

PEQUANNOCK TOWNSHIP BOARD OF ADJUSTMENT
MEMORIALIZING RESOLUTION
THOMAS & LEONORA SIEMONSMA
22 MAY AVENUE
Block 1405, Lot 1

WHEREAS, the applicants are the owners of property located at 22 May Avenue, Pequannock Twp, New Jersey, Block 1405, Lot 1, located in the R-11 zone district; and

WHEREAS, the applicant proposes to construct an addition to an existing single family residence which would cause building coverage to be 16.9% which exceeds the 16% permitted by ordinance; and

WHEREAS, testimony was taken at a public hearing on October 6, 2011, at which time the Board took sworn testimony and the applicant and the public were afforded the opportunity to be heard and participate in the application and to make comments; and

WHEREAS, the Board has reviewed and considered all of the evidence and the testimony at the public hearings from which the Board makes the following factual findings:

1. All proper public notice has been given in accordance with the municipal land use law.
2. The subject property is a flat, rectangular lot located at a 90 degree bend in May Avenue. The street abuts the property on the west and north property lines. The property is presently approved with a one story single family dwelling and an existing frame shed. The applicants propose to construct a covered front porch 5.2' wide and 18.2' long to the front (north side) of the house together with an L shaped addition 10' wide x 46.25' long to the front and east side of the house.
3. The Board has received a land development review from the Township Health Department dated 9/12/2011 indicating that the septic system was insufficient. However, the testimony indicated that a septic system permit was issued by the Township Health Department on 9/19/2011 thereby addressing that comment.
4. The applicant's architect, Richard Trautwein, has certified in writing that the lot coverage calculations are correct, including the calculations of the building coverage. However, there is no breakdown of those calculations on the plan and the plans should be amended to show the calculations by which the architect arrived at the building coverage and percentage.
5. No members of the public appeared to testify at the public hearing of this application.

Based upon the above factual findings, the Board has reached the following conclusions:

1. The applicant has sustained her burden under N.J.S.A. 40:55D-70c(2) in that the benefits of granting the requested variance substantially exceed any detriment which there may be and the Board finds that there is no detriment. The benefits to the public are the enhanced visual environment in the neighborhood and additional ratables to the Township.
2. The requested variance can be granted without substantial detriment to the zone plan, zoning ordinance or the public good.

NOW THEREFORE BE IT RESOLVED by the Board of Adjustment of the Township of Pequannock this 3rd day of November, 2011 that it now ratifies, memorializes and adopts the action taken at its meeting on October 6, 2011 granting the application of Thomas & Leonora Siemonsma for a variance to permit building coverage of 16.9% instead of the 16% permitted by the ordinance, subject to the following conditions.

1. All construction shall be in substantial conformity with the plans filed with the application, prepared by Richard Trautwein, Architect, dated September 6, 2011, and the testimony given at the public hearing on October 6, 2011.
2. The applicant's architect shall amend the plans to show the calculations by which the building coverage percentages were determined.
3. No permits and/or certificate of occupancy shall be issued for the construction permitted by this resolution, unless and until all fees, costs and escrows required in connection with this application have been paid in full.

I hereby certify that the above is a true copy of a resolution adopted by the Board of the Township of Pequannock at its regular meeting on November 3, 2011.



Linda Zacharenko, Secretary

PEQUANNOCK TOWNSHIP BOARD OF ADJUSTMENT
MEMORIALIZING RESOLUTION
ADAM LICCARDO
31 GARDEN PLACE
Block 1403, Lot 4

WHEREAS, the applicant is the owner of property located at 31 Garden Place, Pequannock Twp, New Jersey, Block 1403, Lot 4, located in the R-11 zone district; and

WHEREAS, the applicant proposes to construct a one story addition to an existing one story single family dwelling which would cause the building coverage to be 17%, thereby exceeding the maximum allowable coverage of 16%; and

WHEREAS, testimony was taken at a public hearing on October 6, 2011, at which time the Board took sworn testimony and the applicant and the public were afforded the opportunity to be heard and participate in the application and to make comments; and

WHEREAS, the Board has reviewed and considered all of the evidence and the testimony at the public hearings from which the Board makes the following factual findings:

1. All proper public notice has been given in accordance with the municipal land use law.

2. The subject property is a flat, rectangular lot located on the south side of Garden Place and is presently improved with a 1,525sq. ft., one story, single family dwelling plus a free standing 10' x 10' shed. The applicant proposes to construct a family room addition to the south side (rear) of the existing dwelling which would be 18' x 20', or 360 sq. ft. additional footprint.

3. The applicant's architect testified that he physically measured the existing structures on site and determined that the garage was 24' x 12', one section of the house is 25' x 24' and the balance of the house is 25' x 25'. This comes to a total of 1,513 square feet which he rounded up to 1,525 square feet. The shed in the rear is 10' x 10' thereby bringing the total existing building coverage to 1,625 sq. ft.

4. The only house which would be impacted by the granting of this variance is the house directly to the rear. However, this addition will not encroach into the rear yard setback of the subject property and will be approximately 100' distant from the rear of the house on the lot to the rear. Consequently, any impact on the adjacent property to the rear will be minimal.

5. The applicant has also requested a waiver from the checklist requirement of providing a new location survey. Testimony indicated that the existing survey, which was reproduced on the plan, was prepared by Bernard W. Cricenzo July of 1974 remains accurate to date. There have been no additions or changes that are not shown on the existing survey.

6. No members of the public appeared to testify at the public hearing of this application.

Based upon the above factual findings, the Board has reached the following conclusions:

1. The applicant has sustained her burden under N.J.S.A. 40:55D-70c(2) in that the benefits of granting the requested variance substantially exceed any detriment which there may be and the Board finds that there is no detriment. The benefits to the public are the enhanced visual environment in the neighborhood and additional ratables to the Township.
2. The requested variance can be granted without substantial detriment to the zone plan, zoning ordinance or the public good.

NOW THEREFORE BE IT RESOLVED by the Board of Adjustment of the Township of Pequannock this 3rd day of November, 2011 that it now ratifies, memorializes and adopts the action taken at its meeting on October 6, 2011 granting the application of Adam Liccardo for a variance to permit building coverage of 17% instead of the 16% permitted by the ordinance, and granting a waiver of the checklist requirement to file a new survey, subject to the following conditions.

1. All construction shall be in substantial conformity with the plans filed with the application, prepared by Salvatore Corvino, Architect & Planner, dated May 20, 2011, and the testimony given at the public hearing on October 6, 2011.
2. No permits and/or certificate of occupancy shall be issued for the construction permitted by this resolution, unless and until all fees, costs and escrows required in connection with this application have been paid in full.

I hereby certify that the above is a true copy of a resolution adopted by the Board of the Township of Pequannock at its regular meeting on November 3, 2011.



Linda Zacharenko, Secretary