

****These minutes have not been approved and are subject to change by the public at its next meeting****

The regular meeting of the Park Ridge Zoning Board of Adjustment has been called for Wednesday, December 12, 2012, at 8:00 pm in the Council Chambers of the Municipal Building.

PLEDGE OF ALLEGIANCE TO THE FLAG:

ROLL CALL: Mr. Sandler, Mr. Raman, Mr. Sigilitto, Mr. Walker, Mr. Hoskins, Mr. Capilli, Mr. Flaherty, Dr. von der Lieth,

Absent: Mr. Brennan

Also Present: William Rupp, Board Attorney
Lyn Beer, Secretary to the Zoning Board

COMPLIANCE STATEMENT:

The Notice for this meeting required by Section 3(d) of the Open Public Meetings Act has been provided by the adoption of a resolution by the Park Ridge Zoning Board of Adjustment of January 17, 2012, setting forth a schedule of regular meetings by mailing of said schedule to The Ridgewood News and The Record on January 18, 2012, and by the posting of said schedule on the Municipal Bulletin Board and the continuous maintenance thereof and by filing the said schedule in the office of the Borough Clerk.

PENDING CASES:

RUPP: The application of Michael DiBella, has been carried to the January 15, 2013 meeting. There will be no further notice provided for that application.

BEER: By the way, Hakim has gotten in touch with me. With all the work that they are doing, he hired Mike Ritchie of Azzolina and Feury, and it is only 280 cubic yards of soil being moved. I suggested that since he had all the maps drawn, he wouldn't have to come back for a soil moving permit, but I suggested that he might want to send a copy to Eve, so she could take a look at how they did the measurements and just verify it. If everything is fine, he has revised his maps for the variance that he missed, the one that he didn't have to have, and he will be in on January 15th.

<u>CASE:</u> 12-13 Block: 2103 Lot: 21	Application of <i>Gregory and Gina Mathis</i> , Parkview Drive for Floor Area Ratio and side yard variances to construct an addition to existing house in an R-10 residential zone. Hearing held November 20, 2012. Determination forthcoming this evening.
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CAPILLI: We have a resolution in the affirmative for this application.

WHEREAS, GINA MATHIS AND GREGORY MATHIS (hereinafter referred to as "Applicant"), being the owner of premises known as 15 Parkview Drive, in the Borough of Park Ridge, County of Bergen and State of New Jersey, said premises also being known as Lot 21 of Block 2103 on the Tax Assessment Map for the Borough of Park Ridge, applied to the ZONING BOARD OF ADJUSTMENT FOR THE BOROUGH OF PARK RIDGE (hereinafter referred to as "BOARD"), seeking variances for side yard setback and floor area ratio; and

WHEREAS, the premises are located in an R-10 Residential Zoning District as same is defined by the Zoning Ordinance of the Borough of Park Ridge; and

WHEREAS, the BOARD held a hearing in connection with the application, upon due notice as required by law, on March 20, 2012, and April 17, 2012; and

WHEREAS, the BOARD has received the exhibits and documents with respect to this application as more particularly set forth on the list of attached hereto and made part hereof; and

WHEREAS, the BOARD has received the exhibits and documents with respect to this application as more particularly set forth on the list of attached hereto and made part hereof; and

WHEREAS, the BOARD has carefully considered the application and all evidence and testimony submitted in connection therewith;

NOW, THEREFORE, BE IT RESOLVED BY THE ZONING BOARD OF ADJUSTMENT FOR THE BOROUGH OF PARK RIDGE that the BOARD hereby makes the following findings of fact:

1. Applicant is the owner of premises located at 16 Parkview Drive in the Borough of Park Ridge, pre-existing lawful non-conforming lot containing 6,000 sq. ft., measuring 60 feet by 100 feet, located within the R-10 Residential Zoning District which requires a minimum lot area of 10,000 sq. ft., with a minimum lot width of 85' and a minimum lot depth of 120'
2. Applicant has applied for variances for side yard setback and floor area ratio.
3. Within the R-10 One Family Residential Zoning District, the required side yard setback is 15 feet and the maximum Floor Area Ratio (FAR) is 30%, with a maximum floor area of 3,333 sq. ft., a maximum building coverage of 30%, a maximum impervious surface coverage of 40% and a maximum building width of 65% of the lot width.
4. The existing structure has an existing non-conforming side yard setback of 3.5' on one side and a 13.9' side yard setback on the other. The existing structure has an existing FAR of 19.8% with a floor area of 1,189.5 sq. ft., and a building coverage of 1,189.5 sq. ft. (19.8%), an existing impervious surface coverage of 29.8% and an existing non-conforming building width of 42.6' (71%).
5. The Applicant proposes to add a second story addition measuring 10'3" by 19'2", containing 191.7 square feet, above the existing garage and even with the existing non-conforming side yard setback of 13.9'. In addition, the applicant proposes to finish the existing unfinished attic area above the first floor which would add an additional floor area of 64.6'. The proposed additions would add a total of 838.3 square feet of floor area to the existing floor area of 1,189.5 square feet for a total floor area of 2,027.8 square feet, resulting in an FAR of 33.8%. The proposed additions will not result in any increase in building coverage or impervious surface coverage, nor would they encroach beyond the existing side yard setbacks or beyond the existing width of the building.
6. The proposed addition is designed to add two bedrooms, closets and a bathroom.
7. By reason of the existing undersized nature of the lot and the size and location of the existing building on the lot, the BOARD finds that the strict application of the Zoning Ordinance as to the side yard setback requirements and the maximum building width requirements would result in peculiar and exceptional practical difficulties to the Applicant pursuant to N.J.S.A. 40:55D-70(c)(1).
8. The Board further finds that the residential goal and policy in the Master Plan is "to promote the continued maintenance and rehabilitation of the Borough's housing stock." The BOARD finds that the aesthetic benefits from the proposed addition outweigh any negative impact from the side yard setback requirements and the maximum building width requirements pursuant to N.J.S.A. 40:55D-70(c)(2).

9. The Master Plan further provides that the goal of the FAR limitations is “to emphasize the importance of the preservation of natural resources, encourage development of new and renovated dwellings that are compatible with existing neighborhood character, establish the appropriate building scale, form and mass and create a proper setback relationship to the street and to the adjacent dwellings.”
10. The BOARD finds that the proposed construction is consistent with the scale, character and architecture of the neighborhood. The proposed floor area (2,027.8sf) is substantially less than the floor area (3,000 sf), which would be permitted in a lot meeting the minimum lot size and is in keeping with the neighborhood. Moreover, the proposed second story addition over the existing garage and the interior finish to the existing attic area is within the existing building footprint and maintains the existing side yard setbacks of 13.9 feet and 3.5 and existing building width of 42.6’. The proposed new addition is limited to the area above the existing garage and is consistent with the goal of the Master Plan to “encourage the use of building setbacks on the upper floor levels to maintain adequate space, light and sense of openness from surrounding residences in existing residential neighborhoods.”
11. Accordingly, and for the foregoing reasons, the BOARD further finds that special reasons exist for a variance to permit the proposed increase in the permitted floor area ratio in that the granting of such variances would improve the overall appearance of the structure and is in furtherance of the zoning purposes to promote the public health, safety and welfare, to provide adequate light, air and open space, and to promote a desirable visual environment through creative development, techniques and good civic design pursuant to N.J.S.A. 40:55D-70 (d).
12. Moreover, for the reasons set forth above, the BOARD finds that the aforesaid variances to permit an increase in the permitted floor area ratio, to permit the side yard encroachment of the second story above the existing garage and to permit the width of the second story in excess of 65% of the lot width will not result in any substantial detriment to the public good nor will same impair the intent and purpose of the zone plan or Zoning Ordinance of the Borough of Park Ridge.

NOW, THEREFORE, BE IT RESOLVED BY THE ZONING BOARD OF ADJUSTMENT FOR THE BOROUGH OF PARK RIDGE, by not less than the affirmative vote of five members, by virtue of the foregoing, and pursuant to the authority of N.J.S.A. 40:55D-70(c) and N.J.S.A. 40:55D-70(d), the BOARD does hereby grant the Applicant’s requested variances to permit an increase in the permitted Floor Area Ratio, an encroachment of the second story addition over the garage within the required side yard setback, and a building width in excess of the maximum permitted as more particularly set forth in this resolution and as shown on the plans submitted to the BOARD, subject to the filing of proof of the payment of real estate taxes.

MATHIS EXHIBITS

01. Application – 10/25/12
02. Certification of Service – 10/31/12
03. Legal Notice – 11/9/12
04. Payment of Taxes – to be provided
05. Deed – 8/29/12
06. Survey – Engineering conditions – 8/15/12
 - Plot Plan
 - Site Plan
07. Elevations – 10/24/12
 - Floor Plan
08. Photographs (4) – undated
09. F.A.R. calculations – undated
10. Board Secretary Letter – 10/31/12
11. Board Secretary Letter – 11/1/12

The resolution was offered by Mr. Sandler and seconded by Mr. Flaherty.

ROLL CALL:

Ayes: Mr. Sigillito, Mr. Flaherty, Mr. Flaherty, Mr. Walker, Mr. Capilli,
Mr. Hoskins, Mr. Sandler,

Abstain: Mr. Raman, Dr. von der Lieth

CORRESPONDENCE:

N. J. Planner September/October re: Distributed

APPROVAL OF MINUTES:

The Chairman entertained a motion that the September 18, 2012 minutes be approved as submitted. So moved by Mr. Hoskins and seconded by Mr. Sandler.

ROLL CALL:

Ayes: Mr. Capilli, Mr. Flaherty, Mr. Hoskins, Mr. Hoskins, Mr. Raman, Mr. Sandler, Mr. Sigillito, Mr. Walker

Abstain: Dr. von der Lieth

APPROVAL OF VOUCHERS:

None

NEW BUSINESS:

Closed Session -- Personnel

A motion was made by Mr. Capilli and seconded by Mr. Hoskins, that the Board go into Closed Session at 8:10 pm.

ADJOURN:

There being no further business to come before the Board, by motion of Mr. Walker and a second by Mr. Hoskins, the meeting was adjourned at 8:45 pm.

Respectfully submitted,

Margot Hamlin,
Transcriber