

**TOWNSHIP OF VERONA
BOARD OF ADJUSTMENT APPLICATION**

DATE APPLICATION _____

CASE # 2024-25

PROPERTY ADDRESS 61 Hillside Avenue

BLOCK 1902 LOT 2

ZONE R-50 (high density)

APPLICANT'S NAME Colin Lamond and Jenna Silberfeld

PHONE # 908-331-1422

CELL PHONE # n/a

EMAIL colin@hausremodeling.com

PROPERTY OWNER'S NAME Colin Lamond and Jenna Silberfeld

PROPERTY OWNER'S ADDRESS 61 Hillside Avenue, Verona, NJ 07044

PROPERTY OWNER'S PHONE # _____ CELL # 908-331-1422

PROPERTY OWNER'S EMAIL colin@hausremodeling.com

RELATIONSHIP OF APPLICANT TO OWNER Self

REQUEST IS HEREBY MADE FOR PERMISSION TO DO THE FOLLOWING:

Please see attached Addendum

CONTRARY TO THE FOLLOWING:

Please see attached Addendum

LOT SIZE: EXISTING 6989 PROPOSED 6989 TOTAL No change

HIEGHT: EXISTING 2.5/28.4' PROPOSED No change

PERCENTAGE OF BUILDING COVERAGE: EXISTING 19.2% PROPOSED 23.6%

PERCENTAGE OF IMPROVED LOT COVERAGE: EXISTING 44.7% PROPOSED 45.9%

PRESENT USE Single family dwelling PROPOSED USE Single family dwelling

SET BACKS OF BUILDING:	REQUIRED	EXISTING	PROPOSED
FRONT YARD	<u>30'</u>	<u>22.9'</u>	<u>No change</u>
REAR YARD	<u>30'</u>	<u>69.2'</u>	<u>65.2'</u>
SIDE YARD (1)	<u>8'</u>	<u>4.9'</u>	<u>2.0'</u>
SIDE YARD (2)	<u>18'</u>	<u>21.5'</u>	<u>6.9'</u>

DATE PROPERTY WAS ACQUIRED January 4, 2021

TYPE OF CONSTRUCTION PROPOSED:

Attached frame garage

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
FIRST FLOOR			n/a
SECOND FLOOR			n/a
ATTIC			n/a

NUMBER OF DWELLING UNITS: EXISTING 1 PROPOSED 1

NUMBER OF PARKING SPACES: EXISTING PROPOSED

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

n/a (to Applicant's knowledge; OPRA Request negative)

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

n/a

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

See attached Addendum

History of any deed restrictions:

None known to Applicants

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 Frederick B. Zelley, Esq/ Post Polak, P.A.
Address 53 Division Avenue, Millington, NJ 07946
Phone # 908-647-6001
Fax # _____
Email Fzelley@postpolak.com

Architect/Engineer: Name WSArchitecture, LLC
Address 320 Tettertown Road, Califon, NJ 07830
Phone # 908-295-8570
Fax # _____
Email william.soltesz@gmail.com

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

ADDENDUM TO BOARD OF ADJUSTMENT APPLICATION
COLIN M. LAMOND AND JENNA SILBERFELD
61 HILLSIDE AVENUE, BLOCK 1902, LOT 2

The subject property is situated between Forest Avenue and Lakeside Avenue, fronting on Hillside Avenue. It is located in the R-50 Zone. The Applicants' home is one of the older homes in the neighborhood. Unlike most of their neighbors, the Applicants have neither a detached nor an attached garage.

The Applicants wish to construct an attached, single car front-load frame garage in the right (west) side yard of the property, similar to many such garages that are attached to homes on the Applicants' street (Hillside Avenue) and on the flanking streets (Gerdes Avenue and Morningside Road), which are also in 50' lot width zones (either the same R-50 Zone as the Applicants' property or the R-50B Zone). Photographs of many of these homes are being submitted with this Application.

The dwelling with the proposed attached garage would have a right side yard setback of 2' and a left side yard setback of 4.9' (where 8' is required), and combined side yard setbacks of 6.9' (where 18' is required). The Applicants are therefore seeking a bulk variance for these proposed conditions. The existing non-conforming front yard setback of 22.9' (where 30' is required) would remain unchanged and therefore permissible in accordance with Section 150-13.3B of the Township Code. The existing non-conforming coverage of 44.7% would be modestly increased to 45.9%, requiring a variance.

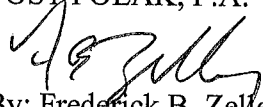
The variances requested are "C-1" variances, based upon the hardship created by the narrow width of the lot and the width and position of the lawfully existing dwelling.

The variances can also be characterized as "C-2" a/k/a "flexible C" variances, in that the purposes of the Municipal Land Use Law, N.J.S.A. 40:55D-1, et seq., would be advanced by a deviation from the zoning ordinance requirements and the benefits of the deviation would substantially outweigh any detriment. The absence of a garage does not meet the needs, desires and expectations of a modern family. Attaching the garage to the side of the dwelling, rather than placing a detached garage in the back yard, will minimize the increase in impervious coverage associated with the project, as having a rear detached garage would require a much longer impervious driveway. These factors would satisfy purpose "a" of the MLUL by promoting the public health, safety, morals, and general welfare within the neighborhood. The proposed expanded home will also promote a desirable visual environment through creative development techniques and good civic design and arrangement, which satisfies purpose "i" of the MLUL. Any detriment presented by the garage addition would be substantially outweighed by these benefits. Adding a garage to the Applicants' home will also assist in improving the housing stock and conserving property values in the neighborhood as whole, which remains a purpose of land use regulation even though that goal is not expressly stated in N.J.S.A. 40:55D-2. Home Builders League of S. Jersey, Inc. v. Township of Berlin, 81 N.J. 127, 144-45 (1979).

The Negative Criteria are also satisfied, as the variance can be granted without substantial detriment to the public good and without substantial impairment of the intent and the purpose of the zone plan and zoning ordinance. The proposed expanded home featuring an attached garage would be very similar to numerous other homes on the Applicants' street and on the flanking streets, all of which are also in 50' lot width zones. Many of those homes also have exceptionally narrow, non-conforming side yard setbacks.

Respectfully Submitted,

POST POLAK, P.A.

A handwritten signature in black ink, appearing to read 'F. Zelley', is written over the printed name.

By: Frederick B. Zelley, Esq.
Attorneys for the Applicants,
Colin Lamond and Jenna Silberfeld

Dated: September 21, 2024

BOARD OF ADJUSTMENT APPLICATION SITE PLAN

O INDICATES SHRUBS OR TREES

X INDICATES FENCES

NEIGHBOR'S HOUSE
ESTIMATE DISTANCE FROM
THE PROPOERTY LINE

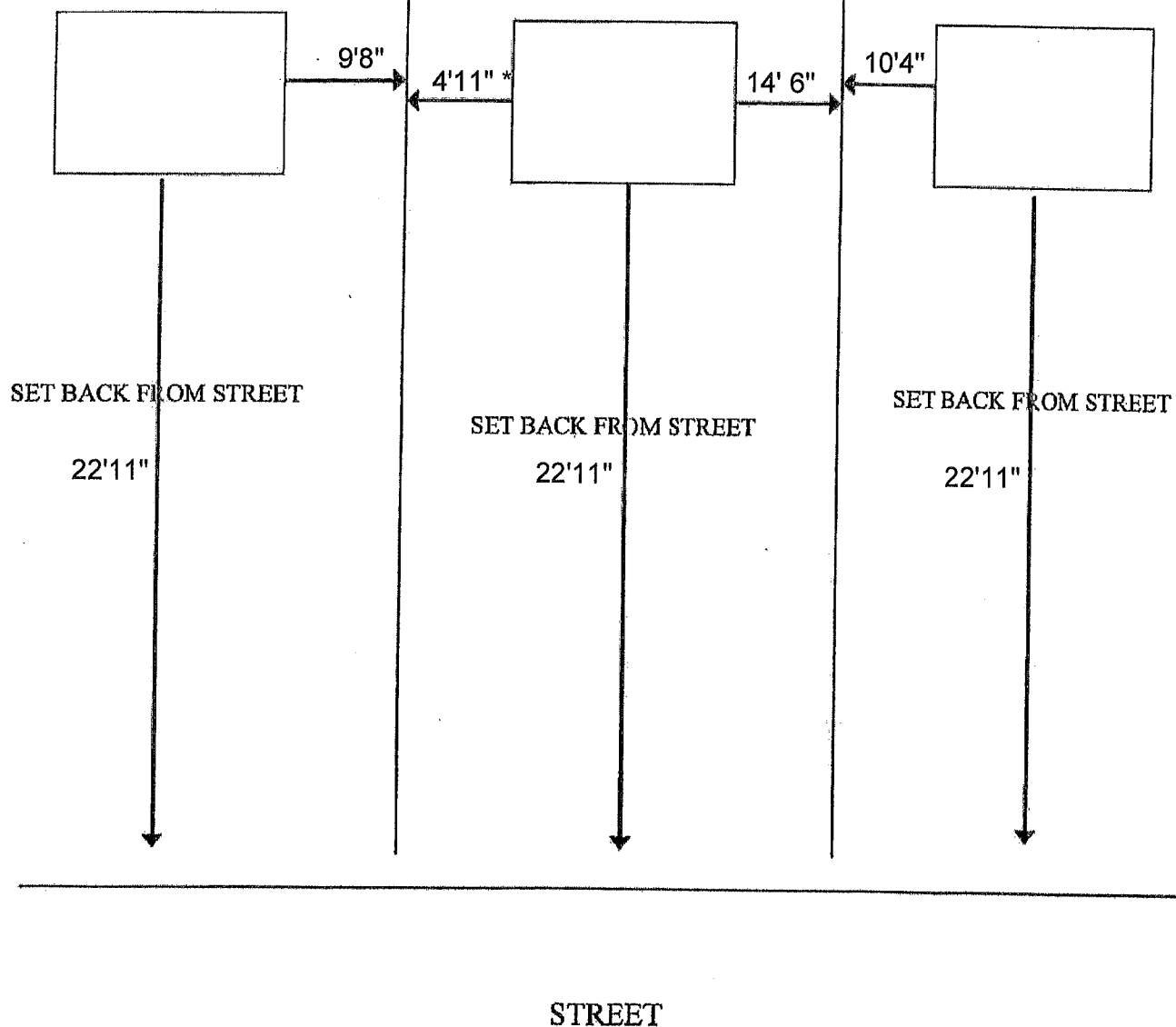
HOUSE ON LEFT

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

CENTER HOUSE

NEIGHBOR'S HOUSE
ESTIMATE DISTANCE FROM
THE PROPOERTY LINE

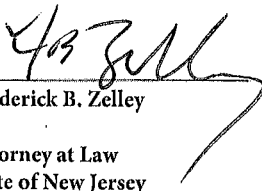
HOUSE ON RIGHT



AFFIDAVIT OF OWNERSHIP

STATE OF NEW JERSEY
COUNTY OF ESSEX

Colin Lamond and Jenna Silberfeld _____ OF FULL AGE, BEING DULY SWORN ACCORDING TO LAW ON
OATH DEPOSED AND SAYS, THAT DEPONENT RESIDES AT 61 Hillside Avenue _____, IN THE CITY OF
Verona _____ IN THE COUNTY OF Essex _____ AND STATE OF NJ _____ AND THAT
Colin Lamond and Jenna Silberfeld _____ 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 1902 _____ AND LOT 2 _____ AS SHOWN ON THE TAX MAPS OF THE TOWNSHIP OF VERONA.


Frederick B. Zelley
Attorney at Law
State of New Jersey

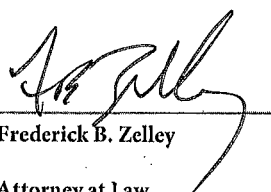

COLIN LAMOND
OWNER


JENNA SILBERFELD
OWNER

AFFIDAVIT OF APPLICANT

COUNTY OF ESSEX
STATE OF NEW JERSEY

COLIN LAMOND & JENNA SILBERFELD 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 _____ DAY OF SEPTEMBER
20 24.


Frederick B. Zelley
Attorney at Law
State of New Jersey


COLIN LAMOND
APPLICANT


JENNA SILBERFELD
APPLICANT

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.

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

July 17, 2024

Township of Verona Zoning Dept.
10 Commerce Court
Verona, NJ 07044
Re: Zoning Permit # 2023-174

Applicant: Colin Lamond
61 Hillside Avenue
Verona, NJ 07044

Property: 61 Hillside Avenue
Lot 2, Block 1902
Zone: R- 50 (High Density)

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, received on September 19, 2023.
- Architect's Response Letter prepared by WS Architecture, LLC, undated.
- Architectural Plans (2 sheets) entitled, "Proposed Site Plan, Floor Plan and Elevations, Timpanaro Residence, 89 Fairview Avenue, Veron, NJ", prepared by WS Architecture, LLC, dated June 28, 2023, last revised July 1, 2024.
- Survey (1 sheet) entitled, "Land Title Survey of Lot 2 Block 1902, Township of Verona, Essex County, New Jersey", prepared by John J. Vogel II, P.L.S., dated March 1, 2022, last revised April 29, 2024.

Zoning Request:

Based upon the zoning permit application and the plans submitted, the owner is requesting zoning approval to construct an attached frame garage in the side yard of the property. No other requests have been requested or shown and therefore have not been considered in this review.

Zoning Decision:

The dwelling with the proposed attached garage maintains the existing non-conforming front yard setback of 22.9 feet where a minimum of 30 feet is required per Section 150-17.5 E(1). Therefore, is permissible in accordance with Section 150-13.3B of the Township Code.

The dwelling has an existing non-conforming side yard setback (one) of 4.9 feet where 8 feet is required per Section 150-17.5 E(2). The dwelling with the proposed attached garage has a side yard setback of 2 feet. **A variance is required.**

The dwelling has a side yard setback (both) of 21.5 feet where 18 feet is required per Section 150-17.5 E(3). The dwelling with the proposed attached garage has a combined side yard setback of 6.9 feet. **A variance is required.**

As per Section 150-17.5 E(5), the dwelling with the proposed garage complies with the minimum rear yard setback of 30 feet with proposed setback of 65.2 feet.

As per Section 150-17.5 F(5), the proposed garage complies with maximum permitted height of 15 feet with proposed height of 12.7 feet.

As per Section 150-17.5 D(3), the dwelling with the proposed garage is compliant to the maximum building coverage of 30% with a proposed overall increased building coverage of 23.6%.

As Per Section 150-17.5 D(4), the maximum permitted impervious coverage is 40%. The site has an existing non-conforming coverage of approximately 44.7%. The proposed overall increased impervious coverage is 45.9%. **A variance is required.**

Stormwater management is exempt since the increase in impervious coverage is 87 square feet. This is below the threshold of 400 square feet.

The Applicant has indicated that no trees are proposed for removal.

This application does not require engineering review and approval.

Therefore, the applicants request(s) for zoning approval has been **DENIED** by this office. Please coordinate with the Board of Adjustment Clerk for applying and scheduling this application before this Board.

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

Respectfully Submitted,



Marisa Tiberi

Acting Zoning Official

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

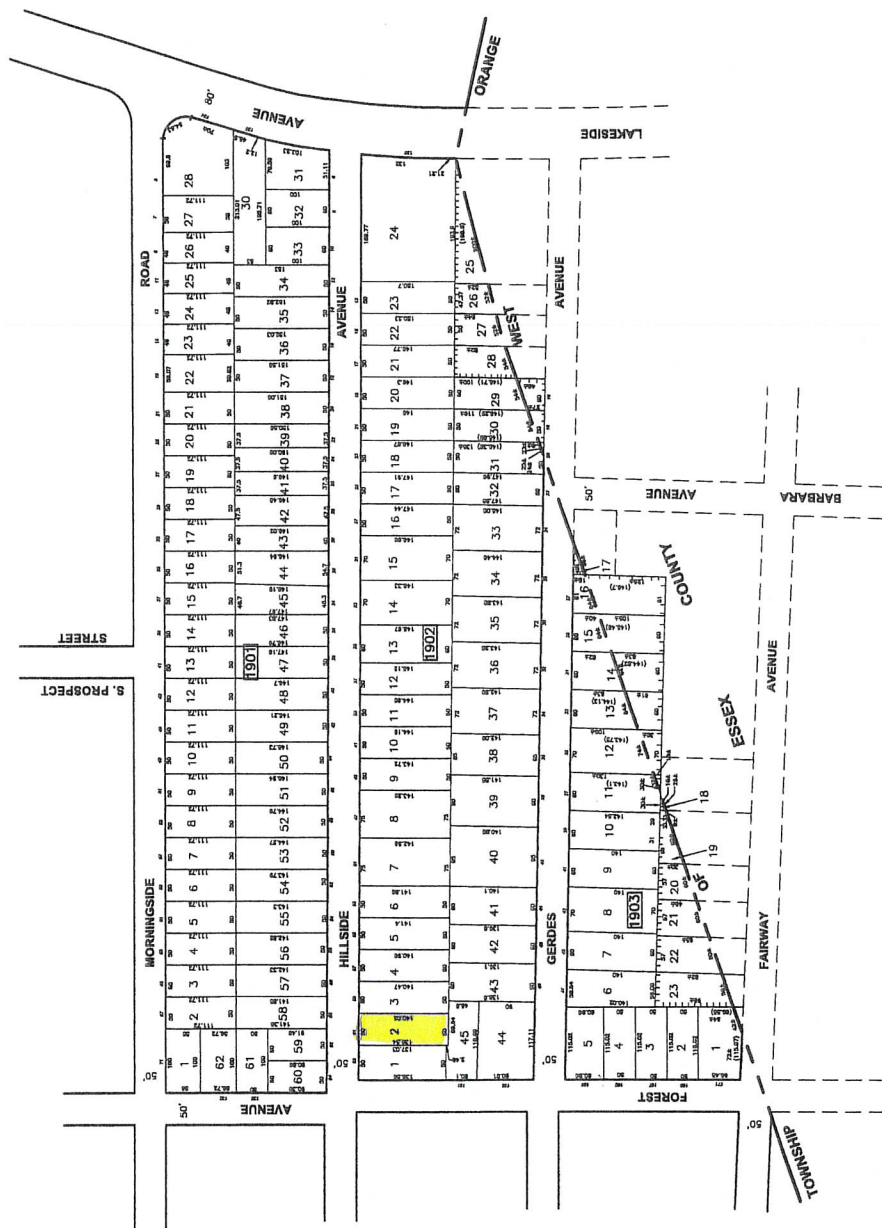
SHEET 18

SHEET 21

SHEET 21

SHEET 20

SHEET 6



THIS IS A DIGITIZED COPY OF THE TAX MAP
PREPARED BY CASEY & KELLER, INC AND
DATED JAN. 1, 1983. THE APPROVED ORIGINAL
WAS ON FILED IN THE OFFICE OF THE ENGINEER.

TAX MAP

TOWNSHIP OF VERONA
ESSEX COUNTY, NEW JERSEY

SCALE 1"=100'

JANUARY 1, 2017

—

JAMES M. HELB, P.E., P.L.S., P.P.

NEW JERSEY LICENSE NO. 24272

TOWNSHIP ENGINEER
10 COMMERCE COURT

VERONA, NJ 07044

TO SHOW COND

TO SHOW CONDITIONS AS OF DECEMBER 2019

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 1067

404	14772	1-1-2013	NEW BLACK HAWKWOOD
405	14772	8/18/95	B.L.K. 89 LOTS 20 & 26 COMBINED
406	14772	8/18/95	NEW COMBINED
407	14772	8/18/95	NEW
408	14772	8/18/95	NEW
409	14772	8/18/95	NEW
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490	14772	8/18/95	NEW

Subject Property

61 Hillside Avenue
Block 1902, Lot 2









Homes with Comparable Garages and
Setbacks on Hillside Avenue (subject street)
and on Gerdes Avenue and Morningside
Road (flanking streets)





















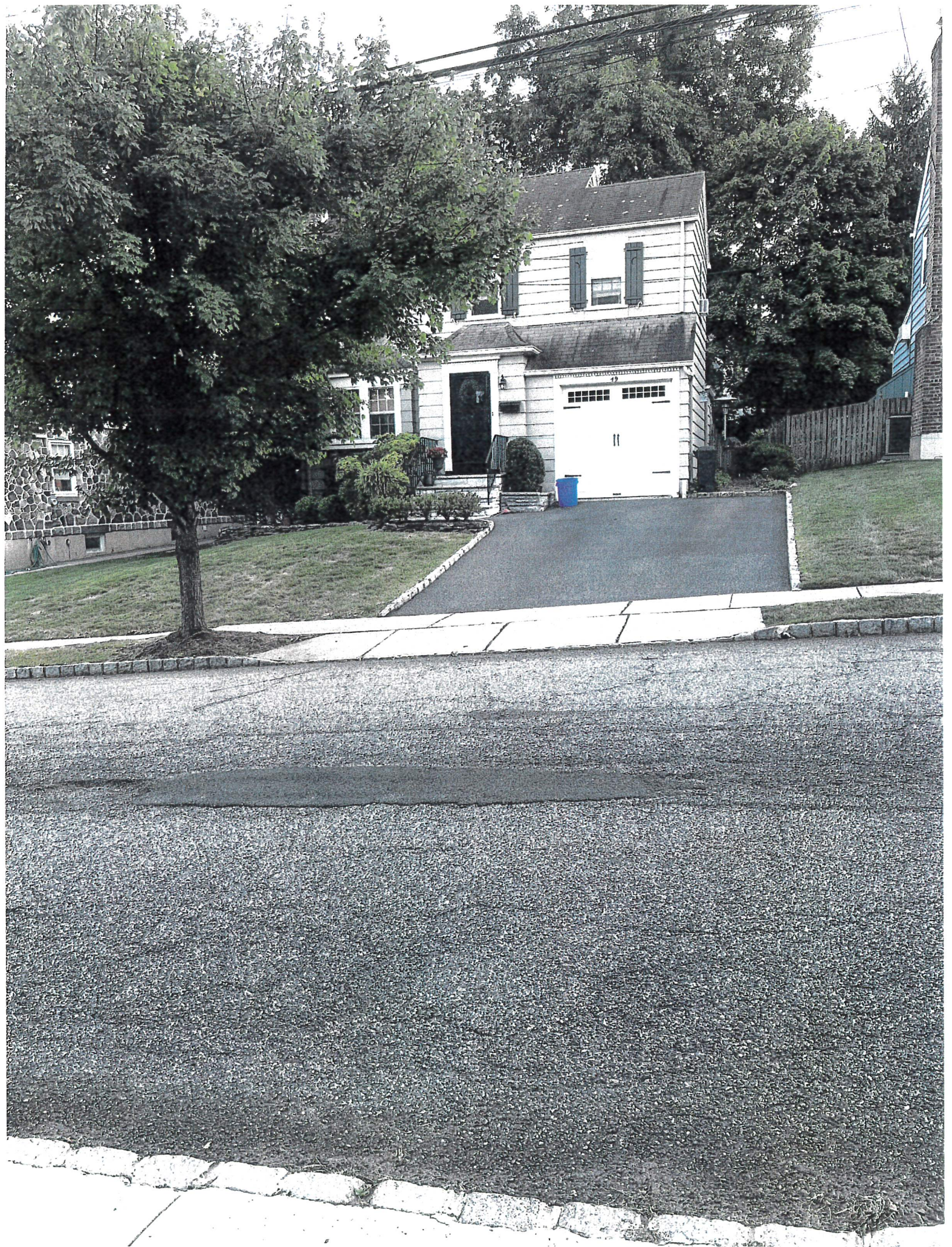




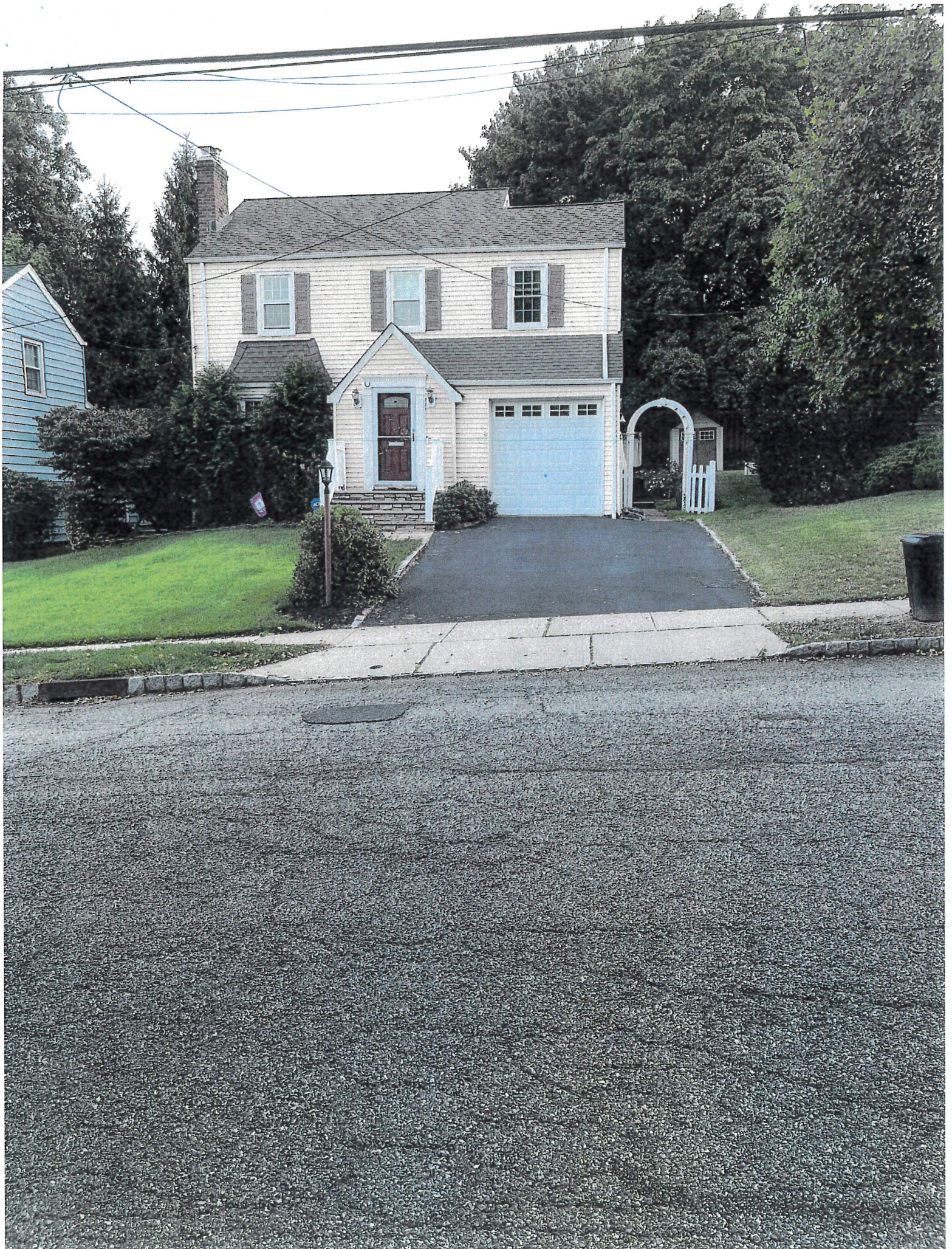












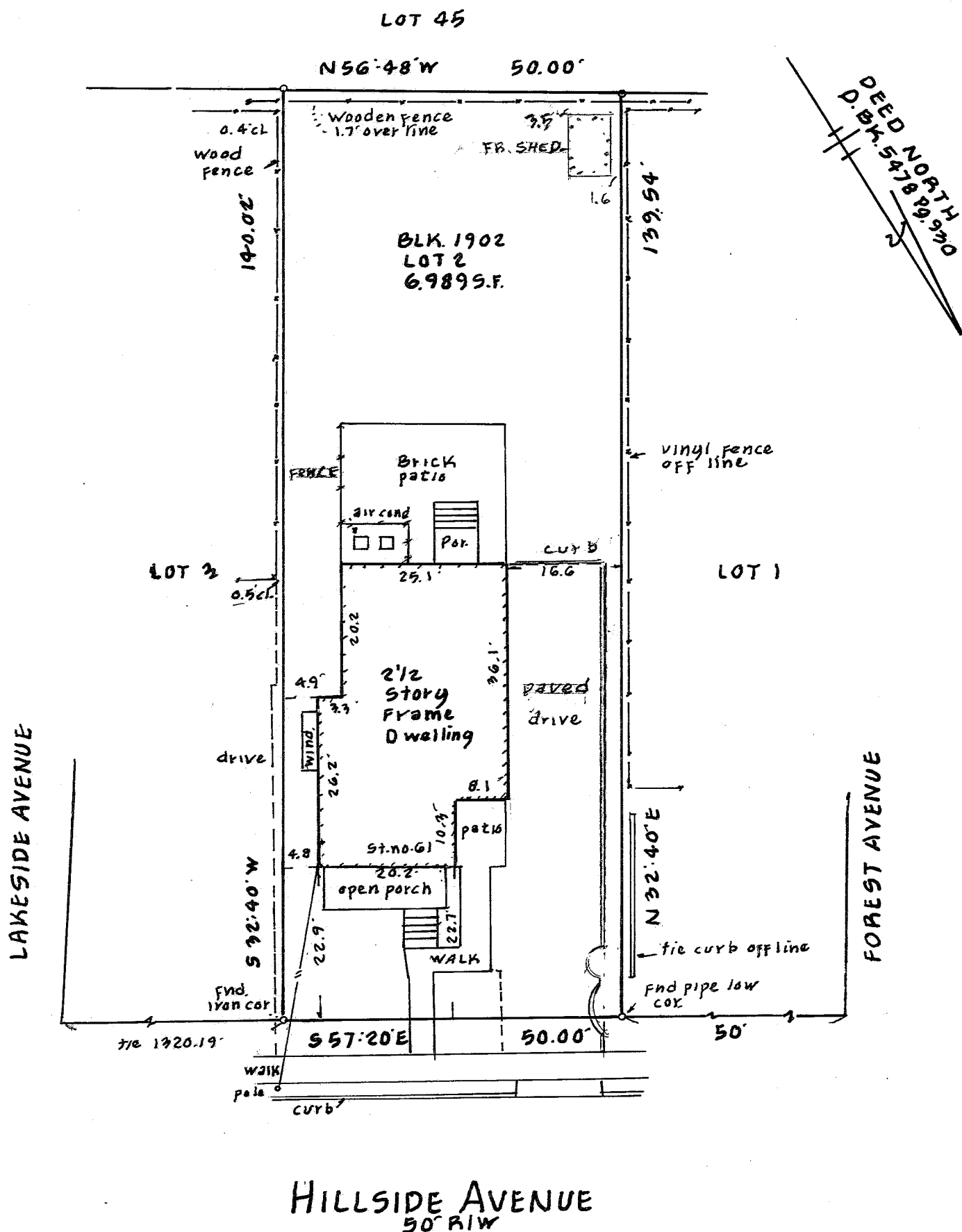












UPDATE SURVEY 4.29.2024

NOTE: NO STAKES WERE SET BY CONTRACTUAL AGREEMENT PER N.J.A.C. SECTION 13:40-5.1d
NOT FOR USE AS TRANSFER OF OWNER WITHOUT SURVEY UPDATE.
UNLESS NOTED CORNERS NOT SET PER CONTRACT
NOT FOR USE AND NOT A LEGAL DOCUMENT WITHOUT EMBOSSED SEAL

LAND TITLE SURVEY OF LOT 2 BLK. 1902
TOWNSHIP OF VERONA
Essex COUNTY NEW JERSEY

Certified Only to: Colin M. Lamond

John J. Vogel II, PLS #27,510
JOHN J. VOGEL II, LAND SURVEYOR
8 WESTVIEW DRIVE
WHIPPANY, NEW JERSEY
PHONE: 973-884-2665
DATE: MARCH 01, 2022
SCALE: 1" = 20'
FILE No. 3537

Bulk Schedule				Compliance		
Zone R-50	Required	Existing	Proposed	Existing	Proposed	Variance Required
Lot Size (Sq.Ft.)	5,000	6,989	No Change			
Lot Width (Ft.)	50'	50'	No Change			
Front Yard Setback (Ft.)	30'	22.9'	No Change			
Side Yard Setback One (Ft.)	8'	4.9'	2.0'			
Side Yard Setback Both (Ft.)	18'	21.5'	6.9'			
Side Yard Setback Both (Ft.) % of Lot Width	25%	43%	13.8%			
Rear Yard Setback (Ft.)	30'	69.2'	65.2'			
Building Height (Story/Ft.)	2.5 / 30'	2.5 / 28.4'	No Change			
Lot Coverage (% Building)	30%	19.2%	23.6%			
Improved Lot Coverage (% All)	40%	44.7%	45.9%			
Floor Area Ratio (%)	n/a	n/a	n/a			
Accessory Structure & Use	Required	Existing	Proposed	Existing	Proposed	Variance Required
Side Yard Setback One (Ft.)	8'	1.6'	No Change			
Rear Yard Setback (Ft.)	10'	3.5'	No Change			
Min. Distance between Accessory and Principal Use (Ft.)	10'	56.2'	52.2'			
Max. aggregate area covered by Accessory Structure in the Yard it is located in. (%)	15%	1%	No Change			
Maximum Height (Stories/Feet)	1.5 / 15'	8'	No Change			

IMPERVIOUS CALCULATIONS

EXISTING CONDITIONS:

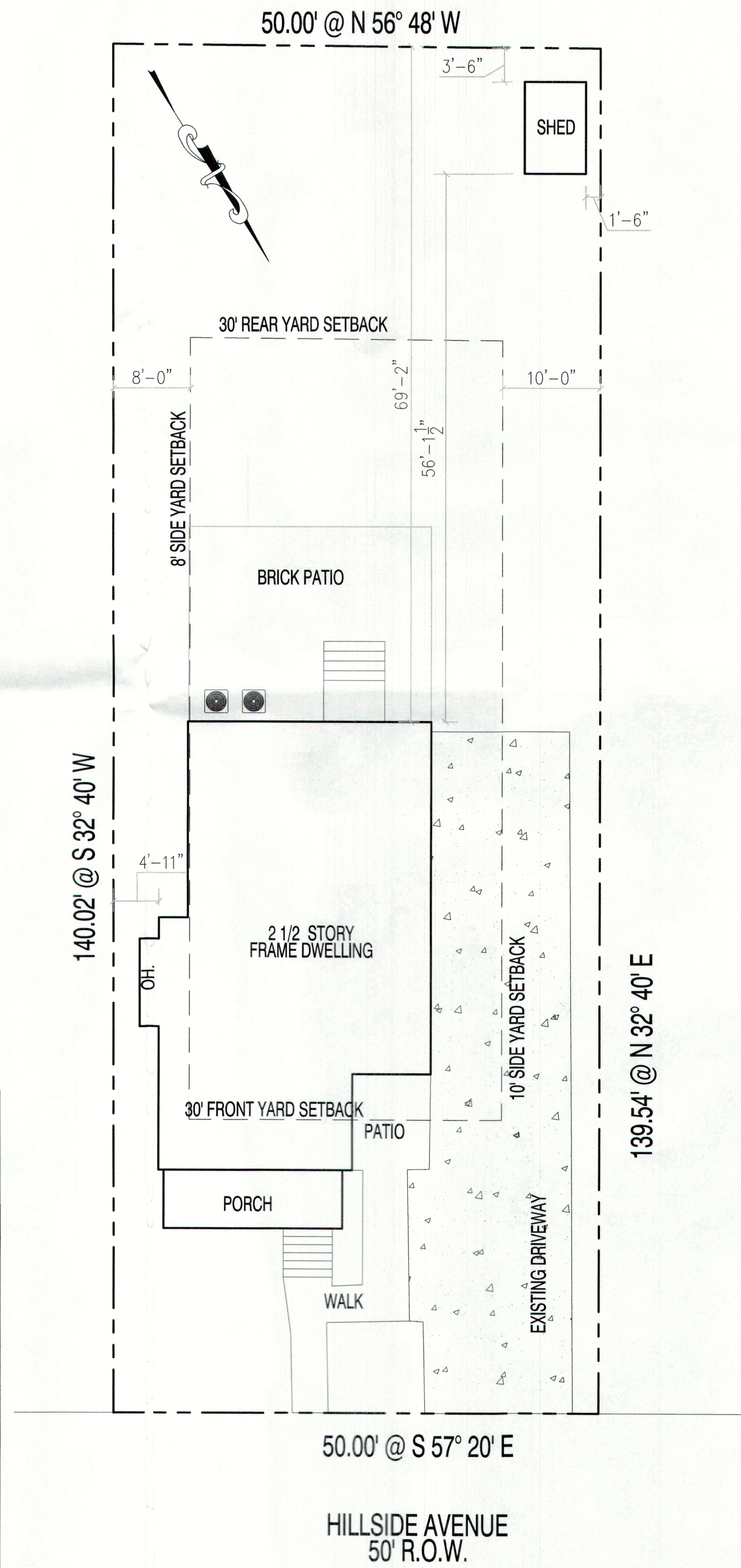
EXISTING DWELLING & PORCH	1,343 SQ. FT.
REAR PATIO / STAIR	500 SQ. FT.
FRONT WALK / PATIO	210 SQ. FT.
DRIVEWAY	1,008 SQ. FT.
SHED	60 SQ. FT.

TOTAL BUILDING: 1,343 SQ. FT. / 6,989 SQ. FT. = 19.2%
TOTAL IMPROVED LOT: 3,121 SQ. FT. / 6,989 SQ. FT. = 44.7%

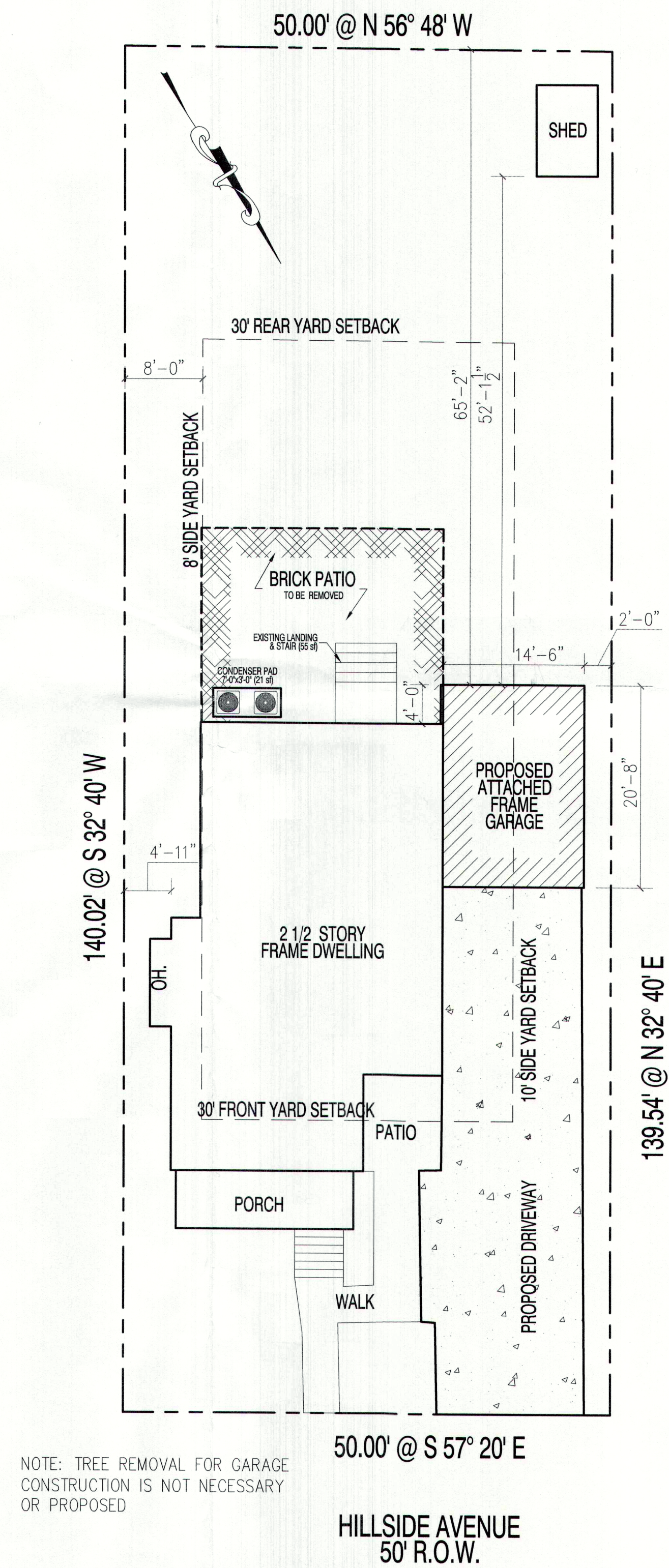
PROPOSED CHANGES:

EXISTING DWELLING, PORCH & GARAGE	1,653 SQ. FT.
REAR STAIR	55 SQ. FT.
CONDENSER PAD	21 SQ. FT.
FRONT WALK / PATIO	210 SQ. FT.
DRIVEWAY	785 SQ. FT.
SHED	60 SQ. FT.

TOTAL BUILDING: 1,633 SQ. FT. / 6,989 SQ. FT. = 23.6%
TOTAL IMPROVED LOT: 2,784 SQ. FT. / 6,989 SQ. FT. = 39.8%



1 EXISTING SITE PLAN
SCALE: 1" = 10'-0"



NOTE: TREE REMOVAL FOR GARAGE CONSTRUCTION IS NOT NECESSARY OR PROPOSED

2 PROPOSED SITE PLAN
SCALE: 1" = 10'-0"

61 HILLSIDE AVENUE

VERONA, NEW JERSEY 07044
BLOCK 1902, LOT 2

SUBMISSION / REVISION:

ARCHITECTURAL VARIANCE EXHIBIT	10/30/2024

OCTOBER 30, 2024

DATE

SITE / ZONING PLAN

SHEET TITLE

S-1

SHEET NUMBER

WSA ARCHITECTURE, LLC
WILLIAM SOLTESZ, AIA - 908-295-8570 - william.soltesz@gmail.com
320 TEETERTOWN ROAD CALIFON NJ 07830

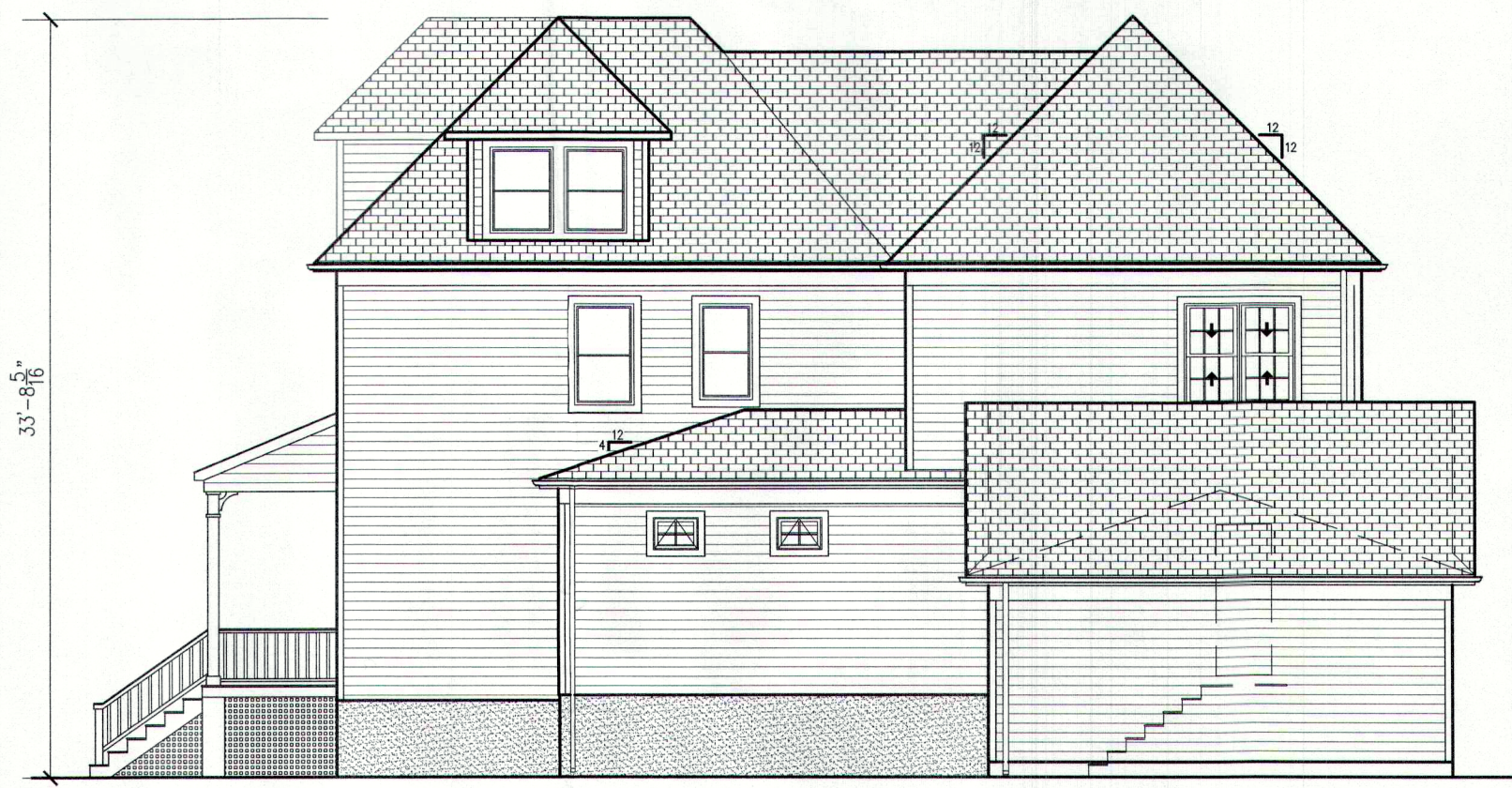


PROPOSED

1 FRONT ELEVATIONS
S-2 SCALE: 1/8" = 1'-0"

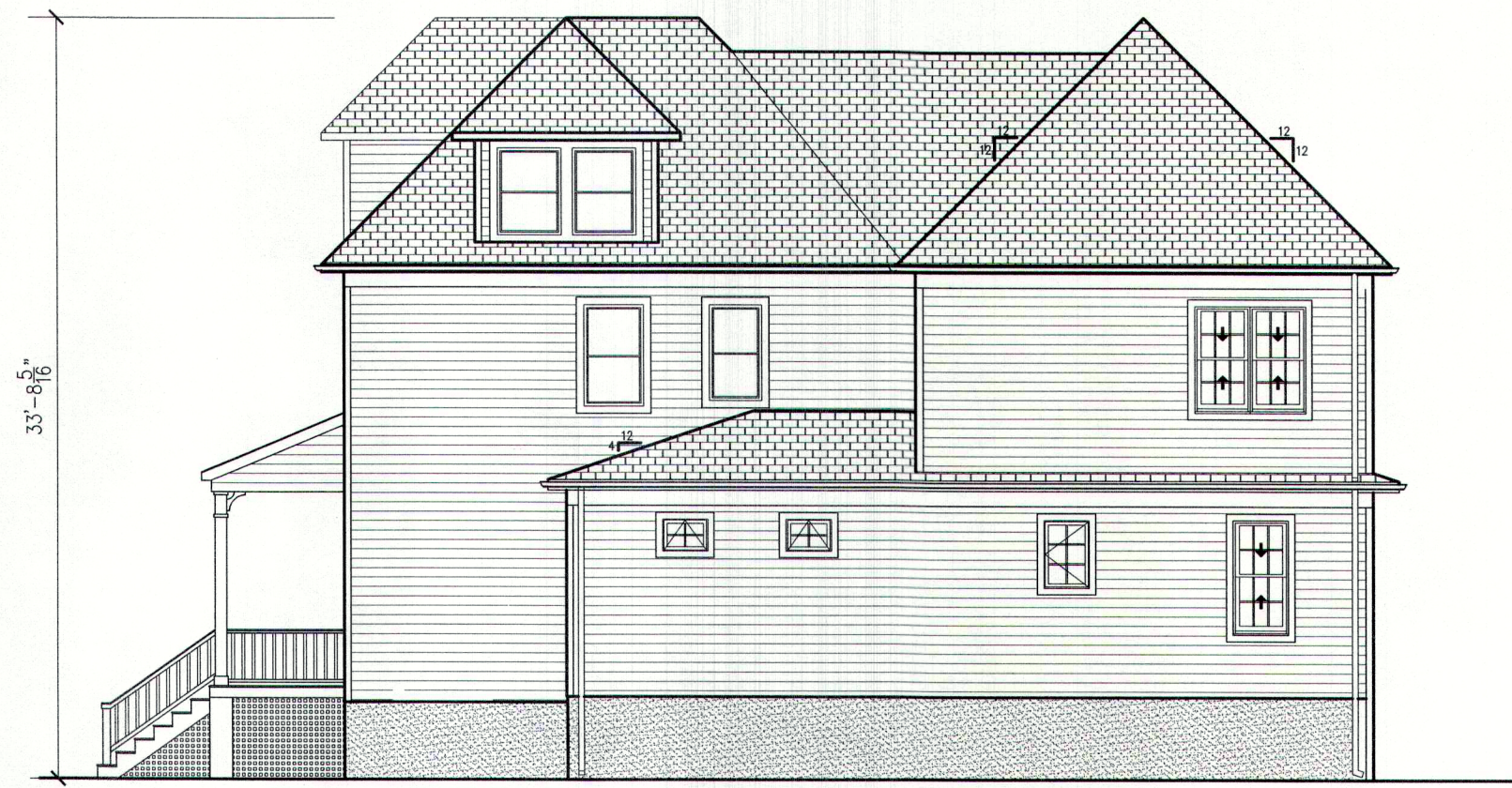


EXISTING



PROPOSED

2 RIGHT SIDE ELEVATIONS
S-2 SCALE: 1/8" = 1'-0"

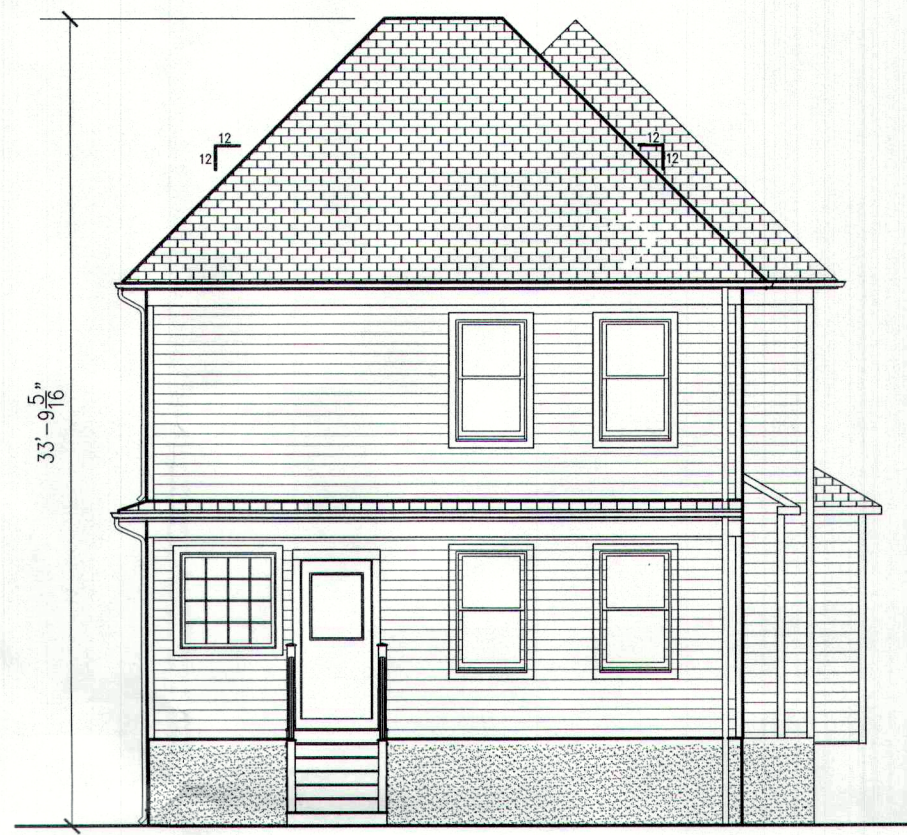


EXISTING



PROPOSED

3 REAR ELEVATIONS
S-2 SCALE: 1/8" = 1'-0"



EXISTING

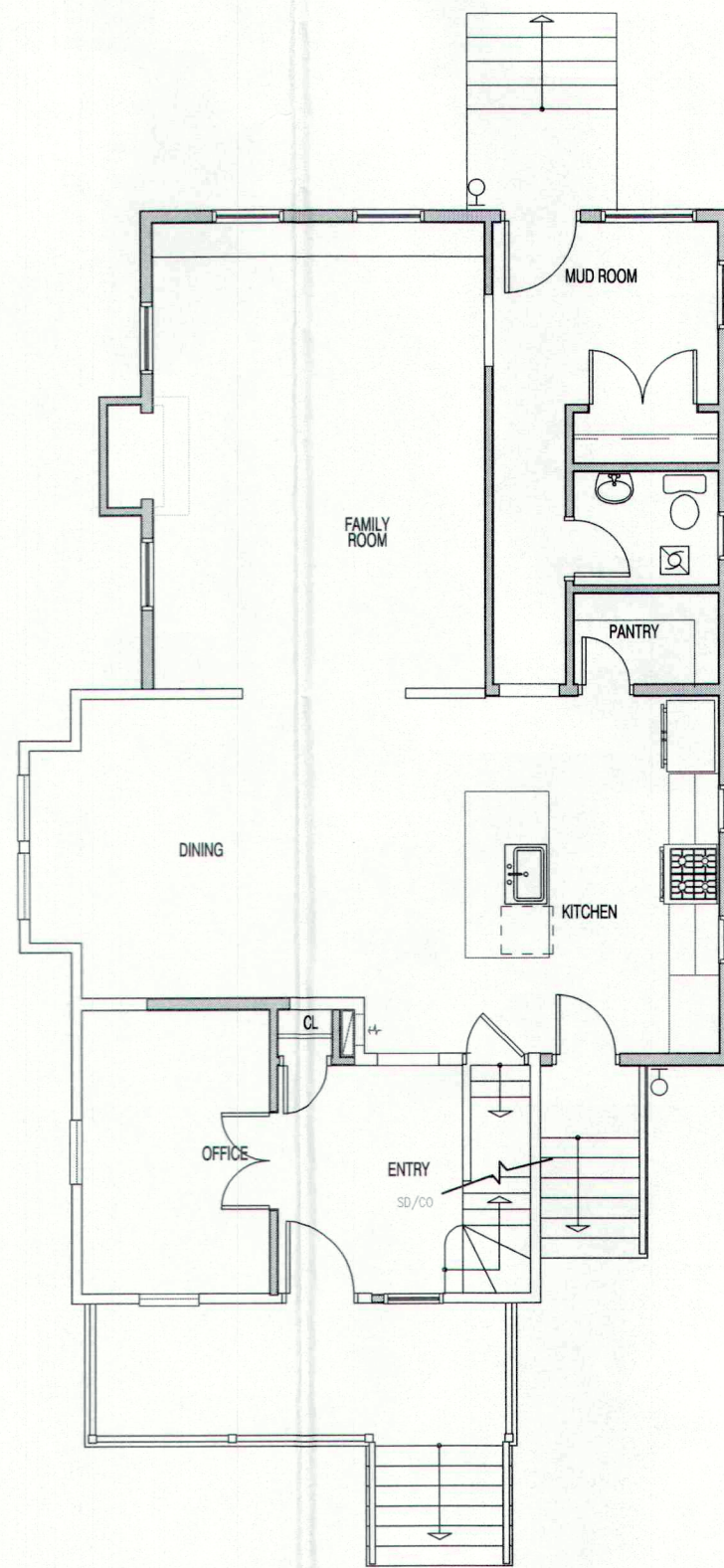


PROPOSED

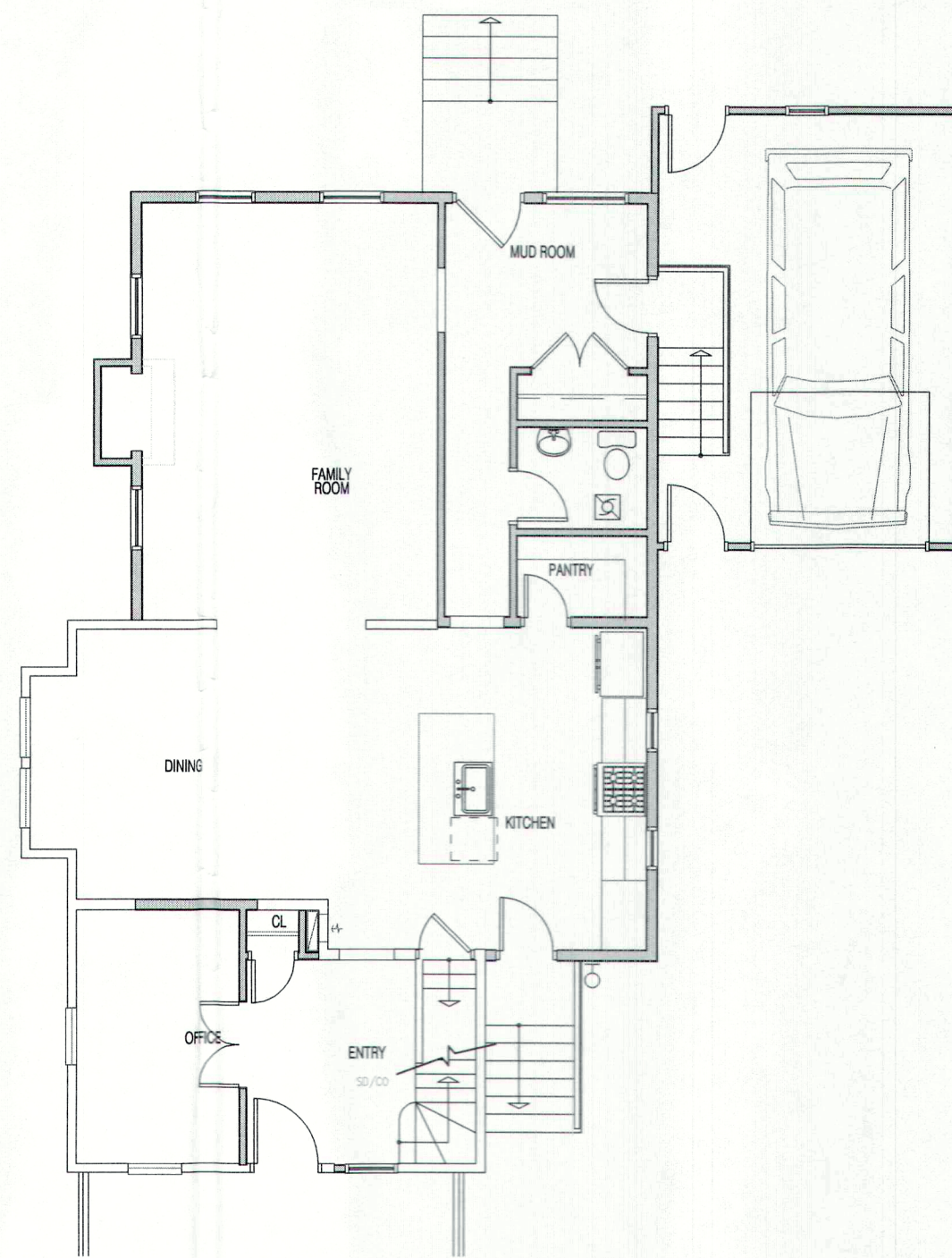
4 LEFT SIDE ELEVATIONS
S-2 SCALE: 1/8" = 1'-0"



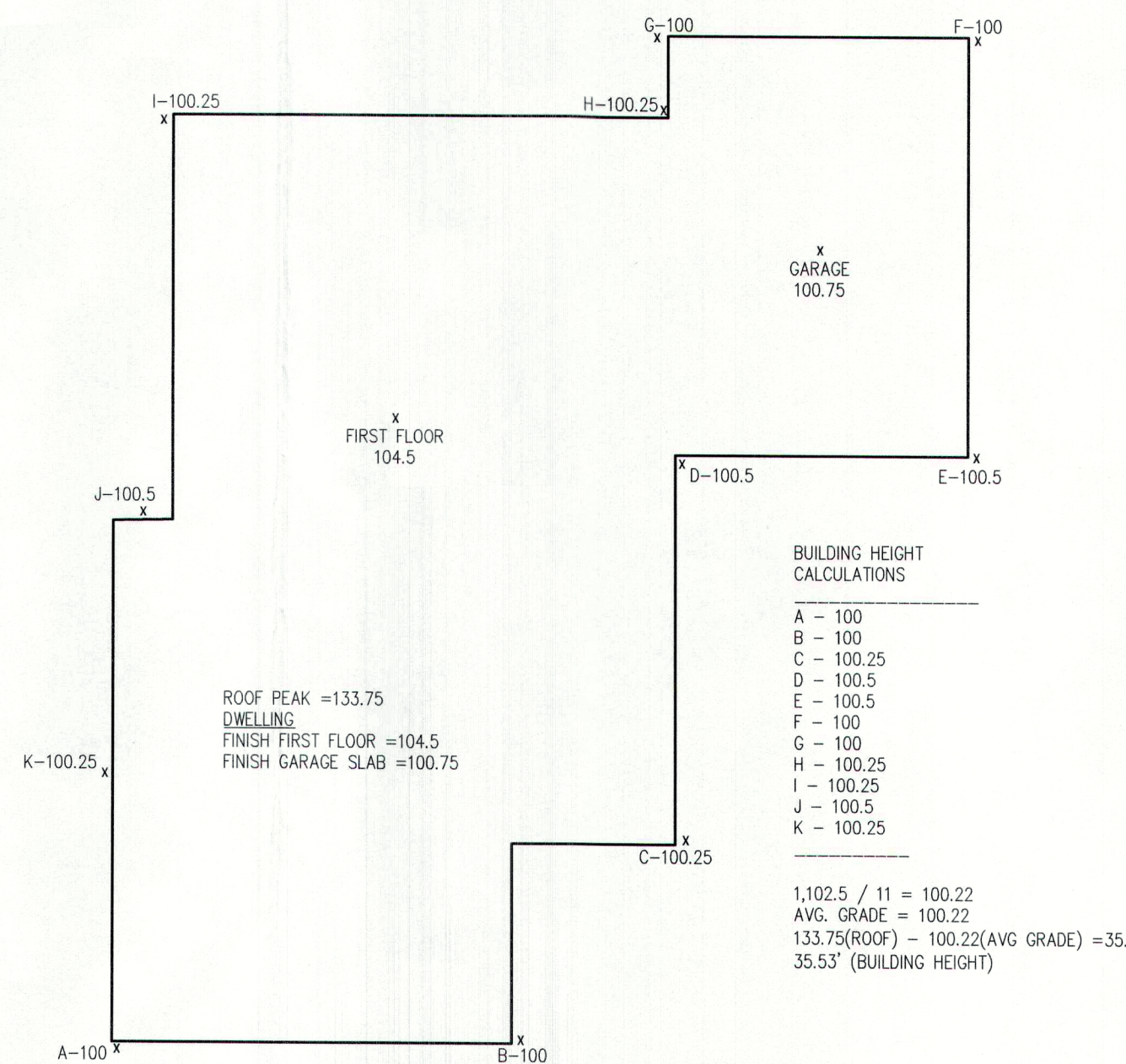
EXISTING



5 FIRST FLOOR PLAN — EXISTING
S-2 SCALE: 1/8" = 1'-0"



6 FIRST FLOOR PLAN — PROPOSED
S-2 SCALE: 1/8" = 1'-0"



7 BUILDING HEIGHT CALCULATION
S-2 SCALE: 1/8" = 1'-0"