE BERKELEY HEIGHTS, NJ 07922	15 MAPLE AVE	
901	8		2	GALLITELLI, STEVEN & GALLITELLI, LORI 23 MAPLE AVENUE BERKELEY HEIGHTS, N J 07922	23 MAPLE AVE	
901	9		2	GOWAN, PARKER & LISA 99% INTEREST 31 MAPLE AVE BERKELEY HEIGHTS, NJ 07922	31 MAPLE AVE	
901	10		2	VEMDENIA, CHRISTOPHER & TANCREDI, L 37 MAPLE AVE BERKELEY HEIGHTS, NJ 07922	37 MAPLE AVE	
902	1.01		2	GOPAL, MADHUSUDHANAN & CHAKREVARATHY S 4 MAPLE AVE BERKELEY HEIGHTS, NJ 07922	4 MAPLE AVE	
902	2		2	RAMIREZ, ERIKA & CHERRY, DONALD 74 SPRINGFIELD AVE BERKELEY HEIGHTS, NJ 07922	74 SPRINGFIELD AVE	
902	3		2	STAMP, DANIEL & STOKES, MICHELLE 66 SPRINGFIELD AVE BERKELEY HEIGHTS, NJ 07922	66 SPRINGFIELD AVE	
902	4.01		2	BARTH, DANIEL E & SOO Y 3 BAKER AVENUE BERKELEY HEIGHTS, NJ 07922	3 BAKER AVENUE	
902	4.02		2	SHADY, JUSTIN P & STEPHANIE 13 BAKER AVENUE BERKELEY HEIGHTS, NJ 07922	13 BAKER AVENUE	

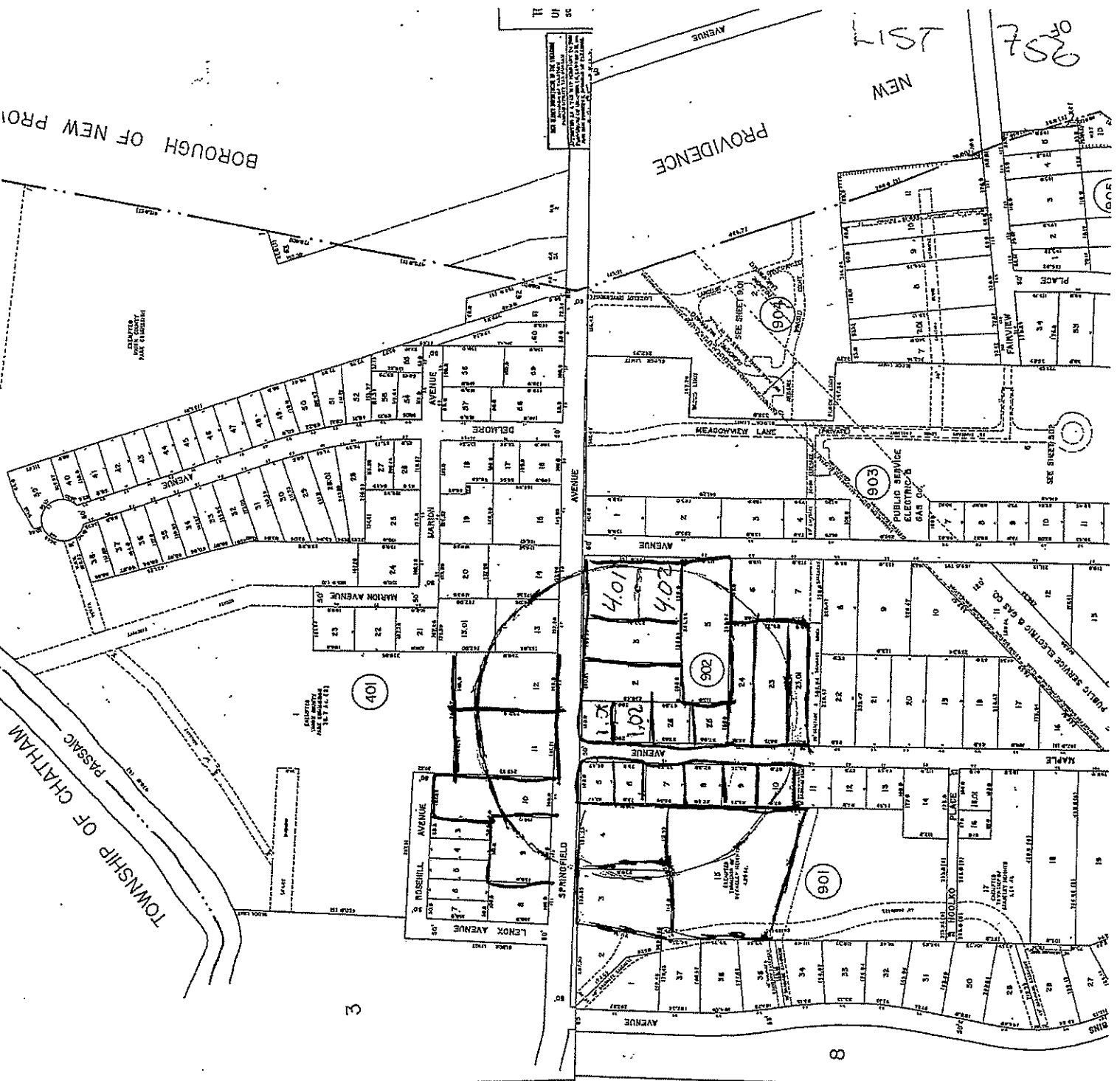
OWNER & ADDRESS REPORT

BERKELEY HEIGHTS

CERTIFIED 200' LIST FOR BLOCK 902 LOT 1.02 6 MAPLE AVE

01/20/23 Page 2 of 2

BLOCK	LOT	QUAL	CLA	PROPERTY OWNER	PROPERTY LOCATION	Add'l Lots
902	5		2	THAI, SINCLAIR H & GOTO, HANA 23 BAKER AVENUE BERKELEY HEIGHTS, NJ 07922	23 BAKER AVENUE	
902	6		2	DALLY, FREDERICK III & ELLYN 33 BAKER AVENUE BERKELEY HEIGHTS, NJ 07922	33 BAKER AVENUE	
902	23		2	HESSINGER, JILL & QUIGLEY, TIMOTHY 34 MAPLE AVENUE BERKELEY HEIGHTS, NJ 07922	34 MAPLE AVE	
902	23.01		2	DE ANGELIS, LEO & KATHLEEN F. 42 MAPLE AVENUE BERKELEY HEIGHTS, NJ 07922	42 MAPLE AVE	
902	24		2	LANGE, MELISSA 30 MAPLE AVE BERKELEY HEIGHTS, NJ 07922	30 MAPLE AVE	
902	25		2	LANGE, ERIC 24 MAPLE AVE BERKELEY HEIGHTS, NJ 07922	24 MAPLE AVE	
902	26		2	MORTON, EVELYN S 16 MAPLE AVE BERKELEY HEIGHTS, NJ 07922	16 MAPLE AVE	



SUBJECT PROPERTY
 Block 902 Lot 102