

TOWNSHIP OF VERONA
COUNTY OF ESSEX, NEW JERSEY

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DEPARTMENT OF PUBLIC WORKS
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VERONA, NEW JERSEY 07044

Zoning Office 880 Bloomfield Avenue, Verona, NJ 07044 973-857-4772

June 10, 2024 Revised December 23, 2024

Zoning Permit #2024-105 – DENIED – Deck; Pre-existing, Non-conforming use of Garage

Applicant/Owner: Romanyshyn
30 Elk Road
Verona, NJ 07044

Property: 30 Elk Road; Block 906, Lot 41
Zone: R-50B (Medium/High-Density Single-Family) Zone District

Submittals:

This office is in receipt of the following:

- Township of Verona Residential Permit Application;
- Architectural plans by EScott Architects, LLC, signed and sealed by Evan J. Scott, dated 10/2023, revised for proposed deck 5/10/2024

ZONING REQUEST:

Based upon the zoning permit application, the applicant is seeking approval for a 249 square foot deck in the rear yard by existing garage. No other requests have been requested or shown and therefore have not been considered in this departments review.

ZONING DECISION:

- The property is in the R-50B (Medium/High-Density Single-Family) Zone District;
- Per § 150-17.4 A (1) single family homes are permitted - Compliant;
- Existing garage is a pre-existing, non-conforming use of the structure as a “shop” dating back to 1953 with verification by the Construction Official in 1998 as the use continued. The garage use is for metal shop purposes and storage of heating and air conditioning duct supplies. The second floor use is for storage of supplies. Any change in use requires a variance. The garage was renovated to a playroom/den via Zoning Permit 2023-214 – where the change in use was not disclosed or discovered. A Use Variance is required per § 150-13.3 A. No existing building or premises containing any nonconforming use as permitted by this chapter shall be enlarged, extended, reconstructed or structurally altered unless such use is changed to a use permitted in the district in which such building or premises is located; and no nonconforming use shall be changed to another or different nonconforming use. **A Variance is required.**
- Per § 150-17.4 B (4) decks are permitted - Compliant;
- Per § 150-17.4 D (1) Minimum lot size is 7,500 square feet, where existing is 11,100 SF – Compliant;

- Per § 150-17.4 D (2) Minimum lot width is 50 feet where existing is 55.5 feet at front property line and 79.05 feet at rear property line – Compliant;
- **Per § 150-17.4 D (4) maximum improved lot coverage is 40%; pre-existing non-conforming is 53.99% as noted on plans with proposed as 56.23%. The pre-existing non-conforming improved lot coverage is proposed to increase. A Variance is required.**
- Per § 150-17.4 E. (2) Minimum side yard setback (one) is eight feet where proposed is 20' 7 ½" at rear of proposed deck and 17' 6" and front of proposed deck – Compliant;
- Per § 150-17.4 E (5) Minimum rear yard setback is 30 feet; existing pre-existing non-conforming from garage to rear property line 4' 4 ½"; proposed deck is 4' 10 ½" from rear yard and not exacerbating the pre-existing setback.
- **Per § 150-17.4 F (4) the maximum aggregate area covered by the accessory structures in the yard it is located in is 15%; the rear yard is 5,228 square feet where 15% is 784.2 square feet; existing is 38% or 2,028 square feet, proposed is 43% or 2,277 square feet. A Variance is required.**
- Per § 150-17.4 F (5) the maximum height of an accessory structure is 15 feet. The proposed deck varies in height due to the grade, with the lowest portion at 12" off of grade and the highest will be 24" - Compliant
- No trees are proposed to be removed;
- This submission will not require engineering review and approval as it is under 400 square feet of disturbance;
- The proposed limit of disturbance is below 5000 SF; HEPCSD certification will not be required.

Based on the reviewed submitted items, the applicant's request for a Zoning Permit has been DENIED by this office for the proposed deck.

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

Respectfully Submitted,



Kathleen Miesch
Zoning Official

cc: Tom Jacobsen, Construction Official
Kristin Spatola, Technical Assistant