

**TOWNSHIP OF VERONA
BOARD OF ADJUSTMENT APPLICATION**

DATE APPLICATION March 2, 2022

CASE # 2022-04

PROPERTY ADDRESS 50 Grove Avenue

BLOCK 160522 LOT 22 ZONE R-50B

APPLICANT'S NAME Alex & Lia Judka

PHONE # _____ CELL PHONE # 845-323-6383

EMAIL alexjudka@gmail.com

PROPERTY OWNER'S NAME Alex & Lia Judka

PROPERTY OWNER'S ADDRESS 50 Grove Avenue

PROPERTY OWNER'S PHONE # _____ CELL # 845-323-6383

PROPERTY OWNER'S EMAIL alexjudka@gmail.com

RELATIONSHIP OF APPLICANT TO OWNER Property owners

REQUEST IS HEREBY MADE FOR PERMISSION TO DO THE FOLLOWING:

Construct a two story addition on the side of the house. Part of the second floor extends over an existing one story family room. The first floor consists of a study and enlarging a current family room. The second floor consists of a bedroom expansion and additional bedroom.

CONTRARY TO THE FOLLOWING:

~~The lot coverage and improved lot coverage are over the permitted requirement.~~

LOT SIZE: EXISTING 4704 sq. ft. PROPOSED No change TOTAL 4704

HIEGHT: EXISTING 30.16' PROPOSED 29.87'

PERCENTAGE OF BUILDING COVERAGE: EXISTING 23.87% PROPOSED 27.10%

PERCENTAGE OF IMPROVED LOT COVERAGE: EXISTING 40.81% PROPOSED 44.04%

PRESENT USE Single family residential PROPOSED USE Single familt residential

SET BACKS OF BUILDING:	REQUIRED	EXISTING	PROPOSED
FRONT YARD	<u>30.0'</u>	<u>23.63'</u>	<u>24.63'</u>
REAR YARD	<u>30.0'</u>	<u>37.59'</u>	<u>36.32'</u>
SIDE YARD (1)	<u>8.0'</u>	<u>7.10'</u>	<u>9.12'</u>
SIDE YARD (2)	<u>8.0'</u>	<u>8.0'</u>	<u>8.0' no change</u>

DATE PROPERTY WAS ACQUIRED November 14, 2018

TYPE OF CONSTRUCTION PROPOSED:

Wood frame addition.

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

Not Applicable

AREA PER FLOOR (square feet):	EXISTING	PROPOSED	TOTAL
BASEMENT	<u>654</u>	<u>114</u>	<u>768</u>
FIRST FLOOR	<u>748</u>	<u>152</u>	<u>900</u>
SECOND FLOOR	<u>689</u>	<u>224</u>	<u>913</u>
ATTIC	<u>Not Applicable</u>	<u></u>	<u></u>

NUMBER OF DWELLING UNITS: EXISTING 1 PROPOSED 1 No change

NUMBER OF PARKING SPACES: EXISTING 2 PROPOSED 2 No change

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

No 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?

The lot size is undersized for the zone and there is a detached garage on the rear of the house with an extended driveway.
The driveway extension creates a large amount of improved lot coverage.

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

Although the lot is undersized creating lot and improved lot coverage issues the project falls within the setback requirements and building height.

History of any deed restrictions:

No 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 #
<u>50 Grove Avenue</u>		
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 Jerry Anthony Bruno Jr., AIA
 Address 9 Farrington Street, West Caldwell, NJ 07006
 Phone # 973-951-9239
 Fax # _____
 Email jerry@jerrybrunoarchitect.com

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

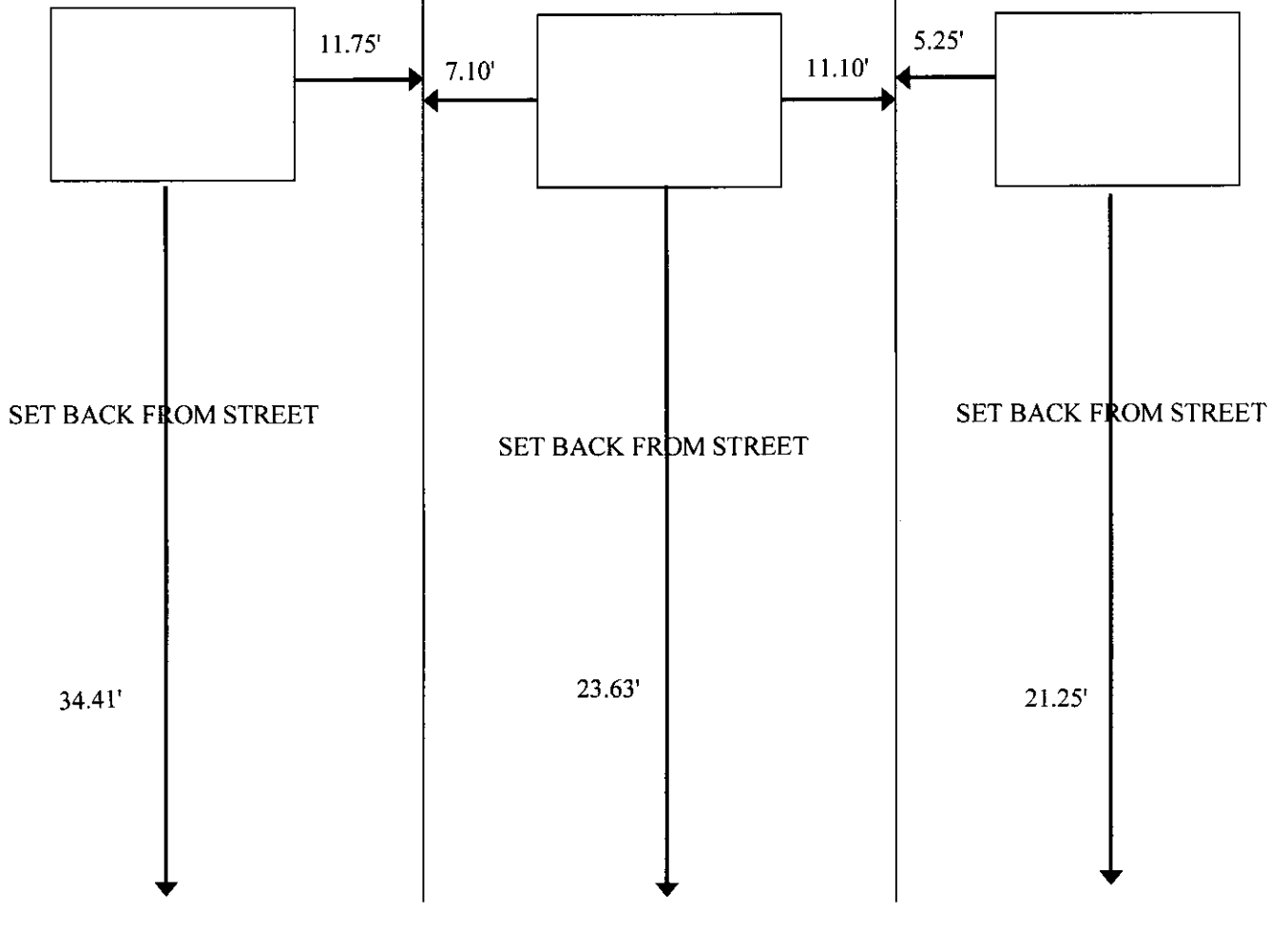
HOUSE ON LEFT

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



STREET

AFFIDAVIT OF OWNERSHIP

STATE OF NEW JERSEY
COUNTY OF ESSEX

Alex & Lia Judka

OF FULL AGE, BEING DULY SWORN ACCORDING TO LAW ON

OATH DEPOSED AND SAYS, THAT DEPONENT RESIDES AT 50 Grove Avenue, IN THE CITY OF
Verona IN THE COUNTY OF Essex AND STATE OF NJ AND THAT

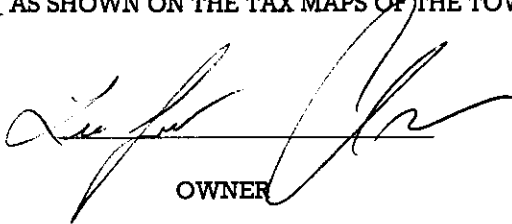
Alex & Lia Judka

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 22 AND LOT 1605 AS SHOWN ON THE TAX MAPS OF THE TOWNSHIP OF VERONA.



NOTARY



OWNER

AFFIDAVIT OF APPLICANT

COUNTY OF ESSEX
STATE OF NEW JERSEY

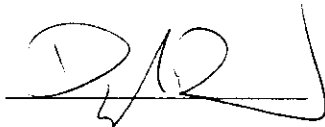
DYLAN DRUMMOND
NOTARY PUBLIC
State of New Jersey
My Commission Expires
August 13, 2025

Alex & Lia Judka

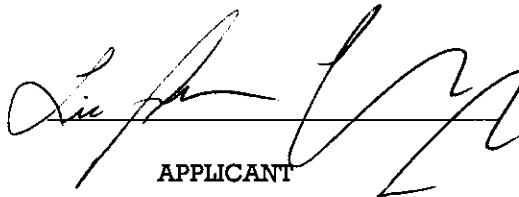
OF FULL AGE, BEING DULY SWORN ACCORDING TO LAW, ON

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 28 DAY OF March

2022.



NOTARY



APPLICANT

DYLAN DRUMMOND
Notary Public
State of New Jersey
My Commission Expires
August 13, 2025

MAYOR
ALEX ROMAN
DEPUTY MAYOR
CHRISTINE McGRATH
COUNCILMEMBERS
JACK McEVOY
CYNTHIA L. M. HOLLAND
CHRISTOPHER H. TAMBURRO

TOWNSHIP OF VERONA
COUNTY OF ESSEX, NEW JERSEY



TOWNSHIP MANAGER
JOSEPH O. D'ARCO
TOWNSHIP CLERK
JENNIFER KIERNAN
TOWNSHIP ATTORNEY
BRIAN J. ALOIA, ESQ.

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(973) 239-3220
WWW.VERONANJ.ORG

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

March 22, 2022

Township of Verona
Engineering & Zoning Dept.
10 Commerce Court
Verona, NJ 07044

RE: Zoning Letter of Denial
First and Second Story Addition

Owner/Applicant: Alex and Lia Judka
50 Grove Avenue
Verona, NJ 07044
Property: 50 Grove Avenue
Lot 22 Block 1605
Zone: R-50B (Medium-High Density)

Zoning Request:

The applicant is seeking approval from both the engineering and zoning departments to construct a new first and second story addition to the existing dwelling. The footprint (ground level) of the addition is stated as being 152 square feet. Interior renovations have not been included as part of this review because they are under the jurisdiction of the building department. No other requests have been submitted and therefore have not been reviewed.

Plans Reviewed:

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

- Zoning Permit Application dated 03/03/22
- Property Survey of 50 Grove Avenue prepared by Richard J. Hingos Inc. dated 11/14/18
- Architectural plans entitled "Judka Residence – Additions and Alterations, Lot 22 Block 1605, 50 Grove Avenue, Verona, NJ 07044" Plans prepared by Jerry Anthony Bruno Jr. AIA, dated 11/03/21 and revised through 03/01/22.

Existing Zoning:

The property commonly known as 50 Grove Avenue and also being shown on the Official Tax Maps of the Township of Verona as Tax Lot 22 in Block 1605, is situated in the Townships "R-50B" Medium-High Density Residential Zone, as shown upon the Townships official Zoning Map, prepared by Kasler Associates, PA dated July 11, 2011. One or more of the required minimum required yard setbacks are deficient, therefore the existing structure is considered a non-conforming structure as defined within the Township of Verona's Zoning Ordinance, Chapter 150, dated August 15, 2011. The plan does not indicate any proposed impact to the existing setbacks. Therefore the following shall apply;

Extensions, enlargements or changes of a nonconforming structure are governed by the rules and conditions set forth under §150-13.3 B. *"A one - or two - family residential building which complies with the use requirements of this Ordinance and is non-conforming because of the yard regulations may be enlarged, provided that any violation of any setback may be expanded provided that the expansion does not encroach further into such violated setback and no other setback regulations are violated."*

Zoning Analysis: R-50B §150-17.4

Bulk Schedule §150-17.4						
Zone R-50B	Code	Existing	Proposed	Existing	Proposed	Compliance
Lot Size (Sq.Ft.)	7,500	4,704.00	4,704.00	No	No	Exist.Non Comply
Lot Width (Ft.)	50	50.00	50.00	Yes	Yes	Yes
Front Yard Setback (Ft.)	30	23.63	23.63	No	No	Exist.Non Comply
Side Yard Setback One (Ft.)	8	7.10	7.10	No	No	Exist.Non Comply
Side Yard Setback Both (Ft.)	18	18.26	18.25	Yes	Yes	Yes
Side Yard Setback Both (Ft.) % of Lot Width	25	36.50	36.50	Yes	Yes	Yes
Rear Yard Setback (Ft.)	30	37.59	36.32	Yes	Yes	Yes
Building Height (Story/Ft.)	2.5/30	2.5/30.16	2.5/30.16	No	No	Exist.Non Comply
Lot Coverage (% Building)	25	23.87	27.10	Yes	No	NO * (Variance)
Improved Lot Coverage (% All)	40	40.81	44.04	No	No	NO * (Variance)
Floor Area Ratio (%)	N/A	N/A	N/A	N/A	N/A	N/A
Accessory Structure & Use	Required	Existing	Proposed	Existing	Proposed	Compliance
Side Yard Setback One (Ft.)	8	2.22	2.22	N	No	Exist.Non Comply
Rear Yard Setback (Ft.)	10	3.21	3.21	No	No	Exist.Non Comply
Min. Distance between Accessory and Principal Use (Ft.)	10	>10	>10	Yes	Yes	Yes
Max. aggregate area covered by Accessory Structure in the Yard it is located in. (%)	10	0	0	Y	Y	Yes
Maximum Height (Stories/Feet)	1½ / 15	1½ / 15	1½ / 15	N/A	N/A	Yes

***Variances Required: Pursuant to N.J.S.A. 40:55D-70 (c).**

- §150-17.4 D, 3: Request exceeds maximum allowed Lot Coverage. 25% permitted, 27.10% requested.
- §150-17.4 D, 4: Request exceeds maximum allowed Imp. Lot Coverage. 40% permitted, 44.04% requested.

Zoning Decision:

Based on the zoning review and variances required this office has **DENIED** the applicants request for zoning approval at this time. If a formal application is made to the Township of Verona Board of Adjustment the applicant may need to address the following as well.

- 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 Twp. Board of Adjustment. (If any)

Notes:

1. No electrical, plumbing or building codes were reviewed as part of this application. Please coordinate with the Township of Verona Construction/Building Department for any required permits and or inspections which may be required.
2. Any change or deviations from the plans which were provided and reviewed as part of this zoning permit at this location must first be approved by the Zoning Official or Zoning Administrator prior to obtaining a construction permit. The owner/applicant should be aware that any future change may require formal application to the Verona Board of Adjustment for variance governed by the rules and conditions pursuant to N.J.S.A. 40:55D-70d

Please feel free to contact this office should you have any questions,

Respectfully Submitted,

Michael C. DeCarlo

Michael C. DeCarlo
Engineering Manager – Zoning Official

Note:

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.

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Existing Conditions:

The property gently slopes from the street towards the rear at roughly a 1% grade. The property does not appear to contain any large or mature trees that will have any effect on the proposed addition. The zoning and engineering office have found no records in regards to open permits or violations concerning this property.

Proposed Conditions:

The applicants request(s) will add approximately 152 square feet of new impervious coverage to the property which will cause the property to exceed the maximum allowed for both lot and improved lot coverages and therefore require the approval by the Board of Adjustment for a building permit.

Township of Verona Steep Slope Ordinance

The property in question is not situated within the areas defined as steep slopes as per Ordinance 3-16 and is therefore exempt from those requirements.

Engineering Review and Comments:

- As of March 3rd 2021 the Township has adopted a new stormwater ordinance in compliance with the new NJDEP requirements. The new ordinance requires that all zoning permit requests that seek to add 400 square feet or more of impervious coverage to comply with the new regulations. Since the current zoning request is only for a total of 152 square feet of new impervious coverage the applicants request does not trigger stormwater compliance. However, the engineering office strongly suggests that if the applicants request to the Board of Adjustment seeking approval/relief for exceeding the maximum lot and improved lot coverage is granted that perhaps the Board might condition that approval by requiring the applicant provide for stormwater mitigation in compliance with the Township of Verona's Stormwater Ordinance, Chapter 455 of the Municipal Code.

If such a condition is placed on the approval we shall require the following:

1. The applicant's engineer/design professional that designs the said stormwater mitigation system must inspect the excavation, construction and final grades of the entire system.
 2. The applicant's engineer/design professional must submit a letter to the Township engineer that said system was installed in accordance with the design which was submitted. This letter must be signed and sealed by a profession engineer that is licensed in the State of NJ.
 3. The applicant must submit an as-built survey that accurately shows all the improvements, including the stormwater system. This survey must include all existing and finished grades.
- **The applicant should be aware that the Township of Verona has a Tree Removal Ordinance and any trees sought to be removed for this project are subject to review and approval by permit only. That permit application is available on-line at the Township website.**
 - The owner shall be required to install and maintain throughout the duration of the project until its completion all necessary soil erosion and sediment control measures to ensure that no sediment leaves the immediate project area. The owner should review and understand what (if any) measures are necessary by following the guidelines for soil erosion and sediment control in the State of NJ defined in "The Standards for Soil Erosion and Sediment Control in NJ", 7th Edition January 2014 revised July 2017.

<https://www.nj.gov/agriculture/divisions/anr/pdf/2014NJSoilErosionControlStandardsComplete.pdf>

Roof Leaders – Sump Pump Discharge, Grading and Property Maintenance Guidelines

Leader drains and sump pumps must be discharged in a fashion that controls the run off onto neighboring and common properties and further, does not cause erosion on any property. The surface discharge of leader drains and sump pumps must not be directly pointed towards the adjoining properties. Erosion control measures should be utilized at each point of discharge to prevent scouring and rutting of the existing grade. An example of this would be to secure the end of the leader with river rock stone. This will provide an energy dispersal of the waters emanating from the point of discharge. All residents should be mindful of how their properties stormwater might be negatively impacting the surrounding properties.

Exposed gutters and downspouts should try to be colored to blend in with the surface to which they are attached.

Slope all roofs and outdoor areas to positively direct water away from buildings. Connect all roof drains to an approved storm water drainage system where and when possible. If a subterranean leader system is to be utilized then that system must be approved by the Township Engineer.

Direct discharge of storm water and sump pump discharges onto the public roadway through the curb creates hazardous icing conditions during the winter and therefore is not permitted, any existing discharge onto the street through the curb can remain until such time the street is fully reconstructed, at that time an underdrain system will be provided within the right of way so that each property has the ability to make a positive connection into the municipal drainage system thereby reducing the amount of on-site drainage discharge.

Please be reminded of the following;

Water which historically flowed from one property to another prior to the uphill home or developed area being built may continue to flow in the same direction after the home is built or area developed only if ;

- (1) There is no diversion or channeling which results in the water flow being concentrated in one area and
- (2) There is no substantial construction on the uphill lot resulting in increased rates of surface run-off.

If a detrimental change in the natural pattern of drainage on the uphill lot has occurred, the uphill property owner is responsible for interception and piping or directing surface water to natural drainage areas or the storm water drainage system.

The downhill property owner is responsible for providing proper drainage for water flow that occurs in accordance with natural drainage patterns, which existed prior to construction.

Due to the inherent difficulty in accurately predicting post-construction water flow from a property, changes in water flow may not be discovered until well after the construction is completed. In such cases, if it is determined that the lot is generating an additional flow or intensity of storm-water across an adjacent property, in excess of what existed prior to construction, the applicant, at the applicants expense, will undertake all measures necessary to abate the excess flow of storm-water.

Michael C. DeCarlo

Michael C. DeCarlo
Engineering Manager – Zoning Official