

**TOWNSHIP OF VERONA  
BOARD OF ADJUSTMENT APPLICATION**

DATE APPLICATION: 5/28/2021 \_\_\_\_\_

CASE # 2021-17

PROPERTY ADDRESS: 23 Hamilton Rd \_\_\_\_\_

BLOCK 801 LOT 37 ZONE R-50 (High Density)

APPLICANT'S NAME Cara O'Flynn and Adam Bell

PHONE # n/a CELL PHONE # 646-234-6871 (Cara)

EMAIL caraoflynn@gmail.com | adambbell@gmail.com

PROPERTY OWNER'S NAME Cara O'Flynn + Adam Bell

PROPERTY OWNER'S ADDRESS [same as above]

PROPERTY OWNER'S PHONE # n/a CELL # [same as above]

PROPERTY OWNER'S EMAIL [same as above]

RELATIONSHIP OF APPLICANT TO OWNER self

**RECEIVED**  
2021 MAY 28 AM 9:42  
TOWNSHIP OF VERONA  
COUNTY OF ESSEX, N.J.

REQUEST IS HEREBY MADE FOR PERMISSION TO DO THE FOLLOWING: Remove some areas of existing concrete walks and replace them with pavers, and add a new 16 feet x 20 feet (320 square feet) paver patio and path to driveway. This project includes the addition of a 1,000 gallon concrete seepage pit in the back of the property (as indicated on the annotated survey).

CONTRARY TO THE FOLLOWING:

Application was denied because it does not conform to all of the bulk requirements listed in §150-17.5 (D),(4)

LOT SIZE:	EXISTING <u>6,826</u>	PROPOSED <u>6,826</u>	TOTAL <u>6,826</u>
HEIGHT:	EXISTING <u>2.5 stories</u>	PROPOSED <u>2.5 stories</u>	
PERCENTAGE OF BUILDING COVERAGE:	EXISTING <u>19.0</u>	PROPOSED <u>19.0</u>	
PERCENTAGE OF IMPROVED LOT COVERAGE:	EXISTING <u>40.8</u>	PROPOSED <u>46.1</u>	
PRESENT USE <u>R</u>		PROPOSED USE <u>R</u>	
SET BACKS OF BUILDING:	REQUIRED	EXISTING	PROPOSED
FRONT YARD	<u>30</u>	<u>24.78</u>	<u>24.78</u>
REAR YARD	<u>30</u>	<u>82.00</u>	<u>82.00</u>
SIDE YARD (1)	<u>8</u>	<u>10.39</u>	<u>10.39</u>
SIDE YARD (2)	<u>18</u>	<u>24.79</u>	<u>24.79</u>

DATE PROPERTY WAS ACQUIRED 7/19/2013

TYPE OF CONSTRUCTION PROPOSED:

\_\_\_\_\_

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

n/a

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

- Because of our topography, our backyard receives water from neighboring properties on Floyd Rd (at a much higher elevation), the street Floyd Terrace (perpendicular to Floyd Rd at a higher elevation and points toward our property), and next door at 21 Hamilton Rd (at a slightly higher elevation). Our water problems became worse after the house behind us (22 Floyd Rd) was flipped in 2017.
- Because both exterior doors to our house are on the opposite side from the driveway, we have to walk across grass (often wet/muddy) to get to our cars.
- Our yard lacks a safe spot to place a grill (which is currently against the house) and we would like to have flat ground for an outdoor dining table, as most Verona residences do.

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

- To manage the water problems that worsened with the flipped property behind us at 22 Floyd Rd, we will be adding a 1,000 gallon concrete seepage pit at the back of our property. This will ameliorate an existing water issue, furthering the objectives of the stormwater management ordinance.
- Similarly-sized houses and lots on Hamilton Rd have decks and patios (and in one case, a second house and a garage in the backyard; in another, a deck and basketball court; in another, a hardscaped kitchen/bar area). On the whole, our plan is consistent with other properties in the surrounding area.
- The proposed additional coverage is small and still leaves plenty of green space in the yard.

History of any deed restrictions:

n/a

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. n/a

Name \_\_\_\_\_ Address \_\_\_\_\_ Phone # \_\_\_\_\_

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

Attorney: Name \_\_\_\_\_  
Address \_\_\_\_\_  
Phone # \_\_\_\_\_  
Fax # \_\_\_\_\_  
Email \_\_\_\_\_

Architect/Engineer: Name Bob Battle  
Contractor - Address 228 VALLEY RD, MONTCLAIR  
Phone # 973. 986. 6267  
Fax # \_\_\_\_\_  
Email RBATTLECONSTRUCTION@COMCAST.NET

Planner: Name John Probish  
Project Manager: Address JLDROBISH@GMAIL.COM  
Phone # 973. 873. 8451  
Fax # \_\_\_\_\_

AFFIDAVIT OF OWNERSHIP

STATE OF NEW JERSEY  
COUNTY OF ESSEX

CARA O'FLYNN + ADAM BELL OF FULL AGE, BEING DULY SWORN ACCORDING TO LAW ON OATH DEPOSED AND SAYS, THAT DEPONENT RESIDES AT 23 HAMILTON RD, IN THE CITY OF VERONA IN THE COUNTY OF ESSEX AND STATE OF NJ AND THAT CARA O'FLYNN + ADAM BELL 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 801 AND LOT 37 AS SHOWN ON THE TAX MAPS OF THE TOWNSHIP OF VERONA.

*Kathryn K McClure*

NOTARY

ATTORNEY AT LAW  
STATE OF N.J.

*Cara of Adam Bell*

OWNER

AFFIDAVIT OF APPLICANT

COUNTY OF ESSEX  
STATE OF NEW JERSEY

CARA O'FLYNN + ADAM BELL 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 27 DAY OF MAY 2021.

*Kathryn K McClure*

NOTARY

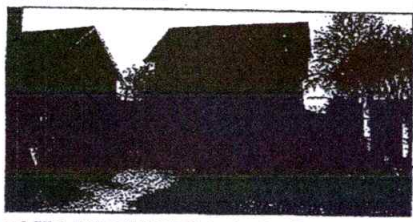
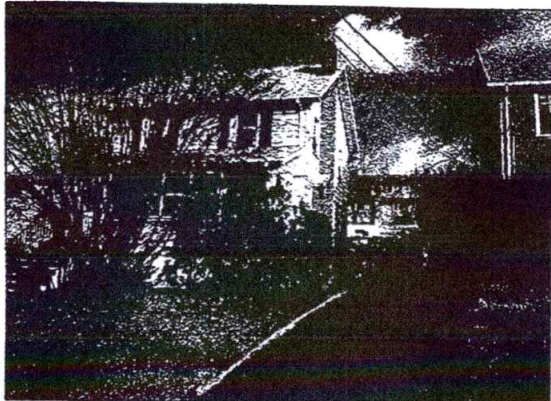
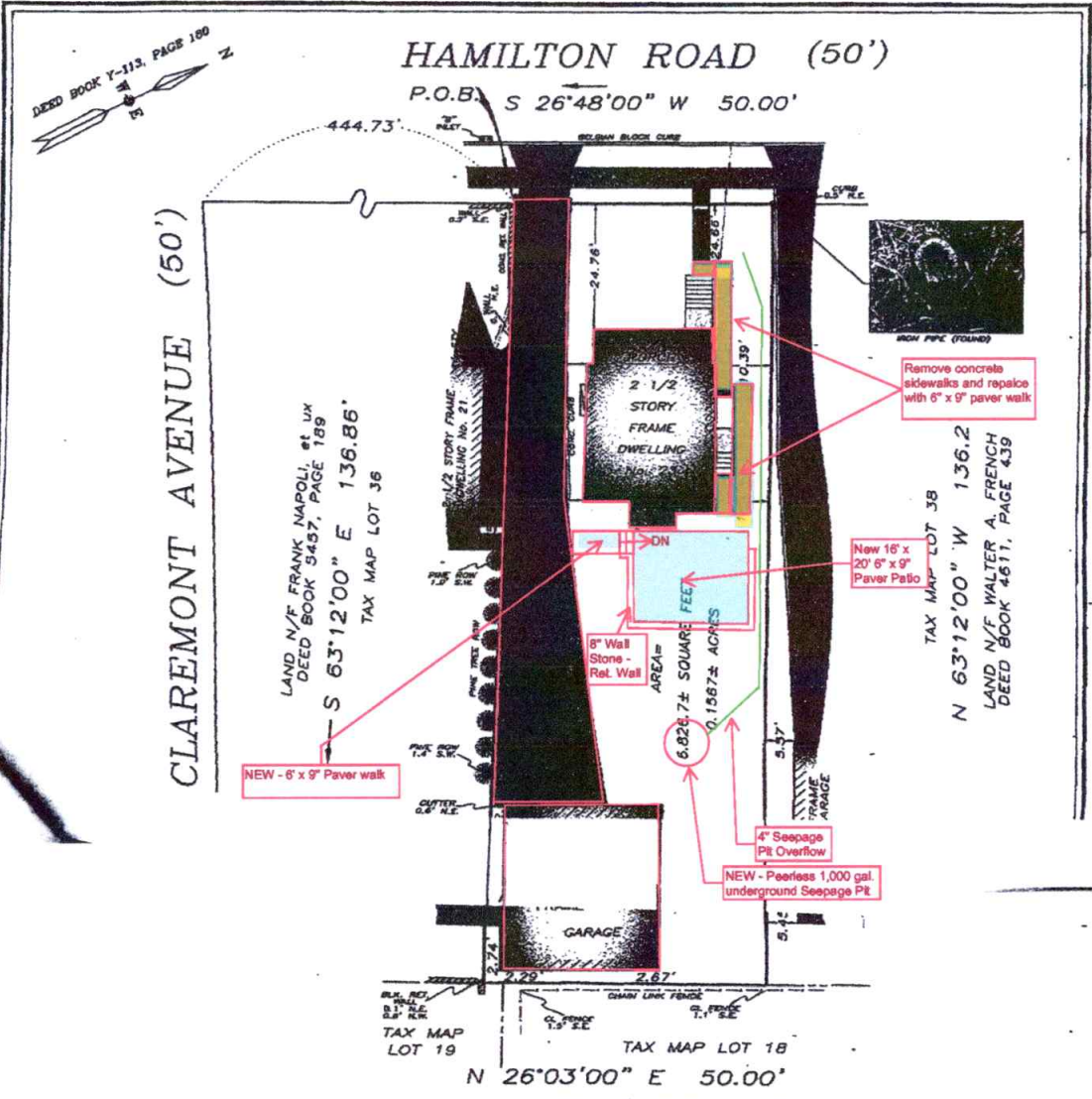
ATTORNEY AT LAW  
STATE OF N.J.

Kathryn K. McClure  
25 Floyd Rd, Verona

973.868.9335

*Cara of Adam Bell*

APPLICANT



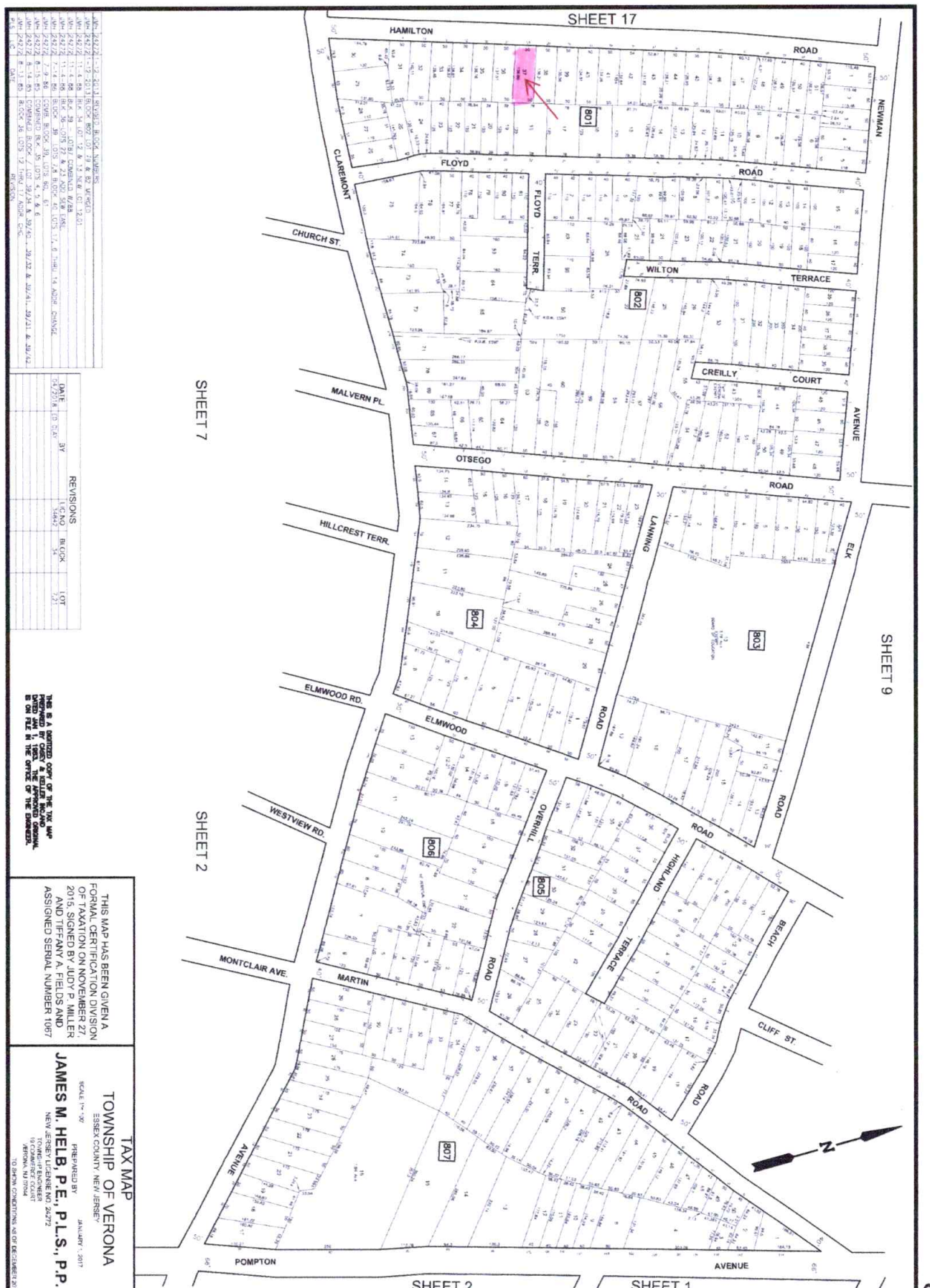
**TO:**  
PATRICK S. RODRIGUEZ and DINA MARIE RODRIGUEZ, husband and wife  
AFFINITY FEDERAL CREDIT UNION, its successors and/or assigns  
CENTURY/INTERCOUNTY TITLE AGENCY, INC.  
CHICAGO TITLE INSURANCE COMPANY  
MICHAEL D. SULLIVAN, Esquire

I DECLARE THAT THIS PLAN IS BASED ON A FIELD SURVEY MADE ON FEBRUARY 20, 2008, BY ME, OR UNDER MY IMMEDIATE SUPERVISION, IN ACCORDANCE WITH N.J.A.C. 17:27-2.1, AND TO THE BEST OF MY PROFESSIONAL KNOWLEDGE, INFORMATION AND BELIEF, CORRECTLY REPRESENTS THE CONDITIONS FOUND ON THE DATE OF THE FIELD SURVEY, EXCEPT SUCH EXCEPTS, IF ANY, BELOW THE SURFACE OF THE LANDS AND NOT VISIBLE.

THIS PLAN IS MADE TO PROVIDE INFORMATION TO THE TITLE INSURER SO THAT IT MAY INSURE TITLE TO THE LANDS SHOWN HEREON AND FOR THE MORTGAGE HOLDER NAMED ABOVE. THIS DECLARATION IS GIVEN SOLELY TO THE ABOVE NAMED PARTIES FOR THE TRANSACTION ONLY AND NOT TRANSFERABLE, EXCEPT AS PROVIDED HEREON.

- NOTES:**
- DIMENSIONS SHOWN TO THE STRUCTURE ARE FROM THE FOUNDATION OF THE STRUCTURE PERPENDICULAR TO THE PROPERTY LINE (UNLESS OTHERWISE NOTED).
- DIMENSIONS SHOWN TO TREES & SHRUBS ARE FROM THE CENTER OF THE TREE OR SHRUB PERPENDICULAR TO THE PROPERTY LINE.
- NO ATTEMPT HAS BEEN MADE AS A PART OF THIS BOUNDARY SURVEY TO DETECT OR SHOW DATA CONCERNING EXISTENCE, SIZE, DEPTH, CONDITION, CAPACITY, OR LOCATION OF ANY UTILITY OR MUNICIPAL/PUBLIC SERVICE FACILITY. FOR INFORMATION REGARDING THESE UTILITIES OR FACILITIES, PLEASE CONTACT THE APPROPRIATE AGENCIES.
- A WRITTEN WAIVER AND DECLARATION NOT TO SET CORNER MARKERS HAS BEEN OBTAINED FROM THE ULTIMATE USER PURSUANT TO P.L.2003, c.14 (N.J.S.A. 46:9-36.3) AND N.J.A.C. 17:40-5.116).
- THIS SURVEY IS BASED ON THE FOLLOWING DOCUMENTS:
1. DEED BOOK Y-113, PAGE 180
  2. DEED BOOK 4304, PAGE 353
  3. DEED BOOK 4215, PAGE 547
  4. DEED BOOK 4874, PAGE 299
  5. DEED BOOK 5457, PAGE 189
  6. DEED BOOK 4611, PAGE 439
  7. DEED BOOK 4605, PAGE 1052
  8. DEED BOOK 5426, PAGE 339

INITIALS	DATE	REVISIONS	DESCRIPTION
			TEUNISEN SURVEYING & PLANNING CO., INC. CERTIFICATE OF ABBREVIATION No. CA 27829 ROBERT G. L.L. DRUMHELL; C. ALFRED SHAWER; V. EDWARD ARTHUR LORNER; GRANT H. LORNER 319 SOUTH AVENUE FANWOOD, NEW JERSEY 07823
			PLAT OF SURVEY OF PROPERTY KNOWN AS TAX MAP LOT 37 BLOCK 40 SITUATED IN THE TOWNSHIP OF VERONA, ESSEX COUNTY, NEW JERSEY
			<i>Edward R. Teunisen</i> 3-01-08 EDWARD R. TEUNISEN NEW JERSEY PROFESSIONAL LAND SURVEYOR No. 23140 PENNSYLVANIA PROFESSIONAL LAND SURVEYOR No. 025234-C NEW JERSEY PROFESSIONAL PLANNER No. 01803
			SURVEY IS MADE ONLY IF PART HAS ORIGINAL SIGNATURE IN RED INK AND HAS BEING SIGNED BY THE PROFESSIONAL LAND SURVEYOR.
			TITLE No: CHI66240 DWT. BY: D.H. CHECKED BY: E.R.T. DATE: 03-01-08 SCALE: 1" = 20' ISS. No: 28636



DATE: 05/25/16 BY: [Signature]

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THIS IS A DIGITIZED COPY OF THE TAX MAP  
 PROVIDED BY THE TOWNSHIP OF VERONA  
 TO THE COUNTY OF ESSEX, NEW JERSEY.  
 IT IS NOT TO BE USED FOR ANY OTHER  
 PURPOSES WITHOUT THE WRITTEN  
 PERMISSION OF THE ENGINEER.

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

**TAX MAP**  
**TOWNSHIP OF VERONA**  
 ESSEX COUNTY, NEW JERSEY

PREPARED BY  
**JAMES M. HELB, P.E., P.L.S., P.P.**  
 TOWNSHIP ENGINEER  
 NEW JERSEY LICENSE NO. 24772

SCALE: 1" = 100'  
 JANUARY 1, 2017

TO BE SHOWN CONTINUING UP TO DECEMBER 31, 2017

MAYOR  
JACK McEVOY  
DEPUTY MAYOR  
ALEX ROMAN  
COUNCIL MEMBERS  
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

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

(973) 239-3220

WWW.VERONANJ.ORG

May 12, 2021

Township of Verona Zoning Dept.  
Re: **Zoning Letter of Denial**

Owner: Cara O'Flynn and Adam Bell  
Applicant 23 Hamilton Road  
Verona, NJ 07044  
Property: 23 Hamilton Road  
Lot 37 Block 801  
Zone: R-50 (High Density)

This office is in receipt of the following drawings which were submitted by the owner/applicant for consideration, review and comment.

- Township of Verona Zoning Application dated 05/20/21
- Survey of property with sketch of the proposed improvements shown.
- 

The applicant is seeking zoning and engineering approval to remove some areas of existing concrete walks and replaced them with pavers. They are also seeking approval of a new 16 feet x 20 feet (320 square feet) paver patio. The applicant has called for the placement of a subsurface ground water recharge device (Dry-well) however no calculation for the sizing of this unit has been submitted and therefore not reviewed.

Note: Since the total requested new impervious area is less than 400 square feet then there are no requirements for the placement of a stormwater recharge device on the property. The Township will always recommend that homeowners take what ever measures necessary to retain all stormwater runoff from their own properties. We commend this applicant for taking this initiative. Please submit sizing calculation to the engineers office prior to installation of this or any stormwater devices.

With that we offer the following;

The property commonly known as 23 Hamilton Road and also being shown on the Official Tax Maps of the Township of Verona as Tax Lot 37 in Block 801, 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 Calculations:**

Bulk Schedule						
Zone R-50 §150-17.5	Bulk Schedule			Compliance		Variance Required
	Required	Existing	Proposed	Existing	Proposed	
Lot Size (Sq.Ft.)	5,000	6,826	5,944	Yes	Yes	Exist. Non Comply
Lot Width (Ft.)	50	50.0	50.0	Yes	Yes	No
Front Yard Setback (Ft.)	30	24.78	24.78	No	No	Exist. Non Comply
Side Yard Setback One (Ft.)	8	10.39	10.39	Yes	Yes	No
Side Yard Setback Both (Ft.)	18	24.79	24.79	Yes	Yes	No
Side Yard Setback Both (Ft.) % of Lot Width	25	49.58	49.58	Yes	Yes	No
Rear Yard Setback (Ft.)	30	82.00	82.00	Yes	Yes	No
Building Height (Story/Ft.)	2.5/30	2.5/30	2.5/30	Yes	Yes	No
Lot Coverage (% Building)	30	19.0	19.0	Yes	Yes	No
Improved Lot Coverage (% All)	40	40.8	46.1	No	No	Variance Required
Floor Area Ratio (%)	N/A	N/A	N/A	N/A	N/A	N/A

**Decision:**

1. Based on the review of the original survey and the proposed plans provided, the dwelling and site does **NOT** conform to all of the bulk requirements listed in §150-17.5 (D),(4)

This office has **NOT APPROVED** the request for zoning as requested by the applicant for the following reasons:

**VARIANCE REQUIRED §150-17.5 (D) (4)**

**Exceeds maximum permitted Improved Lot Coverage 40% Max. 46.1% Proposed.**

- Address any comments as per the Township Engineer. (If any)
- Address any comments as per the Township Building Department. (If any)
- Address any comments or additional variances as per the Township Board of Adjustment. (If any)

Should you require any additional information, please contact our office.

*Michael C DeCarlo*

Michael C. DeCarlo  
Engineering Manager – Zoning Official

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.



**23 HAMILTON ROAD, VERONA NJ 07044**  
**Photographs of property**

FRONT



LEFT SIDE



RIGHT SIDE



BACK



BACK (cont.)

