

**BOROUGH OF PARK RIDGE
ZONING BOARD
JUNE 18, 2019
REGULAR MEETING MINUTES**

The Public Meeting of the Zoning Board of the Borough of Park Ridge was held at Borough Hall on the above date.

Chairman Flaherty stated that the meeting was being held in accordance with the Open Public Meetings Act.

Mr. Flaherty asked everyone to stand and recite the Pledge of Allegiance.

Roll Call:

Chairman Jake Flaherty	Present
Vice Chairman Frank Pantaleo	Present
Mr. Mike Curran	Present
Mr. Gary Ingala	Present
Dr. Gregory Perez	Absent
Mr. Jeff Rutowski	Present
Mr. William Walker	Present
Mr. Steve Clifford	Absent

Also Present:

Board Attorney - Mr. William Rupp	Present
Board Secretary - Ms. Elena Rega	Present

CONTINUED APPLICATION

#ZBA 18-10

Hornrock Properties

1 Sony Drive

Block 301 / Lot 1

ORL

Site Plan / Use Variance / Parking Variance

Court Reported was present.

Mr. Rupp made an announcement that this application will be carried to July 16, 2019 meeting. The applicant agreed to consent to an extension of time to June 19, 2019. No additional notice will be required.

NEW APPLICATION

#ZBA 19-04

Tod Christie

2 Saddle Ridge Lane

Block 2410 / Lot 6

Enclose Porch, New Deck & New Patio

The following people were sworn in by Mr. Rupp to offer testimony:

Tod Christie
2 Saddle Ridge Lane
Park Ridge, NJ 07656

Joseph J. Bruno
Joseph J. Bruno Architect
29 Pascack Road
Park Ridge, NJ 07656

Proof of service is in order.

The applicant is seeking a variance for rear yard setback to include existing covered porch and relocation of deck.

Mr. Bruno distributed photos of the existing rear yard.

Mr. Christie spoke to that he and his wife has been a resident of the borough since 1992. The existing deck was built in 1995 with the screened in porch with a variance. Our plan is to convert the enclosed screened in porch to a four season room and to add a patio. The footprint of the sunroom will remain the same.

Mr. Bruno explained when the deck was built it complied with zoning setbacks. The rear yard was originally a side yard. The existing screened in porch will become a four season room and the deck off the room will be relocated to the other side of the four season room. Footprint and height will remain the same and the esthetics greatly improved. Mr. Bruno added the building coverage will remain the same and the impervious coverage will go from 14.1% to 17.9% which is below what is permitted in zoning.

Chairman Flaherty asked for confirmation to photo #2 that the deck is being removed and a new deck will be built on the right side of the patio and if deck requires variance.

Mr. Bruno confirmed and states that only the four season room requires the variance. The room will be manly enclosed with glass.

Mr. Pantaleo asked if the space will be heated.

Mr. Bruno replied yes.

Mr. Curran asked if it will be built on foundation with footings.

Mr. Bruno confirmed yes and added there will be a crawl space.

No members of the public had questions for Mr. Bruno or Mr. Christie.

No other questions or concerns from the other Board Members.

All Board Members where in favor of approving this application.

#ZBA 19-06

David Grant

3 Mountain Avenue

Block 1110 / Lot 5

Close In Breezeway

The following people were sworn in by Mr. Rupp to offer testimony:

David Grant

3 Mountain Avenue

Park Ridge, NJ 07656

Marybeth Grant

3 Mountain Avenue

Park Ridge, NJ 07656

Proof of service is in order.

The applicant is seeking a variance for side yard setback. The home is an existing non-conforming.

Mr. Grant spoke to the structure being a pre-existing structure. He confirmed his house faces Pascack Road but the address is on Mountain Avenue.

Mr. Rupp asked if the applicant was going to enclose covered porch on the Pascack Road side.

Mr. Grant replied no.

Mr. Rupp asked for a better explanation of the right side elevation and if that is his rear yard.

Mr. Grant explained the elevation is from the side yard of the garage into the breezeway.

Mr. Rutowski commented that the new area looks like it will house a mudroom and laundry room area.

Mr. Grant replied yes.

Mr. Rupp asked if breezeway area was going to be enlarged and if they are changing the roofline of the garage.

Mr. Grant explained no.

Mr. Rupp asked about what the right side elevation, to show what view that is.

Mrs. Grant said it is from their backyard.

Mr. Grant explained the elevation to be the breezeway from Mountain Avenue and that is the 4ft 4in extension going onto the breezeway.

Mrs. Grant mentioned all is existing.

Mr. Walker explained to Mr. Rupp that the applicant testified they are extending the roofline of the existing breezeway to the rear of the property.

Mr. Rupp asked if the deck was going to be enlarged.

Mr. Grant said not they are not enlarging the deck.

Mr. Rupp commented that he does not see a reason for variance that the application complies.

Chairman Flaherty commented also that it doesn't appear the application needs a variance.

Mr. Rupp commented to appeal the Zoning Officers decision. Existing conditions do not require a variance especially since it doesn't enlarge the existing condition.

Chairman Flaherty asked if there was any in the room to speak on this application.

Mr. Rupp mentioned that the resolution will be drawn up pointing out that the Board's decision will be that a variance is not required.

RESOLUTION

#ZBA 19-02

Park Ridge Diner Corporation

125 Kinderkamack Road

127 Park Avenue

B1

Block 1805 / Lot 8 & 9

Site Plan / Use Variance / Shared Parking

A motion was made by Mr. Curran to approve the resolution, seconded by Mr. Ingala and carried by a roll call vote as follows:

Chairman Flaherty	Yes
Mr. Pantaleo	Yes
Mr. Curran	Yes
Mr. Walker	Yes
Mr. Ingala	Yes
Mr. Rutowski	Yes

#ZBA 19-03
Carole & Michael Reen
30 Ridge Ave
Block 1104 / Lot 14
R-15
Residential Home Addition

A motion was made by Mr. Walker to approve the resolution, seconded by Mr. Rutowski, and carried by a roll call vote as follows:

Chairman Flaherty	Yes
Mr. Pantaleo	Yes
Mr. Curran	Yes
Mr. Walker	Yes
Mr. Ingala	Yes
Mr. Rutowski	Yes

APPROVAL OF MINUTES

The minutes of May 21, 2019 were approved on a motion from Mr. Curran seconded by Mr. Ingala and carried by all members eligible to vote.

Board Discussion

A Board discussion was had pertaining to the applications that need to be scheduled.

It was decided that the Board agenda for the July meeting will go as follows:

87 Lafayette Avenue
Hornrock Properties
87 Louville Avenue

The meeting was adjourned on a motion from Mr. Pantaleo, seconded by Mr. Ingala, and carried by all.

Respectfully Submitted,

.....*Elena Rega*.....
Elena Rega

Resolution #2019-6
Application #19-2
ZB 6-18-19

BOROUGH OF PARK RIDGE
ZONING BOARD OF ADJUSTMENT
RESOLUTION

* * * * *

WHEREAS, PARK RIDGE DINER CORP. (hereinafter referred to as "Applicant"), is the Tenant of premises owned by EG & M Realty LLC, known as 125 Kinderkamack Road, in the Borough of Park Ridge, County of Bergen and State of New Jersey, said premises also being known as Lot 9 in Block 1805 on the Tax Assessment Map for the Borough of Park Ridge, and 127 Park Avenue, in the Borough of Park Ridge, County of Bergen and State of New Jersey, said premises also being known as Lot 8 in Block 1805 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 a use variance to deviate from conditions for a conditional use restaurant, variances from setbacks, impervious coverage, maximum building width and parking, site plan approval and various site plan waivers; and

WHEREAS, the premises are located in the B-1 Business Zoning District as same is defined by the Zoning Ordinance of the Borough of Park Ridge; and

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

WHEREAS, the BOARD held hearings in connection with the application, upon due notice as required by law, on March 19, 2019, and May 21, 2019;

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

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 and conclusions:

1. Applicant is the tenant of premises owned by EG & M Realty LLC located at 125 Kinderkamack Road, in the Borough of Park Ridge, County of Bergen and State of New Jersey, said premises also being known as Lot 9 in Block 1805 on the Tax Assessment Map for the Borough of Park Ridge, and 127 Park Avenue, in the Borough of Park Ridge, County of Bergen and State of New Jersey, said premises also being known as Lot 8 in Block 1805 on the Tax Assessment Map for the Borough of Park Ridge, and located within the B-1 Business Zoning District.
2. The Lot 9 is currently developed with a non-conforming restaurant (Park Ridge Diner) which is permitted in the B-1 Zone as a conditional use subject to the following conditions:

(a) Except as otherwise provided herein, restaurants shall conform to the area, bulk and yard requirements for the B1 Zone as set forth on Schedule IV-2 of Chapter 101.

(b) Parking standards:

[1] Restaurants shall provide off-street parking at the ratio of one parking space per three seats.

[2] Takeout restaurants shall not be required to have any off-street parking spaces. Every such business shall, however, have four seats as a designated waiting area. Counters and tables for waiting with a consumption of food are prohibited.

3. Lot 8 is currently developed with an existing retail use (Krauser's convenience store) which is sublet from the Applicant.
4. The premises are located on the Northeast corner of Kinderkamack Road and Park Avenue. Lot 9 contains 22,928 square feet (10,000 sf required) and has a lot width of 165.5 feet (100 feet required) and a lot frontage of 123.32 (75 feet required) along Kinderkamack Road and a lot width of 153.5 feet (100 feet required) and a lot frontage of 152.66 (75 feet required) along Park Avenue. Lot 8 contains 13,394 square feet (10,000 required) and has a lot width of 89.8 (100 feet required) and a lot frontage of 91.32 feet (75 feet required) along Park Avenue.
5. Lot 9 is currently improved with a restaurant containing 3,866 square feet with a building coverage of 16.86 % (maximum of 25% permitted) and an impervious surface coverage of 20,706 square feet (90.31%)(maximum of 80% permitted). Lot 8 is currently improved with a retail convenience store containing 2,309 square feet with a building coverage of 17.24% (maximum of 25% permitted) and an impervious surface coverage of 10,832 (80.87%) (maximum of 80% permitted).

6. The existing restaurant on Lot 9 is set back 11.7 feet from Kinderkamack Road (20 feet required) and 28.7 feet from Park Avenue (20 feet required). It is set back 54.7 feet from the northerly side lot line (15 feet required) and approximately 58 feet from the easterly rear lot line. The building width along Kinderkamack Road is 61 feet (36.86%) (maximum of 30% permitted) and along Park Avenue is approximately 65 feet (42.35 %) (maximum of 30% permitted).
7. The existing retail convenience store on Lot 8 is set back 99 feet from Park Avenue (20 feet required), 0.7 feet from the westerly side lot line (15 feet required), 17.1 feet from the easterly side lot line (15 feet required) and 14.9 feet from the northerly rear lot line (30 feet required). The building width is approximately 58 feet (64.81%) (maximum of 30% permitted).
8. Lot 9 currently has 41 parking spaces as shown on the existing conditions plan, of which 5 encroach within the public right-of-way along Park Avenue. Lot 8 currently has 22 parking spaces as shown on the existing conditions plan. There is no existing access between Lot 9 and Lot 8 although there was testimony that customers of the diner property park in the adjoining Krauser's parking lot.
9. Traffic circulation on lot 9 is currently provided by a two-way driveway (24' wide) from Kinderkamack Road and a two-way driveway (20' wide) from Park Avenue. There is a one-way driveway (10' wide) around the westerly and southerly sides of the existing diner in a counterclockwise direction.

Approximately 5' of the one-way driveway along Kinderkamack Road is located within the public right-of-way. Traffic circulation on lot 8 is provided by a two-way driveway (between 38'-42' wide) along Park Avenue. Vehicles entering the parking lot onto Lot 8 must make a three-point turn to exit.

10. Lot 9 was the subject of two previous applications for development. Pursuant to a Board of Adjustment resolution dated October 20, 1987, use variance approval was granted for a 250 foot greenhouse addition and site plan approval was granted with waivers from the required parking stall size of 10' x 20', 42 parking spaces rather than 52 spaces required, parking within the required front yard and aisle widths. Pursuant to a Board of Adjustment resolution dated November 15, 1994, a use variance and site plan approval was granted to permit the construction of a bay window extending less than one foot out from the northerly side of the existing structure, the erection of a canopy over the existing stairway and entrance to the diner, the enclosure of the existing greenhouse area of the diner, and the construction of a 150 square foot expansion to the existing kitchen.

11. The Applicant now proposes to construct a 958 square foot addition (approximately 16' x 60') to the diner along the easterly side of the existing structure and install an air conditioning compressor above the existing dumpster enclosure. The Applicant proposes to install new gates to the existing dumpster enclosure on the diner site. On Lot 8, Applicant proposes to provide a masonry enclosure wall in place of the existing chain link fence and

provide new gates to the existing dumpster enclosure located to the east of the retail convenience store.

12. The expansion of the restaurant will provide 24 additional seats for a total of 151 seats, an expanded kitchen, and an additional handicapped restroom.
13. As a result of the proposed addition to Lot 9, the front yard setback from Park Avenue will be 26.9' (20' required), the rear yard setback is 43.0' (30' required), the building width along Park Avenue is increased to 50.62% (maximum of 30% permitted), the building coverage is increased to 20.91% (maximum of 25% permitted) and the impervious surface coverage is increased to 91.33% (maximum of 80% permitted). Accordingly, variances are required for building width and impervious surface coverage. As a result of the redesign of the traffic circulation and parking layout described below, the impervious surface coverage of Lot 8 is reduced to 78.96% (maximum 80% permitted).
14. The Applicant further proposes to redesign the traffic circulation and parking layout. The existing two-way driveway along Park Avenue on Lot 9 would be closed. The two-way aisle along the easterly side of the diner would be made one-way northbound (24' wide) (continuing the counterclockwise direction of the existing one-way driveway around the western and southern sides of the diner) with "One-Way Do Not Enter" painted on the driveway where it intersects with the two-way driveway along the northern side of the diner, along with appropriate signage. A new two-way access aisle would be created between lots 8 and 9, thereby permitting traffic to pass between the lots and

providing access to and from both Kinderkamack Road and Park Avenue from either lot. The Applicant further proposes shared parking between the two lots. Lot 9 would contain 33 ½ parking spaces while Lot 8 would contain 28 ½ parking spaces, or a total of 62 parking spaces. All parking spaces shall be a minimum of 9' x 18'. The two-way driveway on Lot 8 would be 24' wide. One handicapped space would be provided on Lot 8 and two handicapped parking spaces would be provided on Lot 9. Neither Lot 9 nor Lot 8 has any designated loading spaces. Pursuant to Section 87-44 of the site plan requirements, one loading space is required for a restaurant use between 2,000 sf and 25,000 sf and no loading space is required for the retail uses less than 5,000 square feet. Accordingly one loading space is required for Lot 9. The Applicant has requested a waiver therefrom.

15. Based on 151 seats, the parking requirement for the conditional restaurant use on Lot 9 is 51 parking spaces (1 space per 3 seats). Based on the existing 2,276 square foot retail convenience store, the parking requirement for Lot 8 is 12 parking spaces (1 space per 200 square feet), for a combined total of 63 parking spaces. Since 62 parking spaces are required, a variance is required.
16. The Applicant proposes to install a seepage pit to address the additional runoff from the proposed addition and additional impervious surface coverage and comply with the Board's Engineer's comments concerning same as set forth on the Board's Engineer's letter revised May 15, 2019.

17. The Applicant shall submit a Soil Movement Application and obtain the required approvals prior to commencing construction and comply with the Board's Engineer's comments concerning same as set forth on the Board's Engineer's letter revised May 15, 2019.
18. With respect to landscaping, the Applicant has provided five (5) shade trees, two (2) along a 5' buffer between Lot 8 and Lot 7, one (1) in the planting island east of the entrance driveway to Lot 8, one (1) in the planting island immediately east of the restaurant expansion, and one (1) in the planting island adjacent to the restaurant near the entrance from Kinderkamack Road, in accordance with section 101-61B(1). In addition, Applicant has provided an automatic irrigation system. Applicant has agreed to replace non-native and invasive species with acceptable native or non-native, non-invasive species and has agreed to revise the plant list to indicate the corrected species and quantities. Applicant has requested waivers from the perimeter planting requirements (101-61B(2), and buffers (101-63C(1)(2)).
19. With respect to lighting, the Applicant has revised the lighting plan to provide light levels for all parking areas and driveways and confirmed that the minimum light levels have been provided for both parcels. The Applicant has agreed to confirm that the maximum apex angle of the cone of illumination is 150° for all proposed lights. The proposed lighting shall be subject to review and revision by the Borough for six (6) months following completion of construction.

20. The Applicant has provided testimony that the existing utilities have adequate capacity for the proposed addition.
21. With respect to the requirement for a loading space, the Applicant testified that the area north of the diner building serves as the delivery area and that deliveries take place at 6:00 a.m. daily by 'box truck' vehicles. The Board finds that by reason thereof, a waiver can be granted from the loading space requirement of the site plan ordinance.
22. The Applicant testified that the landscaped areas will need to be used for the storage of snow and that plantings were designed to accommodate same. Additional curbed landscaped areas could not be accommodated on the site without the loss of parking spaces. By reason of the foregoing, the Board finds that a waiver may be granted from the perimeter and buffer requirements of the site plan ordinance.
23. The Applicant testified that the doors to the dumpster enclosures on both Lot 9 and 8 will both be either board on board or chain link with a screening material. The proposed air conditioner compressor will be located 11.5 feet above grade to allow access for garbage collection. A wheel stop will be installed to prevent the dumpster from being pushed all the way under the compressor. The Board finds that adequate access and screening is provided by the dumpster enclosures.
24. With respect to the proposed expansion of the conditional use as a restaurant, the Board has applied the standard that the proof of special reasons that must

be adduced by an applicant for a "d" variance from one or more conditions imposed by ordinance in respect of a conditional use shall be proof sufficient to satisfy the Board that the site proposed for the conditional use, in the context of the applicant's proposed site plan, continues to be an appropriate site for the conditional use notwithstanding the deviations from one or more conditions imposed by the ordinance pursuant to the holding in *Coventry Square, Inc. v. Westwood Zoning Bd. of Adjustment*, 138 N.J. 285 (1994).

a. With respect to the condition that , restaurants shall conform to the area, bulk and yard requirements for the B1 Zone as set forth on Schedule IV-2 of Chapter 101., the Board finds that the restaurant use has continued on the site for many years and continues as a suitable use on the site notwithstanding the existing deviations from the area, bulk and yard requirements. The Board further finds that the minor increase in impervious surface coverage and building width do not significantly adversely affect the suitability of the site for restaurant use. Moreover, the Board finds that the proposed improvements to traffic circulation, shared parking, and the elimination of a driveway entrance will improve overall safety and traffic circulation. Accordingly, the Board finds that special reasons exist to grant the variance to expand the non-conforming conditional use of the restaurant on the site.

b. With respect to the requirement for 1 parking space for every three seats, the Board finds that the shared parking arrangement between lots 8 and 9

will provide additional parking for the restaurant use and that the deficiency of one parking space for the overall site will not significantly impair the use or suitability of the site for restaurant use.

25. With respect to the variances required for impervious surface coverage and building width, the Boards finds that the benefits derived from the application, including specifically improved traffic circulation, the elimination of an additional driveway entrance/exit, improved traffic safety and shared parking, will substantially outweigh any detriments from the deviations from the impervious surface coverage limitations and the maximum building width pursuant to N.J.S.A. 40:55D-70(c)(2).
26. The Board further finds that the revitalization of the downtown business district and the use of share parking further the purposes and intent of the Master Plan of the Borough of Park Ridge.
27. Subject to the conditions hereinafter contained, the Board finds that by reason of the improvements to the existing traffic circulation and traffic safety, the elimination of the existing driveway on Park Avenue in close proximity to the intersection with Kinderkamack Road and the use of shared parking, the aforesaid variances can be granted without substantial detriment to the public good and will not substantially impair the intent and purpose of the zone plan and zoning ordinance.
28. The Board recognizes that the existing driveway and parking spaces along the western and southern sides of the restaurant upon Lot 9 encroach within the

public rights-of-way along Kinderkamack Road and Park Avenue. Nothing contained herein shall be deemed to authorize such encroachments. To the extent that the County of Bergen or such other entity having jurisdiction over such rights-of-way shall determine that such encroachments shall no longer be permitted, the Applicant shall reapply for Site Plan Approval as a condition for continued operation of the restaurant.

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(d) and 40:55D-70(c)2, the BOARD does hereby grant a use variance to permit the expansion of a non-conforming restaurant, as a conditional use, together with variances from the parking requirements, impervious surface coverage imitations and maximum building width limitations, as more particularly set forth in this resolution and as shown on the plans submitted to the BOARD, subject to the following conditions:

- A. Applicant shall designate the five parking spaces in from of the retail convenience store on Lot 8 exclusively for the use of the retail convenience store during the hours in which the retail convenience store is open and shall include such exclusive use in the cross-easement described below.
- B. The Applicant and owner of Lots 8 and 9 shall submit to the Borough of Park Ridge a request and authorization to enforce Title 39 within the parking lots and to resubmit same annually as may be required to continue such enforcement in effect.

- C. The Applicant and owner shall prepare and execute cross easements for access and parking, for Lots 8 and 9, of a form to be approved by the Board's Attorney, and shall record same.
- D. The Applicant shall submit a Soil Movement Application and obtain the required approvals prior to commencing construction and comply with the Board's Engineer's comments concerning same as set forth on the Board's Engineer's letter revised May 15, 2019.
- E. The Applicant shall comply with all outstanding requirements set forth in the Board's Engineer's review letter dated May 15, 2019, a copy of which is annexed hereto and made part hereof; and BE IT FURTHER,

RESOLVED that the Board hereby grants the following waivers from the site plan requirements:

- A. One Loading Space for the restaurant use upon Lot 9.
- B. The perimeter planting requirements (101-61B(2)), and buffers (101-63C(1)(2))

RESOLVED that the Site Plan as submitted to the BOARD is hereby approved, subject to the following terms and conditions:

- A. The Applicant shall be required to execute a Developer's Agreement in a form acceptable to the BOARD and the Mayor and Council of the Borough of Park Ridge, said Agreement to be prepared by the Board's Attorney at Applicant's cost and expense.
- B. The Applicant shall be required to furnish performance bonds, maintenance guarantees and cash deposits in accordance with the Subdivision and Site Plan Review

Ordinance of the Borough of Park Ridge in amounts to be determined in accordance therewith and upon consultation with the Board Engineer.

C. All improvements to be completed in connection herewith shall be in accordance with all development application proceedings and evidence submitted to the BOARD and in compliance with the requirements of all Borough Ordinances and other requirements as may be imposed by the Board Engineer or the Board Planner.

D. Applicant shall be required to pay all professional fees, escrows and bonds in a timely manner.

E. Applicant shall complete all improvements in accordance with the aforementioned development application proceedings as well as in compliance with all other applicable Borough Ordinances.

F. Applicant shall secure all necessary approvals, if not previously secured, including but not limited to the County of Bergen, the Bergen County Planning Board Approval, the Bergen County Soil Conservation Board Approval, the New Jersey Department of Environmental Protection and any other required governmental approvals. In the event any agency requires modifications to the Site Plan approved herein, Applicant shall be required to return to the BOARD for the approval of such modifications.

Ayes: 6

Introduced by: 

Nays: 0

Seconded by: 

Dated: 6/18/19

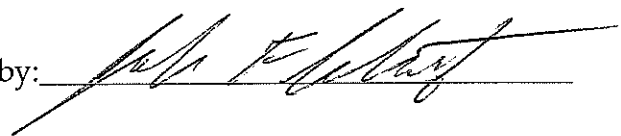
Approved by: 

EXHIBIT LIST BOROUGH OF PARK RIDGE ZONING BOARD
--

APPLICANT: ZB 19-02
 ADDRESS: 125 Kinderkamack Road / 127 Park Avenue
 BLOCK: 1805 LOT: 8 & 9
 ZONE: B1

EXHIBIT:	ITEM NO.	DATE:
R.L. Engineering Plans 8/27/17	A1	3/19/19
Revised 3/1/19		
R.L. Engineering Turning Radius 3/13/19	A2	3/19/19
Joseph J. Bruno Architect Plans 1/18/18	A3	3/19/19
Revised 10/3/18		
Application	1	10/28/18
Certificate of Applicant	1	10/28/18
Owner's Affidavit/ Authorization (Corp.)	1	10/28/18
Tax Certification	1	10/28/18
Previous Resolution Dated 10/20/87	1	10/28/18
Previous Resolution Dated 11/15/94	1	10/28/18
Property Owners within 200 Feet	1	10/28/18
Proof of Publication	2	3/7/19
Certification of Service (w/Receipts)	2	3/7/19
Neglia Review letter - Daniel Lee 1/30/19	3	1/30/19
Burgis Associates Review Letter - Joseph Burgis 2/11/19	4	2/11/19
Fire Department / Fire Prevention Review Letter 1/27/19	5	1/27/19
Utilities Review Letter 1/30/19	6	1/30/19
R.L. Engineering Response Letter 3/6/19	7	3/6/19
Neglia Updated Review Letter - Daniel Lee 3/19/19	8	3/19/19
Original Plan Submission - R.L. Engineering 8/28/17 & Storm Runoff Retention	9	10/28/18
County Dept. of Planning 3/28/19	10	3/28/19

Burgis Associates Review Letter - Joseph Burgis 3/28/19	11	3/28/19
Police 4/8/19	12	4/8/19
R.L. Engineering Revised letter and plans 4/9/19	13	4/11/19

Resolution #2019-5
Application #19-03
ZB6-18-19

BOROUGH OF PARK RIDGE
ZONING BOARD OF ADJUSTMENT
RESOLUTION

* * * * *

WHEREAS, **MICHAEL and CAROLE REEN** (hereinafter referred to as "Applicant"), being the owners of premises known as 30 Ridge Avenue, in the Borough of Park Ridge, County of Bergen and State of New Jersey, said premises also being known as Lot 14 in Block 1104 on the Tax Assessment Map for the Borough of Park Ridge, reapplied to the **ZONING BOARD OF ADJUSTMENT FOR THE BOROUGH OF PARK RIDGE** (hereinafter referred to as "BOARD"), seeking a side yard setback variance to allow the construction of a one story addition and a deck to an existing one-family house; and

WHEREAS, the premises are located in an R-15 One-Family Residential Zoning District as same is defined by the Zoning Ordinance of the Borough of Park Ridge; and

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

WHEREAS, the BOARD held a hearing in connection with the application, upon due notice as required by law, on May 21, 2019; 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 30 Ridge Avenue in the Borough of Park Ridge, also known and designated as Lot 14 in Block 1104 on the Tax Map of the Borough of Park Ridge, consisting of a two and ½ -story one family dwelling, located on a lot containing 16,388 sq. ft. (15,000 square feet required) with a lot width of 50 feet (100 feet required) and a lot depth of 327.75 feet (150 feet required).

2. The Applicant proposes to add a one story addition to the rear of the existing structure and a new wrap-around deck to the rear and side of the new addition, as shown on plans dated December 19, 2017 prepared by Linda Del Nobile Menze, AIA.

3. The existing house is setback 34.5 feet from Ridge Avenue (30 feet required for the front yard), 247 feet from the rear lot line (45 feet required) and 5.2 feet from the westerly side lot line and 18.9 feet from the easterly side lot line (18 feet required). The existing house has a floor area of ± 1400 sf (FAR 8.5%) (25% permitted with a maximum of 4,250 sf), a building coverage of 5.7% (20% permitted), an impervious surface coverage of 20.2% (35% permitted), a height of 29' (a maximum of 32' permitted) and a dwelling width of 25.6' feet (51.2%) (a maximum of 65% of lot width permitted).

4. The proposed one story addition would align with the existing side wall of the building and would have a slightly increased side yard setback of 5.6 feet. In addition, the Applicant proposes a new deck (358.3 sf) which would be set back 5.6 feet from the side property line. Based on the foregoing, variances are required for the side yard

setback for the one story addition (18' required) and the setback for the deck (20' required).

5. The proposed additions would result in an increase in the floor area to 2,050.4 sf. (F.A.R. 12.5%), building coverage to 9.7%, and impervious surface coverage to 21.9%. The rear yard setback will be reduced from 247 feet to 201.5 feet. There is no change to the building height, building width, front yard setback or side yard setback from the easterly property line. Each of the foregoing criteria is within the required zoning limitations.

6. The Applicant had previously submitted an application seeking a side yard setback variance to allow the construction of a one story addition and a deck to an existing one-family house on which a hearing was held on February 20, 2018. Pursuant to a Resolution approved on March 20, 2018, the BOARD made the following findings and conclusions:

a. The BOARD finds that by reason of the location of the existing house on the lot and the undersized lot width, the strict application of the Zoning Ordinance to require a side yard setback of 18 feet and deck setback of 20 feet would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardship upon the applicant pursuant to N.J.S.A. 40:55D-70(c)(1). Moreover, due to the layout of the house, the proposed one story addition and deck could not practicably be located so as to avoid the need for the variances.

b. The BOARD further finds that by reason of the existing nonconforming side yard setback of the existing house, the fact that the proposed addition and

deck would not extend beyond the existing house, and the fact that the existing building with the proposed one-story addition and deck complies with the building coverage, impervious surface coverage, building width, height, maximum floor area, and floor area ratio limitations, the proposed one story addition and deck result in a house in keeping with the scale of the neighborhood, is aesthetically pleasing and furthers the zoning purpose of maintaining the housing stock. Accordingly, the BOARD concludes that a decision to grant the variances from the required side yard setback requirements and deck setback 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. Moreover, the BOARD finds that as a result of the location of a detached garage on the adjoining property to the west, the proposed addition and deck are screened from view from the adjoining property.

7. Pursuant to Park Ridge's Land Use Ordinances, variances Section 74-14, entitled "Expiration of variance," of Article II, "Zoning Board of Adjustment," of Chapter 74, "Land Use Procedures," of the Code of the Borough of Park Ridge provides that:

Any variance from the terms of this chapter hereafter granted by the Board of Adjustment, permitting the erection or alteration of any structure or structures or permitting a specified use of any premises, shall expire by limitation unless such construction or alteration shall have actually commenced on each and every structure permitted by said variance or unless such permitted use has actually been commenced within one year from the date of publication of the notice of the judgment or determination of the Board of Adjustment; except, however, that the running of the period of limitation herein provided shall be tolled from the date of filing an appeal from the decision of the Board of Adjustment to the governing body or to a court of competent jurisdiction, until the termination in any manner

of such appeal or proceeding. In the case of variances granted in connection with subdivisions, the time limits governing said subdivisions shall govern, rather than the aforesaid.

8. The Applicant had failed to commence construction within one year of the grant of the previous variance and, by reason thereof, the BOARD finds that the variance approval had expired. Such delay was not the result of either pending litigation or the result of awaiting approvals from other governmental agencies. Accordingly, the Applicant was required to resubmit an application therefor.

9. The BOARD finds that there has been no change in facts or law which would impair, affect, or modify the findings and conclusions previously adopted by the BOARD in granting variance approval.

NOW, THEREFORE, BE IT RESOLVED BY THE ZONING BOARD OF ADJUSTMENT FOR THE BOROUGH OF PARK RIDGE, by virtue of the foregoing, and pursuant to the authority of N.J.S.A. 40:55D-70(c)(1), the BOARD does hereby grant the Applicant's requested variance from the side yard setback and deck setback requirements so as to permit the proposed one story addition and deck, as more particularly set forth in this resolution and as shown on the plans submitted to the BOARD.

Ayes: 6

Nays: 0

Dated: 6/18/19

Introduced by: William Walker

Seconded by: J. J. [Signature]

Approved: [Signature]

EXHIBIT LIST
BOROUGH OF PARK RIDGE ZONING BOARD

APPLICANT: ZB 19-03
ADDRESS: 30 Ridge Ave
BLOCK: 1104 LOT: 14
ZONE: R-15

EXHIBIT:	ITEM NO.	DATE:
Application	1	4/4/19
Owner's Affidavit/ Authorization	2	4/4/19
Certificate of Applicant	3	4/4/19
Tax Certification	4	4/4/19
Survey (Dated 11/7/17)	5	4/4/19
Plans (dated 12/19/17)	6	4/4/19
Property Owners within 200 Feet	7	5/14/19
Proof of Publication	8	5/14/19
Certification of Service (w/Receipts)	9	5/14/19