

Jill A. Hartmann, PP, AICP
21 Sparrowbush Road Mahwah, New Jersey
Tel. No. (201) 818.9090 Email: jillhartpp@aol.com

TO: Pequannock Township Planning Board
FROM: Jill A. Hartmann, PP, AICP
RE: MINOR SUBDIVISION WITH VARIANCES APPLICATION; 4 KAMM STREET;
BLOCK 4013, LOTS 18.01 AND 18.02.; APPLICANT: KENT CULUKO.
DATE: October 26, 2023

This is a Minor Subdivision with Variances Application to adjust a lot line between two existing lots. No new lots will be created. Each lot contains an existing single family residence. The subject site is located in the R-9 Residential District of the Township. The existing single family residences and the proposed lot line adjustment are permitted in the R-9 District. Ancillary "c" variances are required. The following submitted documents were utilized in the preparation of this planning report:

- Completed Pequannock Township Application for Subdivision, signed by Kent Culuko, dated September 16, 2023.
- Completed Pequannock Township Application for Variance, signed by Kent Culuko, dated September 16, 2023.
- Subdivision and Lot Line Adjustment Agreement, signed by Kent Culuko, Clifford Culuko, Nahaniel Brand, Kyla Brank, Naim Asani and Gze Asani, not dated.

ZONING ANALYSIS AND COMMENTS

1. The subject site contains two existing fully developed parcels. Existing Lot 18.01, fronts on Lincoln Park Road, is developed with a single family residence and has an area of 1,532 square feet. Existing Lot 18.02, fronts on Kamm Street, is developed with a single family residence and has an area of 9,375 square feet. Presently both sites are in compliance with the R-9 Schedule requirements.

It should be noted that the submitted Subdivision Plan's Zone Table is inaccurate with regards to the required lot width. The R-9 District lot width requirement is 75', not 125'. Lot 18.02 complies with the lot width requirement. The zone table should be corrected to reflect this.

2. The application is for a lot line adjustment to incorporate a portion of Lot 18.01 into Lot 18.02. The applicant, Kent Culuko, constructed a basketball court on his site and a portion of the adjacent property. This was done without a zoning permit. The proposed lot line adjustment will correct the location of the basketball court by incorporating it into Lot 18.02.

As a result of the proposed lot line adjustment/minor subdivision, the following variances are required:

- Proposed Lot 18.01
 - Lot Size 9,375 sf Required
 - 10,532 sf Existing
 - 9,282 sf Proposed

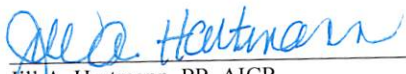
•	Impervious Coverage	42%	Permitted
		49%	Existing
		48%	Proposed
•	<u>Proposed Lot 18.02</u>		
•	Impervious Coverage	42%	Permitted
		43%	Existing
		45%	Proposed

The attached zone tables provides the required R-9 schedule for each lot.

3. The required variances are classified as “c” variances. As with all “c” variance applications, the applicant must provide testimony as to how the variance requested addresses the statutory requirements of N.J.S.A 40:55D-70c (1) hardship or (2) that the variances requested benefit the community in that they represent a better zoning alternative for the property.

The c(1) hardship variance must relate to a specific piece of property or in other words the hardship arises out of a condition of the land itself or structures lawfully existing on the site. The c(2) variance does not require the showing of undue hardship. What must be shown is that the application (1) relates to a specific piece of property and (2) that the purposes of the Municipal Land Use Law would be advanced by a deviation from the zoning ordinance. Essentially, the variances requested must benefit the community in that they represent a better zoning alternative for the property.

It is certified that all copies of this document are in conformance with the original prepared by Jill A. Hartmann, PP, AICP, License No. 4088


Jill A. Hartmann, PP, AICP

Zone Table

Lincoln Park Road
Block 4013, lot 18.01

R-9 District

Item	Required	Existing	Proposed	Variance
Lot Size	9,375 sf	10,532 sf	9,282 sf	Variance Required
Lot Width	75'	76.80	75'	OK
Lot Frontage	75'	76.80'	75'	OK
Lot Depth	125'	132.01'	132.01'	OK
Front Yard Setback	35'	35'	41.2'	OK
Side Yard Setback	10' /10'	11.1'/11.4'	11.1'/11.4'	OK/OK
Rear Yard Setback	25'	47.5'	47.5'	OK
Building Coverage	20%	13%	15%	OK
Lot Coverage	42%	49%	48%	Variance Required

Zone Table

Kamm Street
Block 4013, lot 18.02

R-9 District

Item	Required	Existing	Proposed	Variance
Lot Size	9,375 sf	9,365 sf	10,625 sf	OK
Lot Width	75'	75'	75'	OK
Lot Frontage	75'	75'	75'	OK
Lot Depth	125'	125'	125'	OK
Front Yard Setback	35'	45.1'	45.1'	OK
Side Yard Setback	10' /10'	12'/12.6'	12'/12.6'	OK/OK
Rear Yard Setback	25'	49.6'	49.6'	OK
Building Coverage	20%	16%	14%	OK
Lot Coverage	42%	43%	45%	Variance Required