

**TOWNSHIP OF VERONA
BOARD OF ADJUSTMENT APPLICATION**

DATE APPLICATION 3/4/2024

CASE # 2024-08

PROPERTY ADDRESS 48 Durrell St

BLOCK 1306 LOT 14.01 ZONE A-3

APPLICANT'S NAME Joseph Venezia

PHONE # 201-376-6243 CELL PHONE # 201-376-6243

EMAIL joe.venezia1@gmail.com

PROPERTY OWNER'S NAME Joseph Venezia

PROPERTY OWNER'S ADDRESS 48 Durrell St

PROPERTY OWNER'S PHONE # 201-376-6243 CELL # 201-376-6243

PROPERTY OWNER'S EMAIL joe.venezia1@gmail.com

RELATIONSHIP OF APPLICANT TO OWNER applicant is the owner

REQUEST IS HEREBY MADE FOR PERMISSION TO DO THE FOLLOWING:
The applicant is seeking to construct an in-ground pool, patio and cabana at the property.

CONTRARY TO THE FOLLOWING:

- Maximum cabana area (100 SF max allowed vs 576 SF proposed)
- Maximum accessory structure rear yard coverage (15% max allowed vs 25% proposed)
- Maximum generator building setback (5 feet max vs 87.5 feet proposed)

LOT SIZE: EXISTING 22,542 sq ft. PROPOSED no change TOTAL no change

HIEGHT: EXISTING none new construction PROPOSED 14'-8"

PERCENTAGE OF BUILDING COVERAGE: EXISTING 12.2% PROPOSED 15.6%

PERCENTAGE OF IMPROVED LOT COVERAGE: EXISTING 16.7% PROPOSED 35.0%

PRESENT USE Single-family residence PROPOSED USE Same as present use

SET BACKS OF BUILDING:	REQUIRED	EXISTING	PROPOSED
FRONT YARD	<u>30 feet</u>	<u>40.4 feet</u>	<u>40.4 feet</u>
REAR YARD	<u>30 feet</u>	<u>203.3 feet</u>	<u>203.3 feet</u>
SIDE YARD (1)	<u>8 feet</u>	<u>9.1 feet</u>	<u>9.1 feet</u>
SIDE YARD (2)	<u>16 feet (25%) combined</u>	<u>21.9 feet (29.2%) combined</u>	<u>21.9 feet (29.2%) combined</u>

DATE PROPERTY WAS ACQUIRED 9/7/2019

TYPE OF CONSTRUCTION PROPOSED:

The applicant is seeking to construct an in-ground pool, patio and cabana at the property.

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

AREA PER FLOOR (square feet):	EXISTING	PROPOSED	TOTAL
BASEMENT	N/A	N/A	N/A
FIRST FLOOR	N/A	N/A	N/A
SECOND FLOOR	N/A	N/A	N/A
ATTIC	N/A	N/A	N/A

NUMBER OF DWELLING UNITS: EXISTING N/A PROPOSED N/A

NUMBER OF PARKING SPACES: EXISTING N/A PROPOSED N/A

History of any previous appeals to the Board of Adjustments and the Planning Board
None

What are the exceptional conditions that warrant relief from compliance with the Zoning Ordinance?
Please see attached.

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
The pool and patio are both at grade and therefore will not have a visual impact on neighboring properties. The cabana is below the max allowed height and will be constructed in the same style as the main dwelling. All planning was done with the strict intention of staying within the impervious coverage limits. An on-site detention/seepage system is already in place as part of the original construction. The generator will be installed at a location away from any residences.

History of any deed restrictions:
Existing 60' Conservation easement that will remain untouched and undisturbed.

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 #
	48 Durrell St	
Name	Address	Phone #
Name	Address	Phone #
Name	Address	Phone #

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

1. Max cabana area - A covered structure is requested to help protect several sensitive individuals from sunlight while also supervising children (personal use). The style of the main residence prevents building an attached structure.
2. Maximum accessory structure rear yard coverage (15% max allowed vs 25% proposed) - The property is in the A-3 (Residential Townhouse) Zone and is developed with a single family dwelling. The granting of the variance will further zoning purpose (g) - to provide sufficient space for a variety of residential uses. The granting of the variance will also allow for the construction of a pool and patio, both of which are permitted accessory uses/structures.
3. Maximum generator building setback (5 feet max vs 87.5 feet proposed) - All areas within 5 ft of the main residence are directly below windows. Contractor safety recommendation is that generators be more than five feet away from doors and windows.

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

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

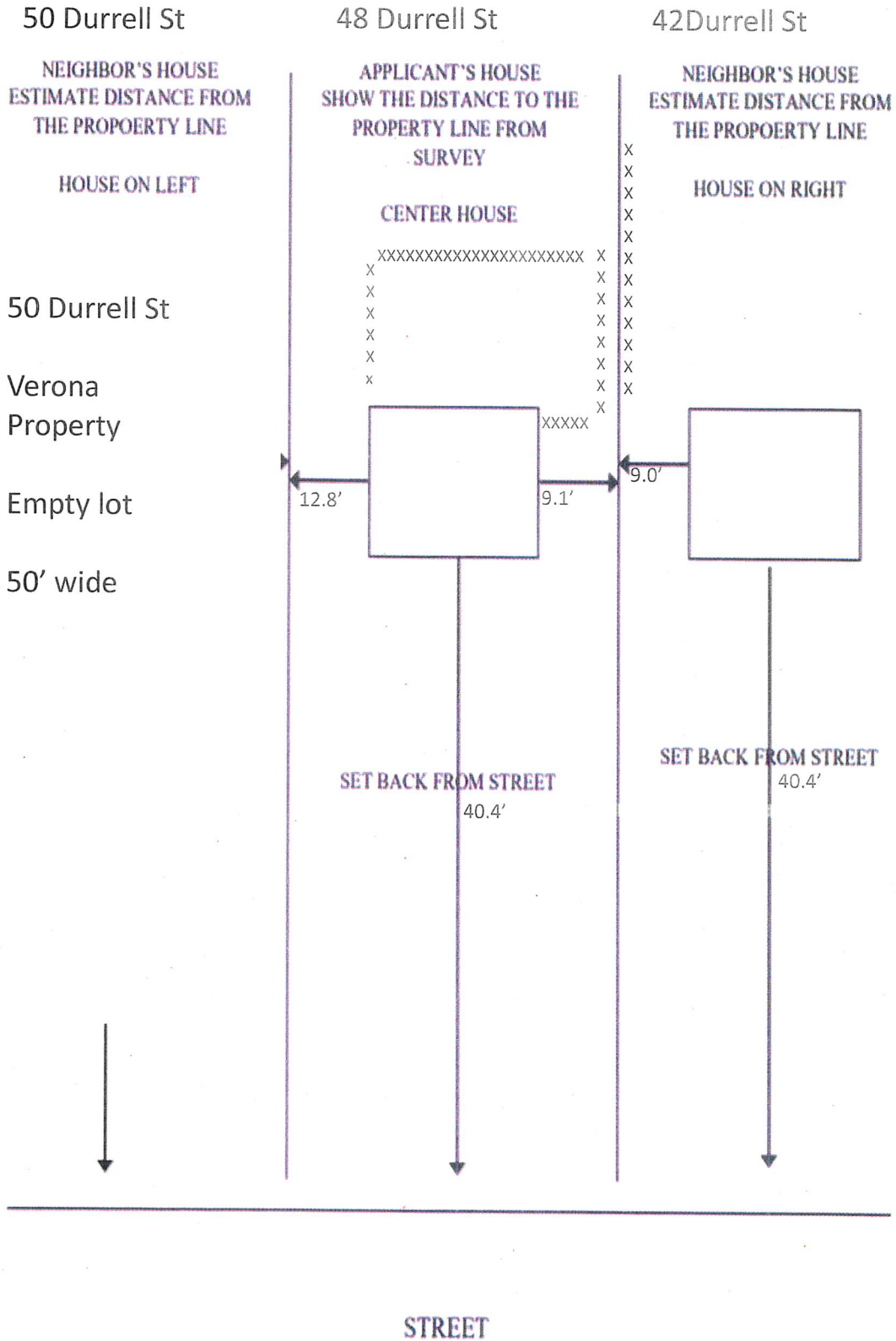
Architect/Engineer: Name (Engineer) Mark Gimigliano, PE (Dykstra Walker Design Group)
Address 21 Bowling Green Parkway, Suite 204 Lake Hopatcong, NJ 07849
Phone # 973-663-6540, ext 17
Fax # _____
Email mgimigliano@dykstrawalker.com

Planner: Name (Architect) Nassir Almukhtar
Address 1171 Madison Ave, Suite 201 Paterson, NJ 07503
Phone # 973-689-8780
Fax # _____

BOARD OF ADJUSTMENT APPLICATION SITE PLAN

O INDICATES SHRUBS OR TREES

X INDICATES FENCES

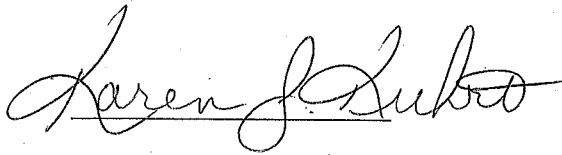


AFFIDAVIT OF OWNERSHIP

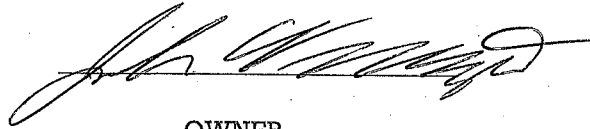
STATE OF NEW JERSEY
COUNTY OF ESSEX

Joseph Venezia OF FULL AGE, BEING DULY SWORN ACCORDING TO LAW ON
OATH DEPOSED AND SAYS, THAT DEPONENT RESIDES AT 48 Durrell St, IN THE CITY OF
Verona IN THE COUNTY OF Essex AND STATE OF NJ AND THAT

Joseph Venezia 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 1306 AND LOT 14.01 AS SHOWN ON THE TAX MAPS OF THE TOWNSHIP OF VERONA.

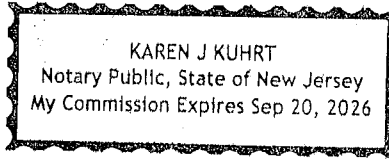


NOTARY



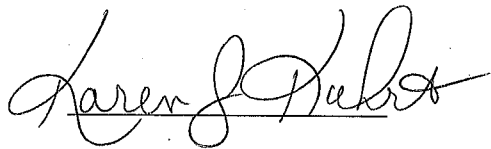
OWNER

AFFIDAVIT OF APPLICANT

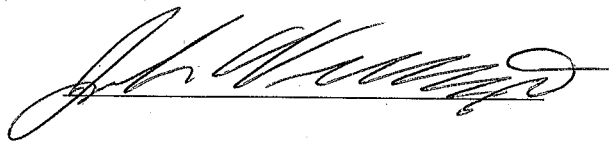


COUNTY OF ESSEX
STATE OF NEW JERSEY

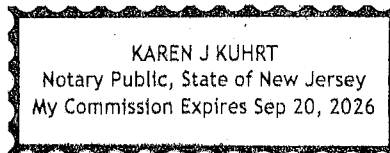
Joseph Venezia OF FULL AGE, BEING DULY SWORN ACCORDING TO LAW, ON
OATH DEPOSED AND SAYS THAT ALL OF THE ABOVE STATEMENTS CONTAINED IN THE PAPERS SUBMITTED
HEREWITH ARE TRUE. SWORN TO AND SUBSCRIBED BEFORE ME ON THIS 29 DAY OF February
2024.



NOTARY



APPLICANT



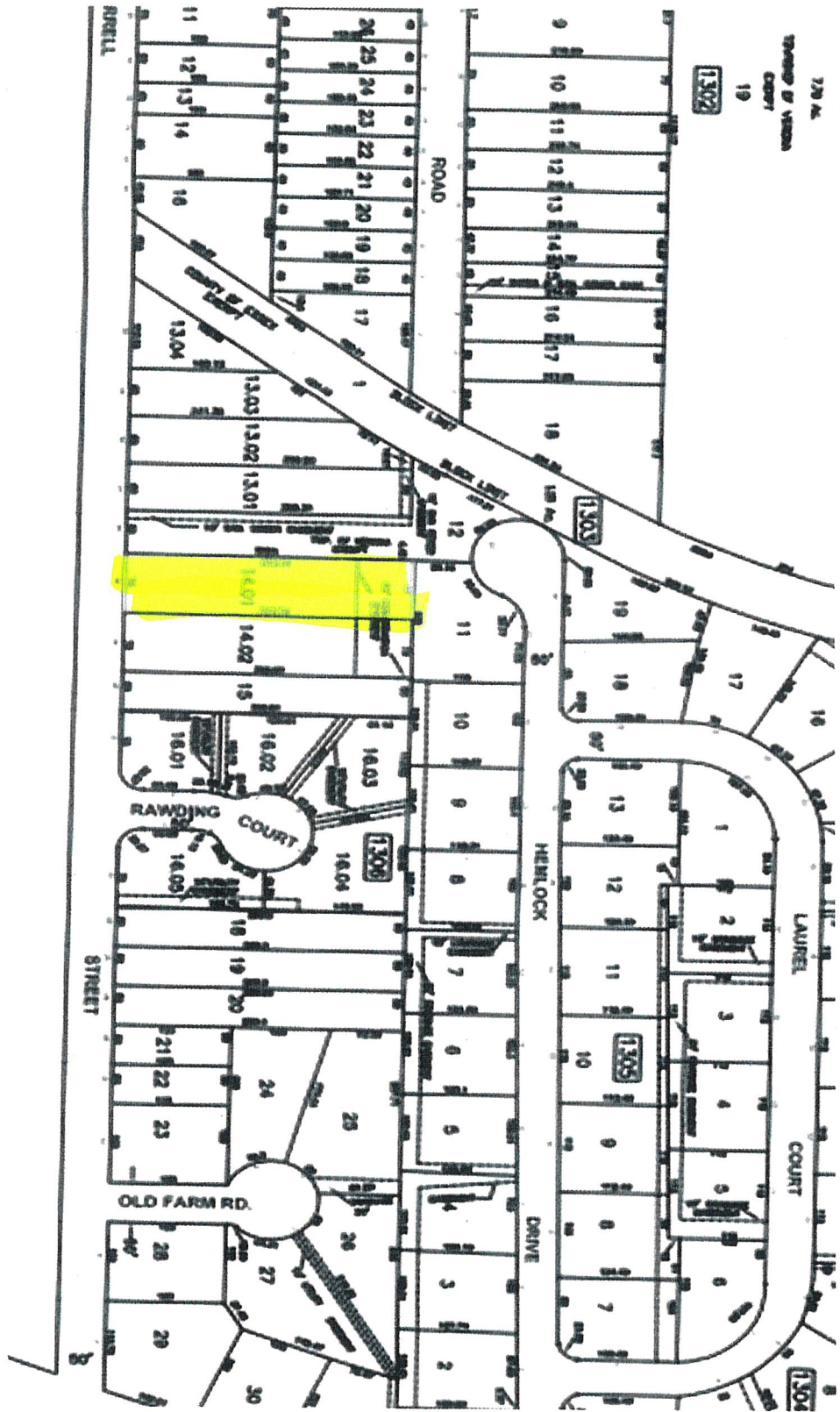
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THIS MAP HAS BEEN GIVEN A
 FORMAL CERTIFICATION DIVISION
 OF TAXATION ON NOVEMBER 27,
 2013, SIGNED BY JUDY P. MILLER
 AND TIFANY A. FIELDS AND
 ASSIGNED SERIAL NUMBER 1027

TAX MAP
TOWNSHIP OF VERONA
 ESSEX COUNTY, NEW JERSEY

PREPARED BY
JAMES M. HELB, P.E., P.L.S., P.P.
 11 TOWNSHIP CENTER
 VERONA, NJ 07066
 TEL: 973-261-1234
 FAX: 973-261-1235



MAYOR
CHRISTOPHER H. TAMBURRO
 DEPUTY MAYOR
JACK MCEVOY
 COUNCIL MEMBERS
ALEX ROMAN
CHRISTINE MCGRATH
CYNTHIA L. M. HOLLAND

TOWNSHIP OF VERONA
 COUNTY OF ESSEX, NEW JERSEY



TOWNSHIP MANAGER
JOSEPH O. D'ARCO
 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

February 22, 2024

Township of Verona Zoning Dept.
 880 Bloomfield Avenue
 Verona, NJ 07044

Re: Zoning Permit # 2023-211

Applicant/: Joseph and Kristin Venezia
Owner 48 Durrell Street
 Verona, NJ 07044

Property: 48 Durrell Street
 Lot 14.01 Block 1306
 Verona, NJ 07044

Zone: A-3 (Residential Townhouse)

Submittals:

This office is in receipt of the following documents submitted for the above referenced property:

- Township of Verona Zoning Permit Application for Residential Properties, dated 10-15-23.
- Architectural Plans (3 sheets) entitled, "Venezia Property, Block 1306, Lot 14.01, 48 Durrell Street, Township of Verona, Essex County, New Jersey", prepared by Dykstra Walker Design Group, P.A., dated 10-06-23, last revised 02-13-24.
- Architectural Plans (2 sheets) entitled, "Proposed Cabana, 48 Durrell Street, Township of Verona, County of Essex, New Jersey, Lot 14.01, Block 68", prepared by Heritage Madison Architecture, LLC, dated 10-12-23.

Zoning Request:

Based upon the zoning permit application and the plans submitted, the owner is requesting zoning approval to reconstruct existing front walkway and install new in-ground pool, paver patio, gravel patio, cabana, shed, generator pad, pool equipment pad, stepping stones, rear landing, steps, and fence in the rear yard of the property. Associated drainage and sewer improvements are also proposed. No other requests have been requested or shown and therefore have not been considered in this review.

Zoning Decision:

Based on our review, the following variances are required for the proposed improvements:

Section	Item	Required	Proposed
150-7.5 A	Min. Pool Side Yard Setback	10 feet	17.1 feet

150-7.5 A	Min. Pool Rear Yard Setback	10 feet	147 feet
150-7.5 A	Min. Pool Building Setback	10 feet	23.8 feet
150-7.5 B	Min. Pool Equipment Setback to Property Line	5 feet	15.5 feet
150-5.3 C(6)	Min. Patio Setback	5 feet	8 feet
150-8.10 D	Max. Cabana Area	100 SF	576 SF (V)
150-8.10 F	Min. Cabana Side Yard Setback	10 feet	10 feet
150-8.10 F	Min. Cabana Rear Yard Setback	10 feet	113.9 feet
150-17.10 E(3)	Min. Cabana Building Setback	10 feet	> 10 feet
150-8.10 F	Max. Cabana Height	1 story / 15 feet	1 story / < 15 feet
150-17.10 B(8)	Max. Shed Area	150 SF	96 SF
150-17.10 E(1)	Min. Shed Side Yard Setback	8 feet	9 feet
150-17.10 E(2)	Min. Shed Rear Yard Setback	10 feet	92.8 feet
150-17.10 E(3)	Min. Shed Building Setback	10 feet	> 10 feet
150-17.10 E(5)	Max. Shed Height	1 story / 15 feet	1 story / < 15 feet
150-17.4 E(4)	Max. Accessory Structure Rear Yard Coverage	15%	25% (V)
150-17.10 C(3)	Max. Building Coverage	20%	15.6%
150-17.10 C(4)	Max. Impervious Coverage	35%	35%
150-7.13 A	Max. Generator Building Setback	5 feet	87.5 feet (V)
150-7.13 B	Min. Generator Side Yard Setback	8 feet	16.6 feet
150-7.13 B	Min. Generator Rear Yard Setback	30 feet	> 30 feet
150-7.3 K	Fence Type	-	Metal
150-7.3 B	Max. Fence Height	6 feet	4 feet
150-7.3 G	Min. Fence Setback to Property Line	6 inches	6 inches

(V) – Variance Required

In addition to the zoning analysis above, please note the following:

1. As per Section 150-7.3 J, no encroachments are allowed onto neighboring properties. The proposed fence encroaches on adjacent Lot 12. Written acceptance for this encroachment shall be provided from the affected property owner. This shall be made a condition of Board approval.
2. A 60 feet wide conservation easement is present along the rear property line. Please note new fencing is not permitted within an existing easement and requires Township (Mayor and Council) approval. There is also an off-site 10-foot Sanitary Easement that the proposed fencing encroaches. MC approval is required for this Easement encroachment as well. This shall be made a condition of Board approval.

3. Stormwater management is REQUIRED due to the increase in impervious coverage of 4,119 square feet versus the 400 square foot threshold, requiring same.
4. Engineering review and approval will be required for this application should it receive Zoning Board of Adjustment approval for the proposed drainage and sewer improvements.
5. As noted on plan, no trees are proposed for removal.

Therefore, the applicant's request(s) for zoning approval has been **DENIED** by this office.

This application shall be deemed technically complete and can be presented to the Zoning Board of Adjustment once architectural plans for the proposed shed have been submitted.

Note:

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 coordinate with the Land-Use Administrator, Kathleen Miesch, kmiesch@veronanj.org, for applying and scheduling this application before the Zoning Board of Adjustment.

Note: All zoning permits expire in one (1) year from the date of the approval.

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

Respectfully Submitted,


Marisa Tiberi

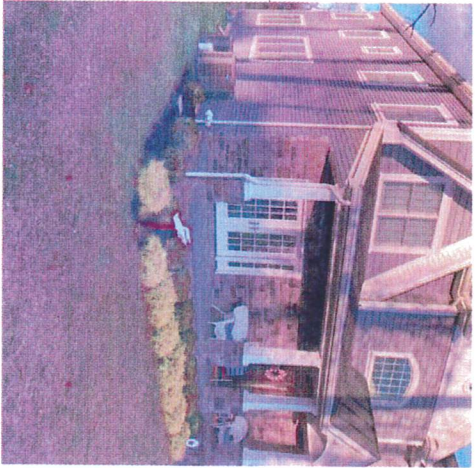
cc: Kathleen Miesch – via email
Kristin Spatola – via email
Thomas Jacobsen – via email
Sarfeen Tanweer – via email

48 Durrell – Front



48 Durrell – Sides

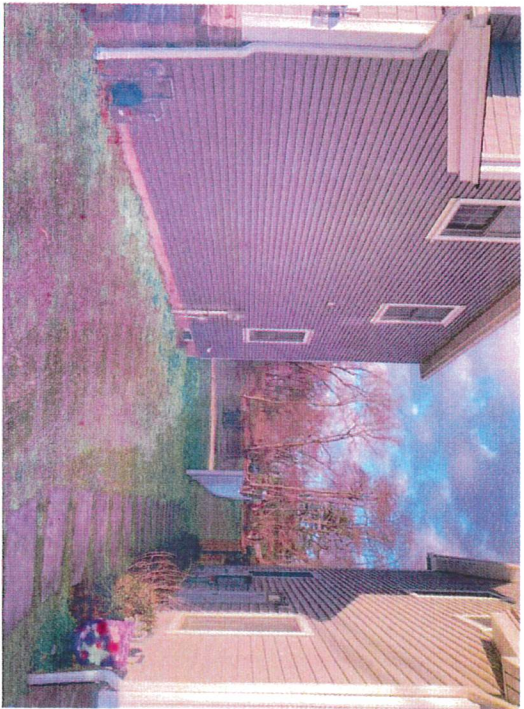
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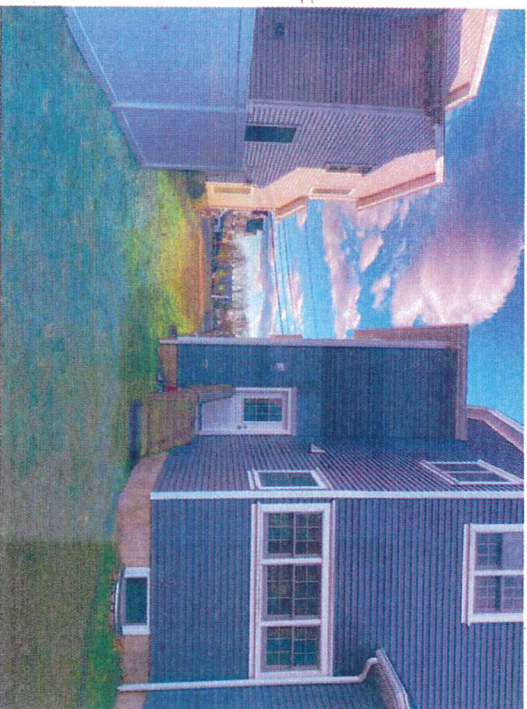
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Right
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48 Durrell – Rear

