

**TOWNSHIP OF VERONA
BOARD OF ADJUSTMENT APPLICATION**

DATE APPLICATION _____

CASE # 2020-08

PROPERTY ADDRESS 114 Franklin St.

BLOCK 1504 LOT 128 ZONE R-50

APPLICANT'S NAME Michael Dischley

PHONE # 732-822-4868 CELL PHONE # 862-266-2299

EMAIL Michael.Dischley@EpicBrokers.com

PROPERTY OWNER'S NAME Michael Dischley

PROPERTY OWNER'S ADDRESS 114 Franklin St. Verona

PROPERTY OWNER'S PHONE # 732-822-4868 CELL # 862-266-2299

PROPERTY OWNER'S EMAIL Michael.Dischley@EpicBrokers.com

RELATIONSHIP OF APPLICANT TO OWNER Self

REQUEST IS HEREBY MADE FOR PERMISSION TO DO THE FOLLOWING:

12' x 16' Deck in Rear Yard

CONTRARY TO THE FOLLOWING:

Improved lot coverage, minimum rear yard setback
deck height, deck less than 20ft from rear lot line

LOT SIZE: EXISTING 5358 PROPOSED 5358 TOTAL 5358

HIEGHT: EXISTING 2.5 story PROPOSED 2.5 story

PERCENTAGE OF BUILDING COVERAGE: EXISTING 23.18 PROPOSED 26.76

PERCENTAGE OF IMPROVED LOT COVERAGE: EXISTING 57.09 PROPOSED 57.25

PRESENT USE Private PROPOSED USE _____

SET BACKS OF BUILDING:	REQUIRED	EXISTING	PROPOSED
FRONT YARD	<u>30</u>	<u>29.80</u>	<u>29.80</u>
REAR YARD	<u>30</u>	<u>28.50</u>	<u>12.00</u>
SIDE YARD (1)	<u>8</u>	<u>7.70</u>	<u>7.70</u>
SIDE YARD (2)	<u>18</u>	<u>17.10</u>	<u>17.10</u>

DATE PROPERTY WAS ACQUIRED May 2015

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DATE PROPERTY WAS ACQUIRED May 2015

TYPE OF CONSTRUCTION PROPOSED:

Construct composite deck

SIGN INFORMATION (if applicable): supply details on location, dimensions, height and illumination

N/A

AREA PER FLOOR (square feet):	EXISTING	PROPOSED	TOTAL
BASEMENT	_____	_____	_____
FIRST FLOOR	_____	_____	_____
SECOND FLOOR	_____	_____	_____
ATTIC	_____	_____	_____

NUMBER OF DWELLING UNITS: EXISTING / PROPOSED /

NUMBER OF PARKING SPACES: EXISTING / PROPOSED /

History of any previous appeals to the Board of Adjustments and the Planning Board

What are the exceptional conditions that warrant relief from compliance with the Zoning Ordinance?

Supply a statement of facts showing how relief can be granted without substantial detriment to the public good and without substantially impairing the intent and purpose of the Zone Plan and the Zoning Ordinance

History of any deed restrictions:

A legible plot plan or survey to scale (not less than 1"=100') of the property indicating the existing and/or proposed structure and scale drawings of the existing and/or proposed structure must be provided.

A copy of any conditional contract relating to this application must be filed with this application.

If the applicant is a corporation or partnership, the names, addresses and phone numbers of those owning a 10% or greater interest in the corporation shall be provided.

Name _____	Address _____	Phone # _____
Name _____	Address _____	Phone # _____
Name _____	Address _____	Phone # _____
Name _____	Address _____	Phone # _____

Expert witness(es) that will present evidence on behalf of this application:

Attorney: Name _____
Address _____
Phone # _____
Fax # _____
Email _____

Architect/Engineer: Name _____
Address _____
Phone # _____
Fax # _____
Email _____

Planner: Name _____
Address _____
Phone # _____
Fax # _____

BOARD OF ADJUSTMENT APPLICATION SITE PLAN

O INDICATES SHRUBS OR TREES

X INDICATES FENCES

NEIGHBOR'S HOUSE
ESTIMATE DISTANCE FROM
THE PROPOERTY LINE

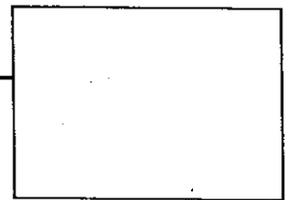
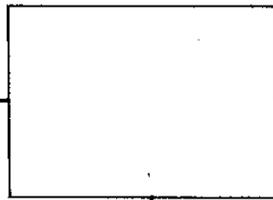
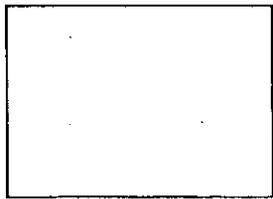
HOUSE ON LEFT

APPLICANT'S HOUSE
SHOW THE DISTANCE TO THE
PROPERTY LINE FROM
SURVEY

CENTER HOUSE

NEIGHBOR'S HOUSE
ESTIMATE DISTANCE FROM
THE PROPOERTY LINE

HOUSE ON RIGHT



SET BACK FROM STREET



SET BACK FROM STREET



SET BACK FROM STREET



STREET

AFFIDAVIT OF OWNERSHIP

STATE OF NEW JERSEY
COUNTY OF ESSEX

Michael Dischley OF FULL AGE, BEING DULY SWORN ACCORDING TO LAW ON OATH DEPOSED AND SAYS, THAT DEPONENT RESIDES AT 114 FRANKLIN STREET IN THE CITY OF VERONA IN THE COUNTY OF ESSEX AND STATE OF New Jersey AND THAT

I, Michael Dischley IS THE OWNER IN FEE OF ALL THAT CERTAIN LOT, PIECE OF LAND, SITUATED, LYING AND BEING IN THE TOWNSHIP OF VERONA AFORESAID AND KNOWN AND DESIGNATED AS BLOCK 1504 AND LOT 128 AS SHOWN ON THE TAX MAPS OF THE TOWNSHIP OF VERONA.

Linda A. Dwyer
Attorney at Law
NOTARY
State of New Jersey

Michael Dischley
OWNER

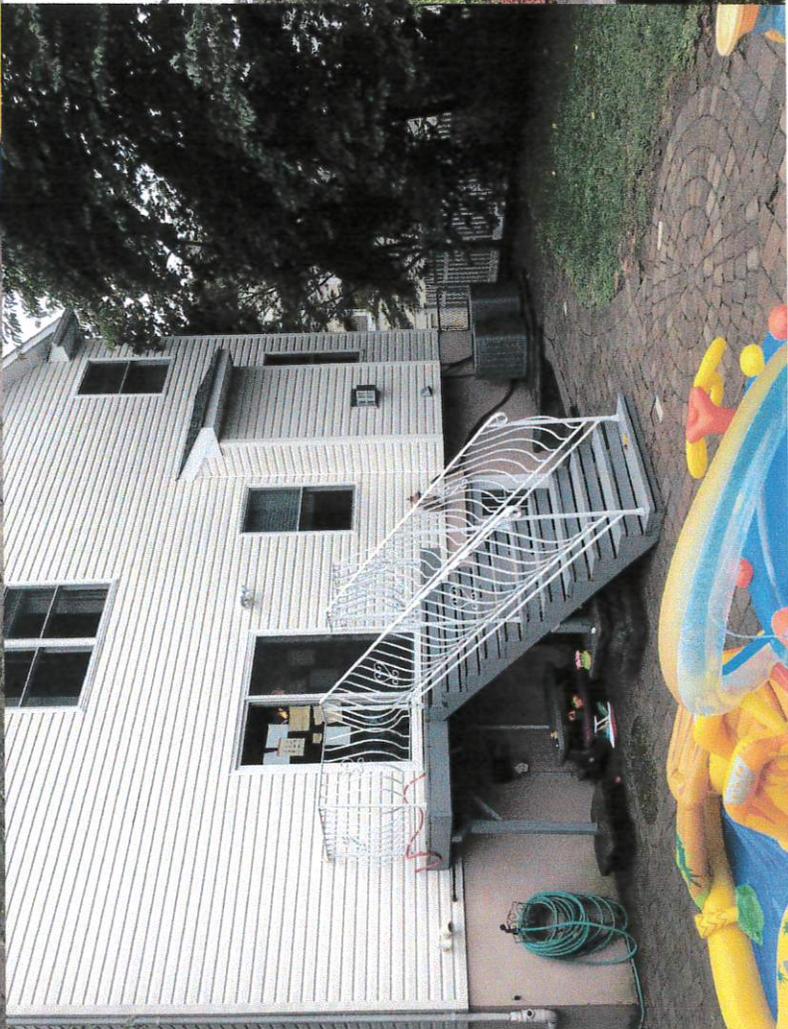
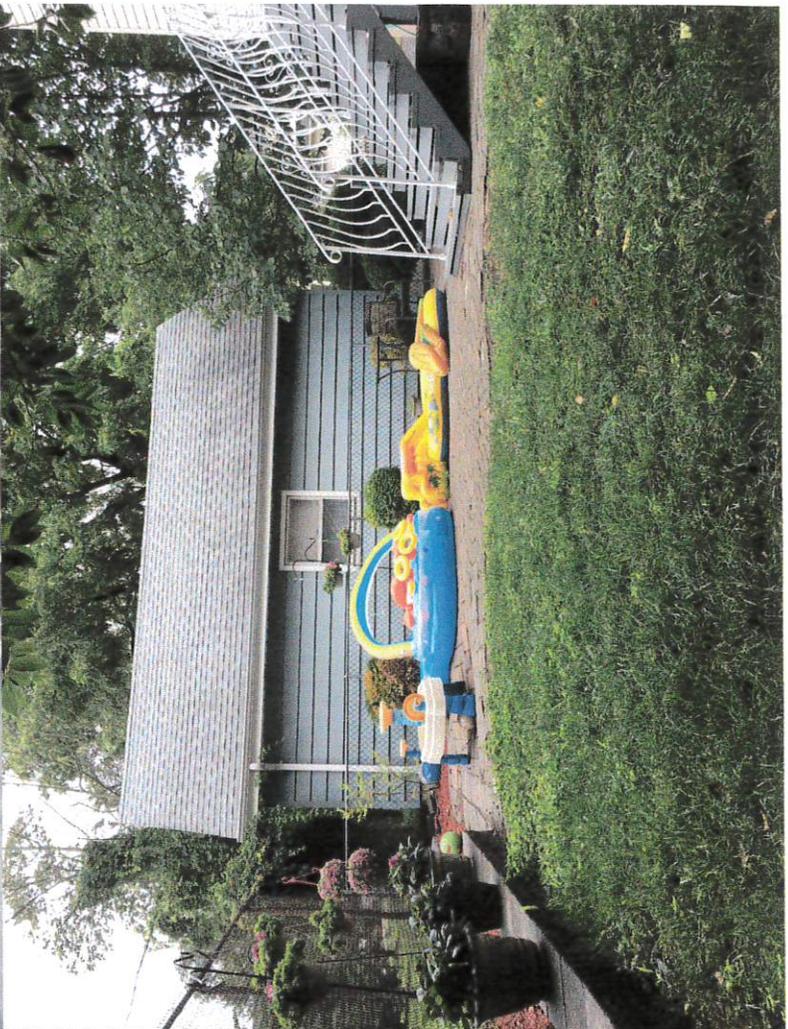
AFFIDAVIT OF APPLICANT

COUNTY OF ESSEX
STATE OF NEW JERSEY

Michael Dischley OF FULL AGE, BEING DULY SWORN ACCORDING TO LAW, ON OATH DEPOSED AND SAYS THAT ALL OF THE ABOVE STATEMENTS CONTAINED IN THE PAPERS SUBMITTED HEREWITH ARE TRUE. SWORN TO AND SUBSCRIBED BEFORE ME ON THIS August 1 DAY OF 2020

Linda A. Dwyer
Attorney at Law
NOTARY
State of New Jersey

Michael Dischley
APPLICANT



MAYOR
 JACK McEVOY
 DEPUTY MAYOR
 ALEX ROMAN
 COUNCILMEMBERS
 KEVIN J. RYAN
 EDWARD GIBLIN
 CHRISTINE McGRATH

TOWNSHIP OF VERONA
 COUNTY OF ESSEX, NEW JERSEY



TOWNSHIP MANAGER
 MATTHEW CAVALLO
 TOWNSHIP CLERK
 JENNIFER KIERNAN
 TOWNSHIP ATTORNEY
 BRIAN J. ALOIA, ESQ.

VERONA COMMUNITY CENTER
 880 BLOOMFIELD AVENUE
 VERONA, NEW JERSEY 07044

MUNICIPAL BUILDING
 600 BLOOMFIELD AVENUE
 VERONA, NEW JERSEY 07044
 (973) 239-3220
 WWW.VERONANJ.ORG

DEPARTMENT OF PUBLIC WORKS
 10 COMMERCE COURT
 VERONA, NEW JERSEY 07044

March 23, 2020

Township of Verona Zoning Dept.
 Re: Letter of Denial

Owner: Mr. & Mrs. Dischley
 114 Franklin Street
 Verona, NJ 07044

Applicant: Mr. Anthony Oranges
 9 Durrell Street
 Verona, NJ 07044

Property: 114 Franklin Street
 Lot 128 Block 1504
 Verona, NJ 07044

Zone: R-50 (High Density)

This office is in receipt of and has reviewed the zoning permit application for the construction of a new 12'x16' (192 sq.ft.) frame deck at 114 Franklin Street. The proposed deck is shown as being attached to the existing frame dwelling and approximately 11 feet off of the right side line and being approximately 10 feet above existing grade.

With that we offer the following;

The property commonly known as 114 Franklin Avenue and also being shown on the Official Tax Maps of the Township of Verona as Tax Lot 128 in Block 1504, is situate in the Townships "R-50" High Density Residential Zone, as shown upon the Townships official Zoning Map, prepared by Kasler Associates, PA dated July 11, 2011.

Zoning Data:

Bulk Schedule						
Zone R-50	Required	Existing	Proposed	Compliance		Variance Required
				Existing	Proposed	
Lot Size (Sq.Ft.)	5,000	5,358	5,358	Y	Y	No
Lot Width (Ft.)	50	50.00	50.00	Y	Y	No
Front Yard Setback (Ft.)	30	29.80	29.80	N	N	Exist. Non-Comply
Side Yard Setback One (Ft.)	8	7.70	7.70	N	N	Exist. Non-Comply
Side Yard Setback Both (Ft.)	18	17.10	17.10	N	N	Exist. Non-Comply
Side Yard Setback Both (Ft.) % of Lot Width	25	34.20	34.20	Y	Y	No
Rear Yard Setback (Ft.)	30	28.50	12.00	N	N	Variance Required
Building Height (Story/Ft.)	2.5/30	2.5 Story	2.5 Story	Y	Y	No
Lot Coverage (% Building)	30	23.18	26.76	Y	Y	No
Improved Lot Coverage (% All)	40	57.09	57.25	N	N	Variance Required
Floor Area Ratio (%)	N/A	N/A	N/A	Y	Y	N/A

Since the current building fails to comply with the current zoning setbacks then proposed uncovered decks fall under §150-7.21 Decks. "If an existing building fails to comply with zoning setback requirements, uncovered decks may be added, provided that all of the following conditions are met":

A. That the deck does not exceed 20% of the building footprint.

The deck as proposed is shown to be 192 square feet. The existing dwelling is 1,242 square feet. The proposed deck will 15.45% of the building footprint.

Complies

B. That no portion of the deck shall be elevated more than four feet above grade, excluding handrails and guardrails. The proposed deck is approximately 10 feet in height.

Variance Required: §150-7.21 (b) – deck exceeds 4 feet in height (10 feet proposed)

C. That the deck does not extend into the side yard beyond the line of the existing dwelling unless the deck meets the side yard setback requirements of this chapter.

Complies

D. That the deck shall be no less than five feet from the side lot line and no less than 20 feet from the rear lot line.

Variance Required: §150-7.21 (d) – deck is 12 feet from the rear yard lot line (20 feet required)

§150-7.1 E states that when an accessory structure is attached to the principal dwelling, it shall comply in all respects with the requirements of the ordinance applicable to the principal dwelling, including lot coverage.

Therefore;

§150-17.5 (d) (4) Maximum permitted improved lot coverage is 40% the existing improved lot coverage is 57.09%. The proposed improved lot coverage is 57.25%

Variance Required: §150-17.5 (d) (4) – Exceeds maximum permitted lot coverage.

§150-17.5 (e) (5) Minimum required rear yard setback is 30 feet. The existing rear yard setback is 28.50. The proposed rear yard setback is 12.00 feet.

Variance Required: §150-17.5 (e) (5) – Exceeds minimum required rear yard setback.

Decision

This office has **DENIED** the request for zoning as requested by the applicant based on the variance conditions as outlined.

Respectfully Submitted,

Michael C. DeCarlo

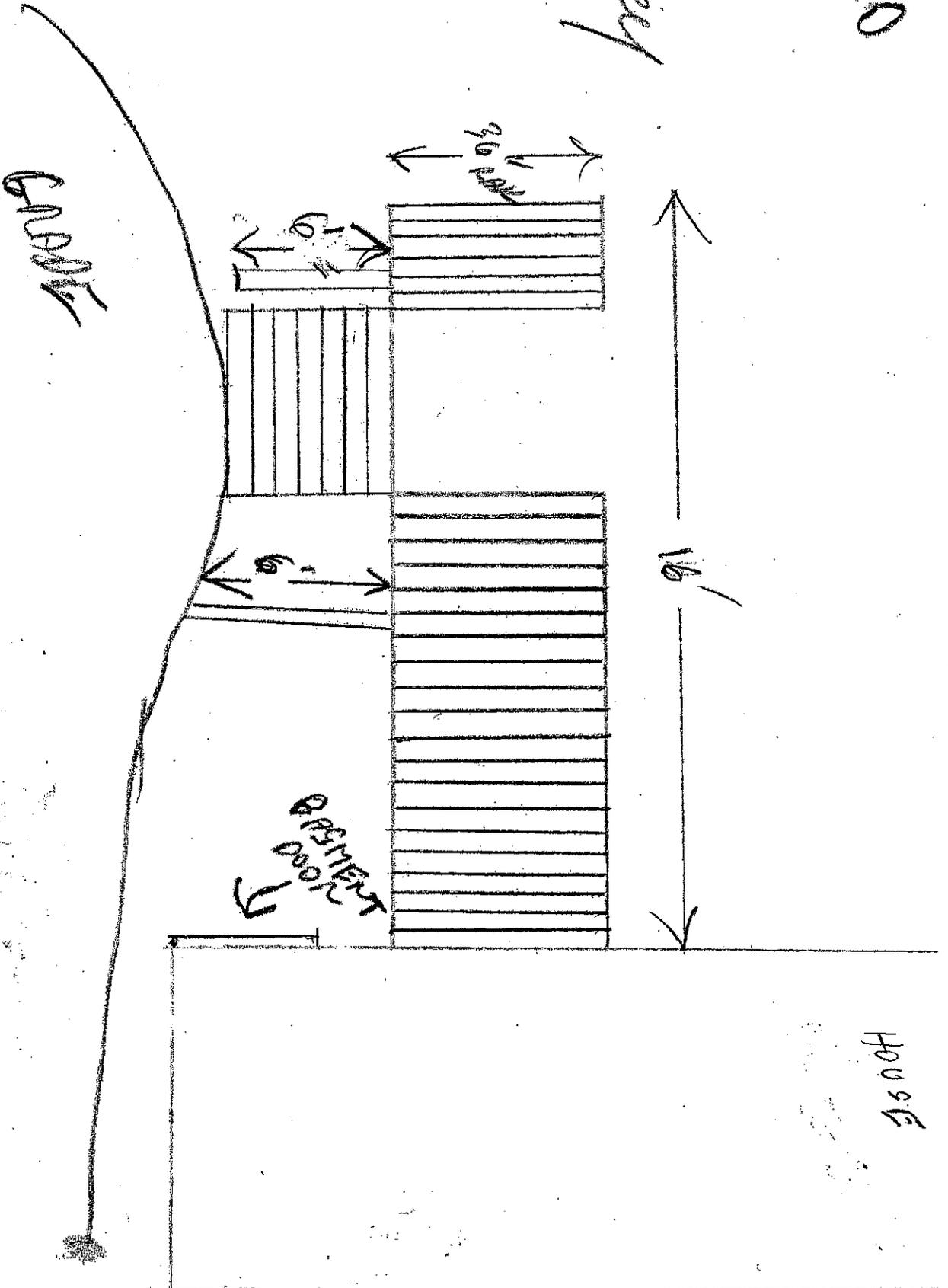
Michael C. DeCarlo

Engineering Manager and Zoning Officer

- *Appeals to the zoning board of adjustment from the decision of an administrative officer must be taken within 20 days by filing a notice of appeal with the officer from whom the appeal is taken specifying the grounds of such appeal. N.J.S. 40:55D-72a. Failure to adhere to the time for appeal will result in the zoning board not having jurisdiction to consider the appeal.*

8/10/98

Mike Dischler



SIDE VIEW

GRAB

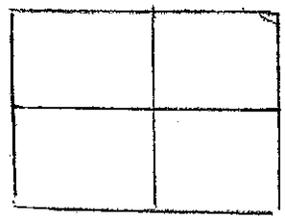
BASEMENT DOOR

HOUSE

DECK ELEVATION FOR 114 FRANKLIN AV

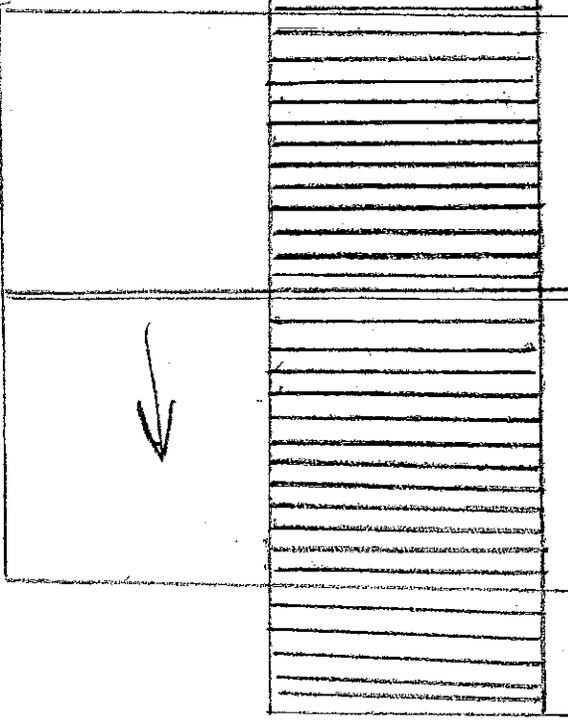
HOUSE

8/10/90



4" MAPS 9' SPACING

6' SLIDER



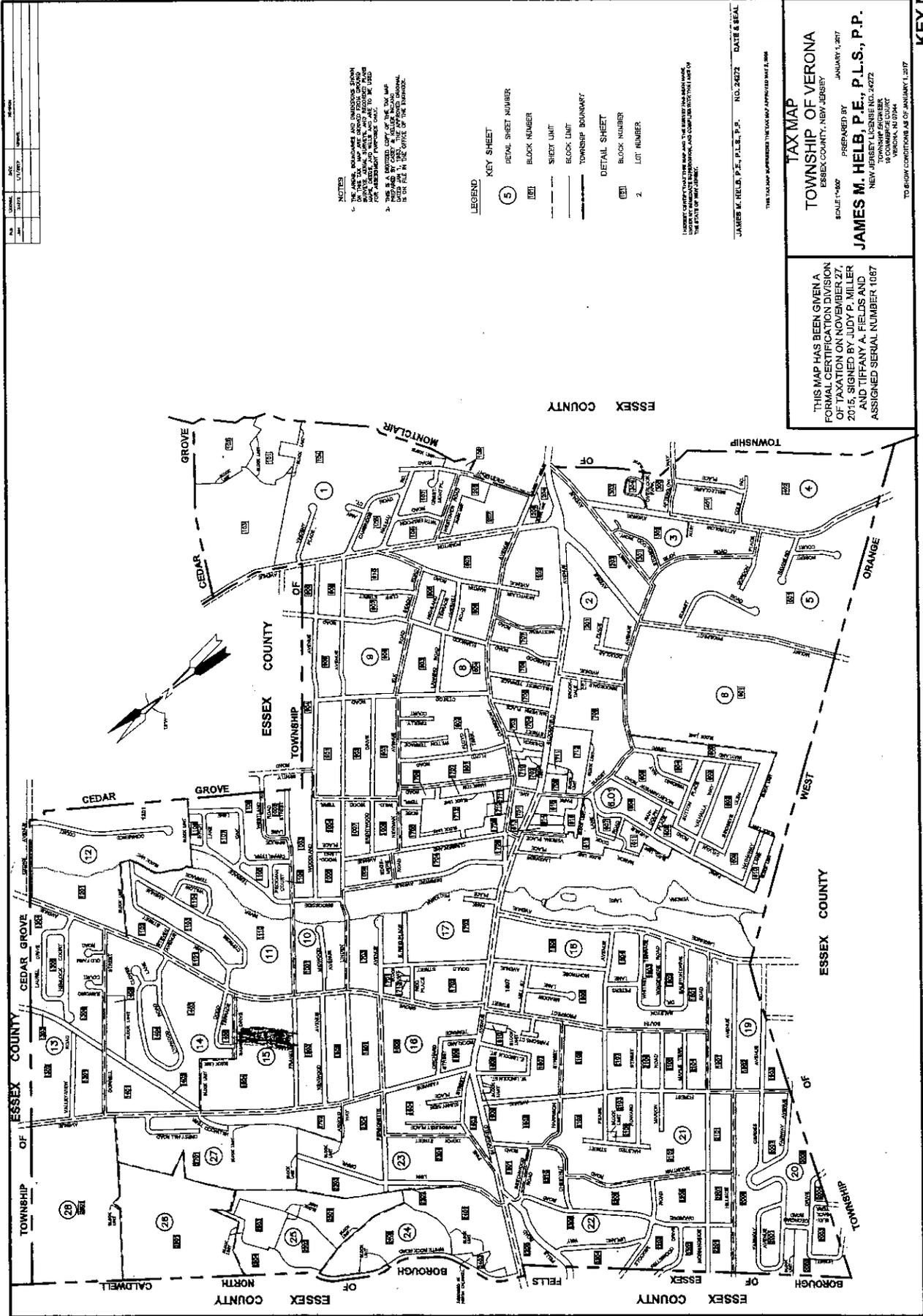
HOUSE

REAR VIEW
114 FRANKLIN

M de Dischler

GRAPE 12'





NOTES
 1. THE AREAS, BOUNDARIES AND DIMENSIONS SHOWN ON THIS MAP ARE BASED ON THE RECORDS OF THE TAX MAPS OF THE TOWNSHIP OF VERONA, ESSEX COUNTY, NEW JERSEY, AS OF JANUARY 1, 2017.
 2. THIS IS A PARTIAL COPY OF THE TAX MAP OF THE TOWNSHIP OF VERONA, ESSEX COUNTY, NEW JERSEY, AS OF JANUARY 1, 2017. THE ENTIRE MAP IS ON FILE IN THE OFFICE OF THE TOWNSHIP CLERK.

LEGEND

KEY SHEET
 5 RETAIL SHEET NUMBER
 101 BLOCK NUMBER
 --- SHEET UNIT
 --- BLOCK UNIT
 --- TOWNSHIP BOUNDARY

DETAIL SHEET
 101 BLOCK NUMBER
 2 LOT NUMBER

THIS MAP WAS PREPARED BY THE TAX MAP APPRAISER OF THE TOWNSHIP OF VERONA, ESSEX COUNTY, NEW JERSEY, AS OF JANUARY 1, 2017.

JAMES M. HELB, P.E., P.L.L.S., P.P. NO. 24272 DATE & SEAL

TAX MAP

TOWNSHIP OF VERONA
 ESSEX COUNTY, NEW JERSEY

PREPARED BY
 JANUARY 1, 2017

JAMES M. HELB, P.E., P.L.L.S., P.P.
 NEW JERSEY LICENSE NO. 24272
 W. COMMERCIAL COURT
 VERONA, NJ 07094

THIS MAP HAS BEEN GIVEN A FORMAL CERTIFICATION DIVISION OF TAXATION ON NOVEMBER 27, 2015, SIGNED BY JUDY P. MILLER AND TIFFANY A. FIELDS AND ASSIGNED SERIAL NUMBER 1087

TO SHOW CONDITIONS AS OF JANUARY 1, 2017

BOUNDARY SURVEY

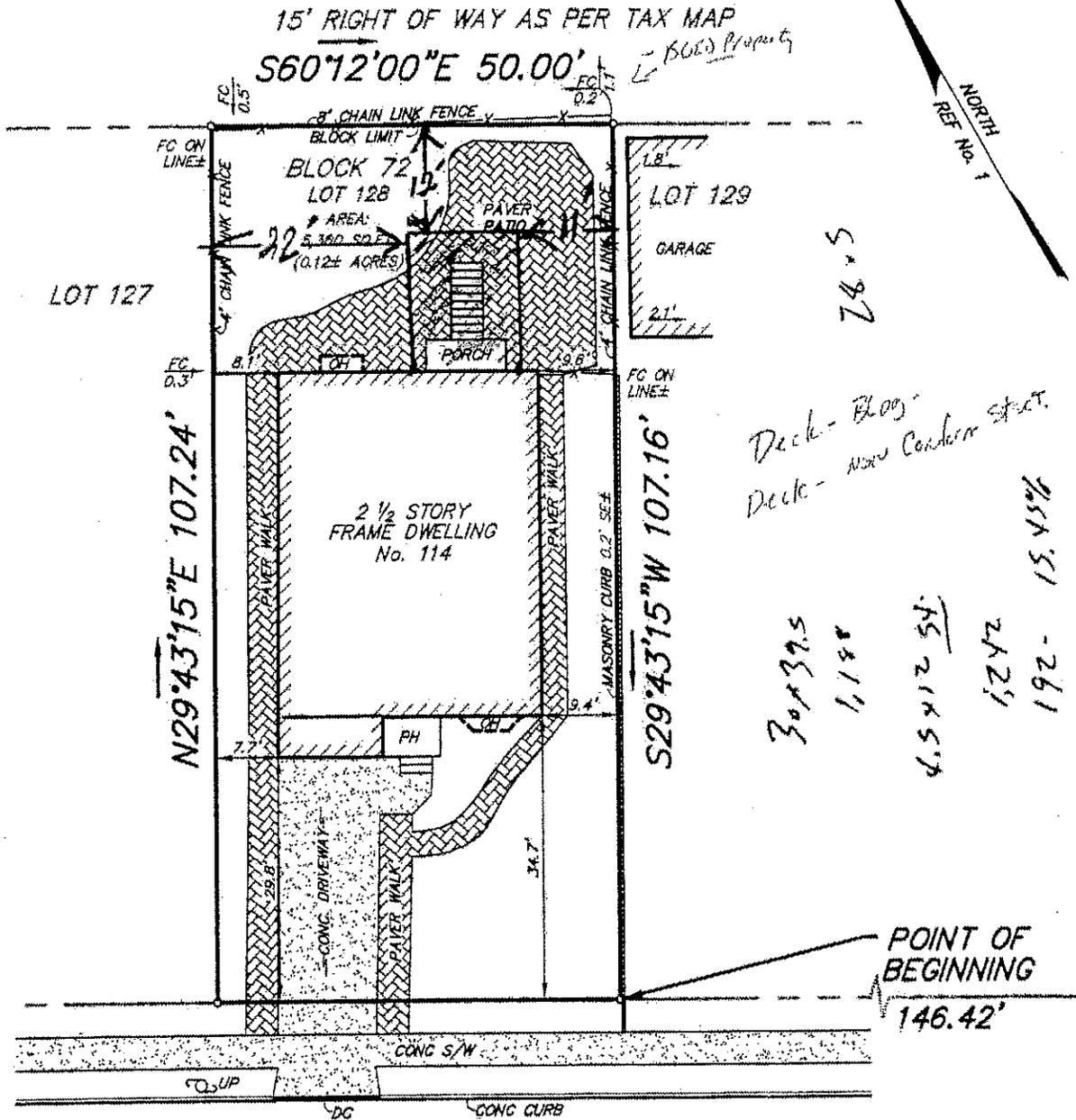
TAX LOT 128 BLOCK 72
114 FRANKLIN STREET
TOWNSHIP OF VERONA
ESSEX COUNTY, NEW JERSEY

CERTIFICATION:

I HEREBY CERTIFY TO THE FOLLOWING PARTIES LISTED BELOW, THAT THIS MAP HAS BEEN PREPARED UNDER MY DIRECT SUPERVISION AND IS BASED UPON AN ACTUAL FIELD SURVEY PERFORMED 05-18-2015 AND TO THE BEST OF MY PROFESSIONAL KNOWLEDGE, INFORMATION AND BELIEF, CORRECTLY REPRESENTS THE CONDITIONS FOUND EXCEPT SUCH EASEMENTS NOT DISCLOSED IN THE TITLE REPORT, OR FOUND BELOW THE GROUND.

THIS MAP IS CERTIFIED TO:

- MICHAEL DISCHLEY AND LINDSAY DISCHLEY
- MICHAEL SCHWARTZBERG, ESQ.
- PROPERTY TITLE GROUP, LLC
- OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY
- PRINCETON MORTGAGE CORPORATION



15' RIGHT OF WAY AS PER TAX MAP
S60°12'00"E 50.00'

NORTH
REF No. 1

Deck - Block
Deck - new Condon Street

30 x 39.5
1,198
4.5 x 12.54
1,242
192 - 15.45%

POINT OF BEGINNING
146.42'

GROVE (60' WIDE) AVENUE

N60°16'45"W 50.00'

FRANKLIN (50' WIDE) STREET

TOWNSHIP OF VERONA
 ZONING DEPARTMENT
 10 COMMERCE COURT
 VERONA, NJ 07044
 973-857-4804

OFFICE USE ONLY
 ZONING PERMIT APP # 47 ZONING PERMIT # 2020-045
 DATE RECEIVED 3/11/20 DATE APPROVED 3/20/20 DATE ISSUED 3/20/20
 PERMIT FEE \$ _____ PAID CASH / CHECK # _____ COLLECTED BY _____

- Zoning Permits are required for signs, fences, sheds, driveways and parking areas, standby generators, uses and structures.
- The Zoning Permit Application should be submitted to the Engineering Department. Please provide a correctly copy of the property survey with the application and show the proposed work drawn to scale including height, dimensions, etc.
- All zoning permits expire within 1 year of issuance.

Property Information:

Site Address 114 FRANKLIN ST.
 Block ~~72~~ Lot 128 Qualifier _____ Current Zone R-50
 Current Use of Property PRIVATE
 Proposed Use of Property _____

Lot 128 Block 1504

High Density

Property Owner Information:

Name(s) MILMAS DISCHLEY
 Owner Address 114 FRANKLIN ST.
 Owner Phone Number(s) 862 266 2299 Owner Email _____

Applicant Information:

Applicant Name ANTHONY ORANGES
 Applicant Company Name (if applicable) _____
 Applicant Address 9 DUNNELL ST. VERONA
 Applicant Phone Number(s) 973 464 0591 Applicant Email ORANGES@AOL

Proposed Work Description: details of proposed use or work including length, width, height, location, size of space, description of business to be run, times, days, living space or units, etc.

BUILD A NEW 12' x 16' COMP. DECK
IN REAR YARD

Proposed Cost of Work \$ 10,500

Applicant Signature [Signature] Date 3/11/20

OFFICE USE ONLY

REVIEWS:

DENIAL DATE	INITIALS	REASON
APPROVAL DATE <u>3/20/20</u>	INITIALS <u>MD</u>	SPECIAL CONDITIONS <u>SEE LETTER</u>

INSPECTIONS:

DATE	INITIALS	PASS / FAIL	COMMENTS

FINAL APPROVAL DATE _____ INITIALS _____