



**RESOLUTION 2026-07**  
**of the**  
**ZONING BOARD OF ADJUSTMENT**  
**OF THE TOWNSHIP OF VERONA**

Application 2026-02    56 Floyd Road, Block 801, Lot 6    Zone: R-40

WHEREAS, Christopher Dougherty (the “Applicant”) is the owner of 56 Floyd Road, Verona, New Jersey (the “Property”); and

WHEREAS, the Property is located in the R-40 Zone on the Township of Verona zoning map.

WHEREAS, the Applicant made application to the Verona Zoning Board for approval to construct a 737 square foot addition with a basement in the rear of the Property, a 406 square foot deck, and to install two HVAC units in the rear yard.; and

WHEREAS, the Application was heard by the Board at its regularly scheduled meeting on March 12, 2026 at which time notice of the meeting was deemed to be proper and the Applicant was able to proceed with the Application.

WHEREAS, the Ordinance Sections of the Verona Township Zoning Code as they relate to the Application provide:

§ 150-17.6 E (2) Minimum side yard setback (one): eight feet; existing is 0.83 feet from the end of an existing arched wall to the south east side property line and 2.6 feet from the existing dwelling wall to the southeast side property line; proposed addition is 0.83 feet from end of arched wall to the southeast side property line and 2 feet 7/8 inches from proposed dwelling wall to the southeast side property line; A variance is needed as the pre-existing non-conforming is 2.6 feet from the existing dwelling wall and is being exacerbated;

§ 150-17.6 E (2) Minimum side yard setback (one): eight feet; proposed addition is 12.2 feet from the northwesterly side property line; proposed is 3.05 feet from the northwesterly side property line – A variance is required;

§ 150-17.6 E (3) Minimum side yard setbacks (both): 18 feet; existing is 14.8 feet from dwelling, The proposed setback from the dwelling is 5 feet 2.879 inches; exacerbating the pre-existing non-conforming setback – A variance is needed;

§ 150-17.6 F. (1) Minimum side yard setback (one): eight feet; deck is proposed as 3+ feet from the southeast side property line; 4.75+ feet from the northwest side property line – variances are required;

§ 150-7.21 Decks. If an existing building fails to comply with zoning setback requirements, uncovered decks may be added, provided that all of the following conditions are met:

- A. That the deck does not exceed 20% of the building footprint; dwelling footprint is proposed at 1,471 square feet where 20% is 294.2 square feet; proposed deck is 384 square feet – variance required;
- B. That no portion of the deck shall be elevated more than four feet above grade, excluding handrails and guardrails; proposed deck is 4+ feet from grade;
- C. That the deck does not extend into the side yard beyond the line of the existing dwelling unless the deck meets the side yard setback requirements of this chapter. Here, the proposed deck is within the proposed dwelling setback that require variances;
- D. That the deck shall be no less than five feet from the side lot line and no less than 20 feet from the rear lot line; proposed deck is 3+ feet from the SE lot line and 4.75 from the northwest side lot line; 34 feet from the rear lot line - variance is required;

§ 150-17.6 F. (1) Minimum side yard setback (one): eight feet; HVAC is proposed as 3+ feet from the southeast side property line; 30.3 feet from the northwest side property line – variance is required;

§ 150-7.13 A. No mechanical equipment shall be located within a required minimum yard requirement and shall not extend more than 5 feet from the structure for which they serve; proposed HVAC units are shown as 12.25 feet from the rear of the dwelling – variance is required;

§ 150-17.5 F (4) Maximum aggregate area covered by accessory structures in the yard it is located in: 15%; yard is 1,852 square feet where 15% is 277.8 square feet; proposed is 29.2% or 541 square feet – variance is required; and

WHEREAS, the Applicant testified on his behalf after being sworn to testify truthfully. He reviewed the Application and described the general nature of the Property and his vision for the Property.

WHEREAS, Evan Scott was qualified as an architectural expert He was sworn and testified on the Applicant's behalf. Mr. Scott described the scope of the project that includes an addition to create enlarged living space in back, a mudroom, bathroom, office space, and an attached garage/shed. He further testified that the Applicant is proposing to expand the attic space, provide a deck and remove the garage and part of the asphalt drive that leads to the garage at the rear of the property.

He testified that the house is not perpendicular to the property line which creates varying setbacks including the existing 2.6 set back on the north side of the Property.

Mr. Scott confirmed that the Applicant is seeking relief for eight variances.

WHEREAS, during the Applicant's presentation, Michael Imbiano, an adjoining property owner, notified the Board that he supported the Application and wanted to Board to grant the relief requested by the Applicant; and

WHEREAS, during the hearing, the Applicant revised the building plan to reduce the size of the proposed new attached structure at the side of the existing home to create a five-foot side yard setback as opposed to three-foot setback in the original plan. The Applicant agreed that the structure would be nominated as a storage room.

WHEREAS, after Applicant confirmed that he had reviewed the Engineering, Construction and the Environmental Commission comments to the Application and that he will comply with all suggestions and comments. The Applicant further confirmed that he would prepare an as-built survey after completion of the project for review and approval of Boswell Engineering.

WHEREAS, the Board voted to approve the Application as modified because the Applicant had proven that C (1) variances were warranted because of the Property's exceptional shape that warranted a design of the improvements as proposed in the Application. The Board determined that granting the variances would not be substantially detrimental to the public good or Verona's zone plan.

NOW, THEREFORE, BE IT RESOLVED, by the Zoning Board of the Township of Verona, that the Application be now approved with the following conditions;

1. The Applicant will comply with all conditions and recommendations contained in the above referenced professional comment letters.
2. The Applicant will comply with all representations made by and on behalf of the Applicant during the hearing. All of the Applicant's testimony and testimony on the Applicant's behalf are incorporated herein as if fully set forth.
3. The Applicant will satisfy all municipal and administrative agency requirements before and during construction, including but not limited to those relating to stormwater control and soil removal, if applicable.
4. The side yard setback to the storage room will be five feet from the property line and the Applicant will submit revised plans showing the modification with the five-foot setback.
5. The Applicant will comply with all Boswell Engineering post-approval requirements including but not limited preparing an as-built survey for Boswell's review and approval.

NOW THEREFORE, BE IT FURTHER RESOLVED that a copy of this resolution be provided to the Applicant, Township Manager, Township Council and Township Clerk.

MOTION TO APPROVE: Vice Chair Weston SECOND: Mr. Ryan

**Roll Call Vote:**

	AYES	NAYS	NOT ELIGIBLE	RECUSED	ABSENT
Mr. Tully	✓				
Dr. Ries	✓				
Dr. Cuartas				✓	
Mr. Ryan	✓				
Mrs. Murphy Bradacs	✓				
Mr. Mathewson			Abstain		
Mrs. DiBartolo				✓	
Vice-Chair Weston	✓				
Chair McGinley	✓				

**THIS IS TO CERTIFY THAT THE FOREGOING IS A TRUE AND EXACT COPY OF A RESOLUTION ADOPTED BY THE BOARD OF ADJUSTMENT OF REGULAR MEETING HELD ON MARCH 12, 2026.**

Dolores Carpinelli  
**Dolores Carpinelli**  
 Board Secretary

Daniel McGinley  
**Daniel McGinley**  
 Chairman