

AGENDA
BOARD OF ADJUSTMENT
TOWNSHIP OF BERKELEY HEIGHTS, NEW JERSEY
CONFERENCE & REGULAR MEETING
NOVEMBER 13, 2014 7:30 pm

NOTE: Meeting is being held in conformance with all regulations of the SUNSHINELAW and proper notice has been given to the Courier; also, the Agenda has been posted in Town Hall, Board Office and supplied to the Township Clerk at least forty-eight hours prior to the meeting. The Agenda items will not necessarily be heard in the order listed and the meeting will not continue substantially past 10:30 PM.

Members: Mr. Miller, Mr. Boyer, Mr. Smith, Mr. Siburn, Mr. Sullivan,
Mr. Henry, and Mr. Delia;
Mr. Bernstein, Board Attorney

Roll Call:

Adoption of Resolutions:

App.#27-14: The County of Union, The Union County Improvement Authority (UCIA) and Center Management Group LLC, 40 Watchung Way, Block 4002, Lot 15, Block 3401, Lot 50, Block 3303, Lots 1.01 and 1.04 (OL-Zone)

Request to continue existing services at Runnells Specialized Hospital with private operator contrary to OL Zone which requires a "governmental use."

App.#25-14: 369 Springfield Avenue Associates, LLC, 369 Springfield Ave., Bl.208, L.21

Applicant is requesting approval of proposed changes to the exterior elevation of an existing one-story commercial building, including new lit signage. Relief is needed from Section 10.1.2A which requires Board approval of site plan; Section 5.9.6 which prohibits signs placed on the second or higher story, Section 5.11.4 which prohibits roof signs, and Section 5.11.10 which prohibits any sign not specifically permitted by Ordinance. (DD-Zone)

App.#28-14: Edward Koch, 170 Killarney Drive, Block 3505, Lot 35 (R-20 Zone)

Proposed inground pool with an at grade surrounding paver patio, waterfall feature and a raised patio (15' x 15' x 4' high) at the exit slider doors from the rear of the house. Relief is needed from Section 6.1.1B "Schedule of General Regulations" because 1) the accessory rear yard setback is proposed to be less than the required 15' and 2) the proposed side yard setback is less than the required 12'. Also, the proposed "other" and "total" lot coverages will exceed the maximum permitted coverages of 10% and 25%, respectively. The at grade pool surround will be constructed with a permeable paver system and was therefore not counted in the calculation of "other" coverage. Nonconforming issues are lot depth, lot area, principal front yard setback and existing building coverage.

Applications for Review:

App.#29-14 : Jonell Associates Development, 247 Washington Street, Block 206, Lot 6

Applicant is seeking to demolish an existing single family house and construct a new single family house on the lot. Relief is needed from Section 6.1.1B "Schedule of General Regulations" because both side yard setbacks are less than the required 12 ft. (The proposed principal side yard setbacks are 11.2 ft. on the east side and 11.3 ft. on the west side.) As a result, the proposed total combined principal side yard setbacks are 22.5 ft., less than the required 30 ft. for combined side yards. Relief is also needed from Section 11.1.7A which requires a minimum distance of 5 ft. between a driveway and a lot line. The proposed driveway location is 2.5 ft. off the side property line. Also, nonconforming issues are lot area and lot width. (R-10 Zone)

App.#30-14: Laurence & Lori Wagman, 40 Old Farm Road, Block 2801, Lot 62.02

Proposed installation of an inground pool, covered deck, outdoor kitchen on new patio and pool surround patio. Relief is needed from Section 6.1.1B "Schedule of General Regulations" because 1) building coverage will exceed the maximum 15% allowed in the R-20 Zone; 2) other coverage will exceed the 10% allowed, and 3) total lot coverage will exceed the 25% allowed. (R-20 Zone)

App.#31-14: Heritage Manor Homes LLC, 154 Hillside Avenue, Block 2402, Lot 42

Proposed single family dwelling to be constructed after demolition of existing dwelling on the lot. Relief is needed from Section 6.1.1B "Schedule of General Regulations" due to 1) a proposed principal building front yard setback that is less than the required 50 ft; 2) building coverage that exceeds the 15% maximum allowed in the R-15 Zone; and 3) total lot coverage that exceeds the maximum 25% allowed. The lot area is a nonconforming issue. (R-15 Zone)

--CARRIED FROM OCTOBER 23, 2014, WITHOUT FURTHER NOTICE:

App.#26-14: Ramesh & Sheela Raman, Kuntz Avenue, Block 301, Lot 18

Proposed construction of a single-family dwelling located on a vacant corner lot fronting Kuntz Avenue and Camptown Drive. Relief is needed from Section 6.1.1B "Schedule of General Regulations" due to an insufficient rear yard setback and "other" coverage which exceeds the maximum allowed. Variances are also needed for a) the proposed driveway which would be 3.5 ft. off of the side property line (required: 5 ft. according to Section 11.1.7A); b) a proposed boardwalk along the driveway, which would be an accessory structure that is prohibited in the front yard by Section 3.1.1B.4. The plan indicates that the boardwalk would be constructed immediately adjacent to or on the shared side property line with Bl. 301, L. 19; c) the "Building Overhang" depicted on the plans as a carport which is a prohibited use as per Section 6.3.1E.1; d) not adhering to Section 6.3.10A. Residential Garage Construction because an enclosed garage is not proposed; e) constructing the driveway with stone material while a paved driveway is required by ordinance; f) non-conforming lot width. (R-15 Zone)

--CARRIED FROM OCTOBER 9, 2014, WITHOUT FURTHER NOTICE:

App.#11-14: 174 Snyder Ave. BH, LLC, 174 Snyder Avenue, Block 801, Lot 50

Seeking a d(1) use variance for a two-story residential dwelling built in 1910 and located in the R-15 single family zone which has been operating as a four-family home. The applicant and owner of the property would like to undertake interior improvements, most notably a relocation of the existing laundry facilities from the interior living area on the second floor to the attic area above the second floor units. Other changes include new exterior windows and removal of the existing Bilco door. The existing shed and garbage enclosure will be relocated to comply with the setback requirements or removed entirely. Relief is also needed from Section 8.1.1B.1 "Expanding a nonconforming use" due to the interior expansion into the existing attic space for use as a utility room. Existing nonconforming issues are principal use; principal front-yard setback; existing "other" coverage of 22.44%, which includes the 800 sq. ft. stone driveway (allowed: 10%); and existing shed (which encroaches into the rear-yard setback). (R-15 Zone)

Adoption of Minutes:

October 9, 2014

Adjournment:

Connie Valenti, Secretary