

LAND USE BOARD
BOROUGH OF ALLENDALE
Municipal Building
500 West Crescent Ave.
Allendale, NJ

The Regular Meeting of the Allendale Land Use Board will be held in the Council Chambers in the Allendale Municipal Building, 500 West Crescent Avenue, 2nd Floor, Allendale, NJ 07401 on February 15, 2023 at 7:30 p.m. Formal action will be taken.

- I. CALL TO ORDER
 - A. Open Public Meetings Act Announcement
 - B. Salute to Flag
- II. ROLL CALL
- III. APPROVAL OF MINUTES
 - January 18, 2023 Land Use Board Initial Meeting

IV. RESOLUTIONS:

Application File No: LUB 2023-01
Resolution No.: 23-12
Applicant: Brianne & Gregory Szep
Address: 79 Edgewood Road, Allendale, NJ 07401
Block: 1403 Lot: 2
Proposed: Two story addition at rear of existing house. Rear yard setback 270-54D

Application File No: LUB 2023-02
Resolution No.: 23-13
Applicant: Andrew McVeigh & Jaclyn D'Arminio
Address: 900 Franklin Turnpike, Allendale, NJ 07401
Block: 502 Lot: 9
Proposed: Second floor addition. Pursuant to 270-37(A)4

V. PUBLIC HEARINGS:

Application File No: LUB 2023-03
Applicant: Craig & Courtney Cagney
Address: 320 Park Avenue, Allendale, NJ 07401
Block: 2206 Lot: 9
Proposed: Construction of a new covered front porch, 2nd floor addition and addition of dormer to existing detached garage. Pursuant to 270-54(B), 270-14(A), 270-14(B)(3)

VI. OPEN TO THE PUBLIC FOR COMMENT

VII. OTHER

VIII. ADJOURNMENT

****AGENDA & AGENDA MATERIALS SUBJECT TO CHANGE****

Borough Website
Bulletin Board

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Land Use Board	Motion	Second	Yes	No	Abstain	Absent
Bergen						
Putrino						
Kistner						
Daloisio						
Dalo						
Sirico						
Wilczynski						
Quinn						
-Alt. 1						
-Alt. 2						

RESOLUTION 23-12

LAND USE BOARD OF THE BOROUGH OF ALLENDALE
RESOLUTION APPROVING
APPLICATION FOR VARIANCE FOR
BRIANNE & GREGORY SZEP
BLOCK 1403, LOT 2
(a/k/a 79 EDGEWOOD ROAD)

WHEREAS, the applicant, BRIANNE & GREGORY SZEP, the owners of the property located at 79 Edgewood Road, known as Block 1403, Lot 2 on the Tax Map, in the Borough of Allendale, County of Bergen and State of New Jersey, applied to the Land Use Board of the Borough of Allendale in an application dated November 29, 2022 for approval of variance relief for a proposed addition and renovations to the premises, which is located in the AA residential zone, from the Allendale Code, Zoning; and

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WHEREAS, variance relief is necessary since the property is pre-existing non-conforming, and the proposed addition/renovation requires variance relief from bulk standards in the Allendale Code; and

WHEREAS, the application and plans specifically seek approval to construct an addition and renovations to the existing dwelling, including an addition to the rear of the structure for a new master bedroom and home office space, rear deck, steps, walkway and basement; and

WHEREAS, the application seeks specific variance relief for rear yard setbacks; and

WHEREAS, the Land Use Board considered the matter at the January 18, 2023 regular meeting of the Land Use Board at which time the applicant personally appeared and testified;

NOW THEREFORE BE IT RESOLVED by the Borough of Allendale Land Use Board that it hereby makes the following findings of fact and conclusions:

1. Notice of the public hearing was properly given by the applicant in accordance with applicable law.
2. The property is located at 79 Edgewood Road, known as Block 1403, Lot 2, on the Tax Map of the Borough of Allendale. The property is located in the AA residential zone. The application was in evidence.
3. As part of the application, the applicant submitted the Land Use Application and associated documents; Architectural plan set entitled, "Proposed Addition, & Renovations, Szep Residence, 79 Edgewood Road, Allendale, New Jersey" consisting of 2 sheets. The plans prepared by JMA Architects (John F. Musinski, AIA) are dated November 29, 2022; Survey entitled, "Location Survey For, Gregory And Brianne Szep, #79 Edgewood Road, Tax Lot 2, Block 1403, Borough of Allendale Bergen County New Jersey". The survey prepared by SurTech (Peter C. Kirch, PLS) is dated November 19, 2018.
4. Borough Engineer, Michael Vreeland, P.E. reviewed the submissions by the applicant and prepared a Memorandum dated January 9, 2023. The Memorandum was in evidence and reviewed and examined by the members of the Land Use Board.

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5. Variance relief is required because this property located in the AA residential zone has pre-existing, non-conforming conditions, due to the rear yard encroachment, as follows:

§270-54D – Rear Setback. The noted ± 43.1 ft existing rear setback is ± 6.9 ft less than the required 50 ft setback. The proposal further reduces the setback to ± 34.7 ft.

6. The property is located on the eastern side of Edgewood Road within the Borough's AA Residence Zone District. The property is developed with a single-family dwelling and associated amenities. The application and plans request relief for conflict with §270-54D (rear yard) of the Code.

7. The applicants were sworn and testified as to the existing conditions of the property. They testified that the existing structure is a raised ranch with an exposed garage. They are seeking an addition to the rear of the home to create a larger master bedroom and a home office space. The variance relief requested is solely for a rear yard setback encroachment, which exists presently. The lot is uniquely shaped (trapezoidal), and is narrow in the rear. The site plan and survey show the irregular shape. The pre-existing rear yard setback is 43.1 feet, wherein 50 feet is required under the Code. The addition proposes to increase the encroachment at the rear to 34.7 feet wherein 50 feet is required. No other variance relief is requested. This is a hardship C1 variance request. There will be new siding and design elements associated with the addition which will be an aesthetic improvement to the home. Any improvements on the property would require variance relief, due to the pre-existing non-conforming conditions. The addition would be aesthetically pleasing to the property and consistent with the neighborhood. The vegetation at the rear of the property is to remain, which will lessen any impact of the addition to any surrounding properties. There will be minimal to no visible impact to neighbors, and no additional lighting is proposed. The proposed addition is in the appropriate location in reference to the existing structure on the lot.

8. Borough Engineer, Michael Vreeland, P.E. reviewed the submissions by the applicant and prepared a Memorandum dated January 9, 2023. The Memorandum was in evidence and reviewed and examined by the members of the Land Use Board. Mr. Vreeland also provided testimony relative to the application to the Land Use Board. Mr. Vreeland testified that the proposed addition would have no impact on surrounding properties. The applicant specifically agreed to incorporate the recommendations of the Borough Engineer's review letter and testimony into the renovation plans.

9. One member of the public appeared in connection with the application.

BE IT FURTHER RESOLVED, based upon the factual and legal evidence, testimony and contentions set forth herein, that the Allendale Land Use Board hereby grants the applicant's

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request for a variance relief, and to permit the addition and renovations as proposed in the application; and

BE IT FURTHER RESOLVED that the Allendale Land Use Board hereby determines that the variance hereby granted constitutes a "hardship" variance under N.J.S.A. 40:55 D-70C.(1); and

BE IT FURTHER RESOLVED that the Allendale Land Use Board specially adopts and accepts the testimony of the applicants and the Borough Engineer, in connection with the testimony that the applicant is entitled to variance relief, due to the unique nature of the property, namely the irregular shape, physical placement of the home on the lot, and the pre-existing non-conforming condition, namely the existing rear yard setback encroachment, which are all deemed hardships by the Board. In addition, the hardships associated with the present condition of the property and premises outweigh the negative criteria to the Borough zoning ordinances and the zone plan and neighborhood. Further, the addition will be aesthetically pleasing, it will conform with FAR regulations, and will not be obtrusive due to the placement and location of the proposed improvements and relatively minimal increase in encroachment; and

BE IT FURTHER RESOLVED that the Allendale Land Use Board hereby grants approval of the requested variance, subject to the following conditions, which shall be complied with prior to the issuance of a construction permit:

- A. All fees and assessments required by ordinances, and due and owing to the Borough of Allendale for this site for professional review and approval of the applicant's plans, shall be paid in full to the Borough of Allendale by the applicant.

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B. Applicant and professionals shall work with the Borough Engineer in the event that any field adjustments shall be required for the proper construction of the proposed addition, so as not to negatively impact any surrounding properties and to minimize and address any stormwater or drainage issues, and comply with Mr. Vreeland's January 9, 2023 review letter, specifically points 4.1 through 4.5.3.

C. Applicant shall prepare and submit an "As-Built" survey plot and plan as a condition of issuance of a Certificate of Occupancy.

BE IT FURTHER RESOLVED construction shall proceed in accordance with this Resolution, the approved plans and drawings marked in evidence, the testimony of the applicant in accordance with all applicable State, County and Municipal codes, ordinances, rules and regulations.

BE IT FURTHER RESOLVED that the Land Use Board Secretary shall mail a copy of this Resolution within ten days from the date of adoption thereof to the applicant or to their attorney, if any, without charge; and to all other persons who request the same and pay the required fee therefore. The Secretary shall also file a copy of this Resolution in the offices of the Borough Clerk, Building Inspector, Construction Code Official, Tax Assessor and the Borough Attorney and shall publish a brief notice of the decision in the official newspaper, the cost of which shall be paid for by the applicant.

Approved:

ALLENDALE LAND USE BOARD

KEVIN QUINN, Chairman

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Attest:

JOSEPH DALOISIO, SECRETARY

Adopted: February 15, 2023

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Land Use Board	Motion	Second	Yes	No	Abstain	Absent
Bergen						
Putrino						
Kistner						
Daloisio						
Dalo						
Sirico						
Wilczynski						
Quinn						
-Alt. 1						
-Alt. 2						

RESOLUTION 23-13

LAND USE BOARD OF THE BOROUGH OF ALLENDALE
RESOLUTION APPROVING
APPLICATION FOR VARIANCE FOR
JACLYN D'ARMINIO & ANDREW MCVEIGH
BLOCK 502, LOT 9
(a/k/a 900 FRANKLIN TURNPIKE)

WHEREAS, the applicant, JACLYN D'ARMINIO & ANDREW MCVEIGH, the owners of the property located at 900 Franklin Turnpike, known as Block 502, Lot 9, on the Tax Map, in the Borough of Allendale, County of Bergen and State of New Jersey, applied to the Land Use Board of the Borough of Allendale in an application dated December 8, 2022 for approval of variance relief for a proposed addition and renovations to the premises, which is located in the AA residential zone, from the Allendale Code, Zoning; and

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WHEREAS, variance relief is necessary since the property is pre-existing non-conforming, and the proposed addition/renovation requires variance relief from bulk standards in the Allendale Code; and

WHEREAS, the application and plans specifically seek approval to construct an addition and renovations to the existing dwelling, including an addition to the upstairs portion of the existing structure; and

WHEREAS, the application seeks specific variance relief for lot size, lot width, front yard setback and rear yard setback; and

WHEREAS, the Land Use Board considered the matter at the January 18, 2023 regular meeting of the Land Use Board at which time the applicant personally appeared and testified;

NOW THEREFORE BE IT RESOLVED by the Borough of Allendale Land Use Board that it hereby makes the following findings of fact and conclusions:

1. Notice of the public hearing was properly given by the applicant in accordance with applicable law.
2. The property is located at 900 Franklin Turnpike, known as Block 502, Lot 9, on the Tax Map of the Borough of Allendale. The property is located in the AA residential zone. The application was in evidence.
3. As part of the application, the applicant submitted a Land Use Application and associated documents; Architectural plan set entitled, "Proposed 2nd Floor Addition, Andrew McVeigh & Jaclyn D'Arminio, 900 Franklin Turnpike, Allendale, New Jersey" consisting of 3 sheets. The plans prepared by Christopher J. Greimel P.E., R.A., P.P. are dated September 14, 2022; Survey entitled, "Location And Topographic Survey, Of, 900 Franklin Turnpike, Lot 9 in Block 502, Borough of Allendale County of Bergen, N.J.". The survey prepared by Bertin Engineering (Miloslav Rehak, PLS) is dated April 21, 2022.

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4. Borough Engineer, Michael Vreeland, P.E. reviewed the submissions by the applicant and prepared a Memorandum dated January 9, 2023. The Memorandum was in evidence and reviewed and examined by the members of the Land Use Board.

5. Variance relief is required because this property located in the AA residential zone has pre-existing, non-conforming conditions, due to the undersized lot size, undersized lot width, front yard encroachment and rear yard encroachment, as follows:

§270-54B – Front Setback. The noted 35.9 ft existing front setback (Franklin Turnpike) is ± 4.1 ft less than the required 40 ft. The noted 34 ft existing front setback (Iroquois Avenue) is ± 6 ft less than the required 40 ft. The proposal does not appear to alter this condition.

§270-54D – Rear Setback & §270-37A – Additions to Nonconforming Structures. The noted ± 36.7 ft existing rear setback is ± 13.3 ft less than the required 50 ft. Although the proposal does not appear to alter this condition, proposed alterations would result in a vertical expansion above an existing nonconformity.

§270-54E – Lot Area. The noted $\pm 16,740$ sf existing lot area is $\pm 9,260$ sf less than the required 26,000 sf. The proposal does not appear to alter this condition.

§270-54F – Lot Width. The noted ± 120 ft existing lot width is ± 10 ft less than the required 120 ft. The proposal does not appear to alter this condition.

6. The property is located at the southeast corner of the intersection of Franklin Turnpike and Iroquois Avenue within the Borough's AA Residence Zone District. The property is developed with a single-family dwelling and associated amenities. The application and plans propose additions and renovations to the dwelling (including second floor expansions). The Property is a corner lot facing on both Franklin Turnpike and Iroquois Avenue. As it exists, the residential structure on this property consists of 1.5 stories. The "second story," containing two bedrooms, is currently "dormered" with a varying ceiling height in both bedrooms. The applicant proposes to raise the ceiling on this second story, creating a true second story. In addition, they intend to expand the second story into existing non-livable attic space. Overall, the proposal will create a second story with two main bedrooms, a bathroom, one smaller "guest" bedroom and office space.

7. The applicant were sworn and testified as to the existing conditions of the property. They testified that the lot was significantly undersized in area and width for the zone, and there are existing non-conformities in the front yard setback and rear yard setback. The hardship is the size of the lot, location of the house on the lot, the lot width and the lot is significantly undersized for the zone. The house is on a corner lot and fronts on two separate roads. The applicant is proposing an addition and renovation which would include creating a full and usable second story

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on the home. It was testified that the addition will be above the existing footprint of the home, and the dormered area will be squared off to provide adequate living space on the second floor. There will be no change to the front or the rear yard existing encroachment. There will be new siding and design elements associated with the addition which will be an aesthetic improvement to the home. Landscaping disturbances will be minimal, and any landscaping removed will be replaced. No flood lights to be installed. Any improvements on the property would require variance relief, due to the pre-existing non-conforming conditions. The addition would be minimal, aesthetically pleasing to the property and consistent with the neighborhood. There would be no negative impact on surrounding properties or the neighborhood, and visible impact would be minimal. The applicants testified that they considered other options, but that the proposed additional was the least intrusive and minimal option that was suitable for their needs. There would also be no increase in impervious coverage and no negative impact on water run-off/stormwater management.

8. Borough Engineer, Michael Vreeland, P.E. reviewed the submissions by the applicant and prepared a Memorandum dated January 9, 2023. The Memorandum was in evidence and reviewed and examined by the members of the Land Use Board. Mr. Vreeland also provided testimony relative to the application to the Land Use Board. Mr. Vreeland testified that the proposed addition would have no impact on surrounding properties. The applicant specifically agreed to incorporate the recommendations of the Borough Engineer's review letter and testimony into the renovation plans.

9. No members of the public appeared in connection with the application.

BE IT FURTHER RESOLVED, based upon the factual and legal evidence, testimony and contentions set forth herein, that the Allendale Land Use Board hereby grants the applicant's request for a variance relief, and to permit the addition and renovations as proposed in the application; and

BE IT FURTHER RESOLVED that the Allendale Land Use Board hereby determines that the variance hereby granted constitutes a "hardship" variance under N.J.S.A. 40:55 D-70C.(1); and

BE IT FURTHER RESOLVED that the Allendale Land Use Board specially adopts and accepts the testimony of the applicants, the Borough Engineer, in connection with the testimony

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that the applicant is entitled to variance relief, due to the unique nature of the property, namely the undersized lot area and lot width, the physical placement of the home on the lot, and the pre-existing non-conforming conditions, namely the existing rear and front yard setbacks, which are all deemed hardships by the Board. In addition, the hardships associated with the present condition of the property and premises outweigh the negative criteria to the Borough zoning ordinances and the zone plan and neighborhood. Further, the addition will be aesthetically pleasing, it will conform with FAR regulations, and will not be obtrusive due to the placement and location of the proposed improvements and minimal existing encroachments which will not be expanded; and

BE IT FURTHER RESOLVED that the Allendale Land Use Board hereby grants approval of the requested variance, subject to the following conditions, which shall be complied with prior to the issuance of a construction permit:

- A. All fees and assessments required by ordinances, and due and owing to the Borough of Allendale for this site for professional review and approval of the applicant's plans, shall be paid in full to the Borough of Allendale by the applicant.
- B. Applicant and professionals shall work with the Borough Engineer in the event that any field adjustments shall be required for the proper construction of the proposed addition, so as not to negatively impact any surrounding properties and to minimize and address any stormwater or drainage issues, and comply with Mr. Vreeland's January 9, 2023 review letter.

BE IT FURTHER RESOLVED construction shall proceed in accordance with this Resolution, the approved plans and drawings marked in evidence, the testimony of the applicant in accordance with all applicable State, County and Municipal codes, ordinances, rules and regulations.

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BE IT FURTHER RESOLVED that the Land Use Board Secretary shall mail a copy of this Resolution within ten days from the date of adoption thereof to the applicant or to their attorney, if any, without charge; and to all other persons who request the same and pay the required fee therefore. The Secretary shall also file a copy of this Resolution in the offices of the Borough Clerk, Building Inspector, Construction Code Official, Tax Assessor and the Borough Attorney and shall publish a brief notice of the decision in the official newspaper, the cost of which shall be paid for by the applicant.

Approved:

ALLENDALE LAND USE BOARD

KEVIN QUINN, Chairman

Attest:

JOSEPH DALOISIO, SECRETARY

Adopted: February 15, 2023

ALLENDALE LAND USE BOARD
APPLICATION CHECK LIST

NAME Craig & Courtney Cagney BLOCK 2206 LOT 1

ADDRESS 320 Park Avenue

ZONE AA TYPE OF VARIANCE Bulk variance

BRIEF DESCRIPTION OF APPLICATION All variances requested are preexisting nonconformities that will not be exacerbated
New covered front porch, second floor addition to existing home, and addition of a dormer to existing detached garage.

SPECIFIC VARIANCE(S) REQUIRED _____

270-54(B): Park Ave Front Yard Setback: 40' min required, 14.1 existing, 14.1 proposed; W Crescent Front Yard Setback: 40' min required, 23.1 existing, 23.1 proposed (preexisting)
270-14(A): Accessory Building Height: 21' max permitted, 28.9' existing, 28.9' proposed (preexisting)
270-14(B)(3): corner lot with accessory building encroaching upon area of lot between each street and a line drawn parallel to such street in a manner to divide lot into two equal parts. (preexisting)

ADMINISTRATIVE REQUIREMENTS	STATUS
1. Application form complete	<u>✓</u>
2. Fee paid	<u>✓</u>
3. Denial by Building Inspector	<u>✓</u>
4. Affidavit of Service	<u>to be provided</u>
5. Proof of Publication	<u>to be provided</u>
6. Taxes Current	<u>✓</u>
7. Plot Plan	<u>✓</u>
8. Maps	<u>✓</u>
9. Photographs	<u>✓</u>
10. Email address	<u>✓</u>
11. Miscellaneous	<u>✓</u>

1.31.23
Date

Cagney
Applicant's Signature

REQUIRED MATERIALS AND CHECKLIST FOR
ALLENDALE LAND USE BOARD HEARINGS

This checklist and attached sample drawings are provided to ensure that you or your professionals are prepared for your hearing and that your application is complete. All items should be supplied to the extent that they are applicable to the specific application. If information is insufficient or missing, the board may deem your application incomplete and adjourn your hearing until it receives all necessary documentation. Please create 15 packets of the below information.

I. PROVIDE AN ACCURATE SURVEY FOR THE PROPERTY IN QUESTION WHICH CONTAINS THE FOLLOWING INFORMATION:

- ☒ 1. Footprint of existing buildings or structures.
- ☒ 2. Precise distances from all property lines to closest point of principal building including steps, deck or other extensions of the building.
- ☒ 3. The location and precise distances of accessory buildings, such as garages and sheds, to property lines and the principal building or structure.
- ☒ 4. The location and dimensions of steps, patios, driveways, decks, pools and all other improved impervious areas and their precise distances to nearest property line and structures.
- ☒ 5. An accurate depiction of the proposed construction or alteration including the information requested in 1, 2, 3 and 4 above.
- ☒ 6. The precise distances from all property lines to the closest point of the proposed construction.

II. AN ENLARGED TAX MAP DEPICTING PROPERTY IN QUESTION AND ITS RELATIONSHIP TO NEIGHBORING PROPERTIES.

- ☒ 1. The precise distances from the existing buildings or structure in question to the closest point of all neighboring buildings and structures.
- ☒ 2. The precise distances from the proposed construction to the closest point of all neighboring buildings and structures.

III. STRUCTURAL DIMENSIONS:

- ☒ 1. All dimensions of existing building or structure.
- ☒ 2. All dimensions of proposed building or structure.

- ☒ 3. Height of existing building or structure.*
- ☒ 4. Height of proposed building or structure.*
*(height to be measured from lowest point of the ground that abuts the foundation of the structure to the highest point on the roof.)

- ☒ 5. Front, rear and side elevations of the proposed structure.

IV. FLOOR PLANS.

- ☒ 1. Floor plans of the existing interior of the building containing all relevant dimensions.
- ☒ 2. Floor plans of the interior of the proposed construction containing all relevant dimensions.
- ☒ 3. Precise square footage of the existing building.
- ☒ 4. Precise square footage of the proposed construction.
- ☒ 5. Floor area ratio calculation pursuant to Section 270-63 of the zoning ordinance (required for all applications)

V. PHOTOGRAPHS.

- ☒ 1. Photographs of the property in question and existing improvements may be helpful to the Board in presenting your information.
- ☒ 2. Photographs of views from the existing building or structure to neighboring properties and buildings which show existing plantings or other buffers are also helpful and may be requested by the Board.

(All photographs should be taken by you or someone who can testify to the Board as to when they were taken and that the photographs represent an accurate depiction of what they saw at the time.)

VI. LANDSCAPING AND LAND FEATURES.

- ☒ 1. The survey, plat or plan should locate and describe any proposed landscaping to be done in connection with the application.
- ☒ 2. The location of any unusual property features should be indicated, such as flood plain, streams, wooded areas, rock outcroppings or steep slopes.

VII. PREVIOUS APPLICATIONS.

- ☒ 1. Applicants should be prepared to discuss prior applications to the Land Use Board, Board of Adjustment and Planning Board and the results thereof.

VIII. Any additional information which may be deemed necessary by the Land Use Board, its Consultants or Borough departments and agencies.

NOTE: ALL DIMENSIONS AND DISTANCES MUST BE DEPICTED TO SCALE ON DRAWINGS AND PLANS.

Any questions regarding your hearing or the checklist should be directed to the Land Use Administrator at the Borough of Allendale Municipal Building 201-818-4400 x202. Please submit fifteen (15) packets with copies of all drawings and plans to the Land Use Administrator at least ten (10) days prior to the hearing. It is suggested that the property owner refer to the appropriate building code to assure proper engineering and construction techniques, or to secure the services of a local, reputable architect and/or engineer.

1.31.23
Date

Clagney
Signature

NOTICE OF APPEAL AND VARIANCE APPLICATION FORM
BOROUGH OF ALLENDALE, NEW JERSEY

TO THE APPLICANT: COMPLETE SECTIONS IN FULL FOR RELIEF REQUESTED

NOTICE OF APPEAL OF
ZONING ENFORCEMENT OFFICER'S DECISION

TO THE ZONING ENFORCEMENT OFFICER:

The petition of Courtney & Craig Cagney
shows that on or about the 8th day of December, 2022
an application to the Zoning Official for the purpose of (describe intended
action)

New covered porch, addition to existing home and dormer to existing detached garage.

on the premises located at (street address) 320 Park Avenue

Block 2206 Lot 1

as shown on the Municipal Tax Maps and owned, or optioned, by the applicant was made; that
after due consideration the Zoning Enforcement Officer did on the 15th day of Dec., 2022
decline to issue said permit for the reasons stated in the attached copy of the Zoning Enforcement
Officer's Refusal of Permit Form.

Applicant, feeling aggrieved at the action of the Zoning Enforcement Officer, files this notice of
appeal with said Officer, together with the required fee of \$500, and requests that
action of the Zoning Enforcement Officer be reversed or modified as the facts may be
determined, and applicant further requests that a day be fixed for hearing on this appeal and
states that the proper notice will be given to all owners of property situated within two hundred
(200) feet of the property specified above, and others as required by Statute.

APPLICATION FOR VARIANCE

TO THE LAND USE BOARD:

An application is hereby made for a (Hardship) (Floor Area Ratio) (Use) variance from the terms
of Article(s) and Section(s) 270-54(B), 270-14(A), 270-14(B)(3)

of the Zoning Ordinance so as to
permit

Construction of a new covered front porch, 2nd floor addition to existing home,
and addition of dormer to existing detached garage.

C Cagney
Signature of Applicant

DESCRIPTION OF PROPOSED STRUCTURE OR USE

PREMISES AFFECTED known as Lot(s) 1 Block(s) 2206
Street Address 320 Park Avenue
Applicant Craig/Courtney Cagney Address 320 Park Ave, Allendale
Owner same as applicant Address _____
Lessee _____ Address _____
Last Previous Occupancy single family residential
Size of Lot 20,000sf min req'd, 26,076sf existing
Floor area ratio calculation (%) 21.80 max permitted, 9.60 existing, 16.50 proposed
Percentage of lot occupied by building(s) 25% max permitted, 6.6% existing, 10.9% proposed
Height of building(s) 35 max permitted stories 2.5 stories feet 34.9ft proposed
Set back from front property line 14.1 & 23.1 ft. From side (if corner lot) _____ ft.
Zoning requirements – Frontage 40', side yards n/a, set-back _____, rear yard 50'
"Prevailing set-back" of adjoining buildings within one block _____
Has there been any previous appeal involving these premises? _____
If so, state character of appeal and date of disposition _____

Proposed use: single family residential

This application for a use variance includes an application for subdivision _____, site plan _____, conditional use _____ approval.

ATTACHED HERETO AND MADE A PART OF THIS APPLICATION I SUBMIT THE FOLLOWING: (NOTE: All of these papers must be submitted with application.)

- (a) The original Zoning Review Application, signed by the Zoning Officer and/or a true copy of the Official order issued by the Zoning Officer and signed by him, where applicable.
- (b) Fifteen (15) copies of all application documents
- (c) Fifteen (15) copies of a map showing all lots within 200 feet of the property; if buildings exist thereon the map shall be a certified "location map" and clearly indicate such buildings and their approximate location, together with "prevailing set-back" dimensions.
- (d) Fifteen (15) copies of a Plot Plan and clearly indicate such buildings thereon with all front, side and rear yard dimensions.
- (e) Fifteen (15) copies of List of Property owners served, indicating method of service on each, date of service, together with copies of the post office receipts, if any.
- (f) Fifteen (15) copies of Subdivision, Site Plan, or Conditional Use application, when applicable.

(File all copies with the Land Use Administrator when only a variance is sought.)

Date: 1.31.23

Cagney
Signature of Applicant or Agent



**BOROUGH OF
ALLENDALE**

CODE ENFORCEMENT OFFICE
500 West Crescent Avenue Allendale, NJ 07401

Anthony Hackett
Zoning Official

Phone: (201) 818-4400 x208
Fax: (201) 825-1913

MEMORANDUM

TO: Craig & Courtney Cagney
320 Park Ave.
Allendale, NJ 07401

FROM: Anthony Hackett, Zoning Official/Construction Official

CC: Linda Garofalo Land use Administrator

RE: New covered porch, addition to existing home and dormer to detached garage.

DATE: December 14, 2022

The Allendale Building/Zoning Department received the following documents:

- A. Borough of Allendale Zoning Review Application
- B. Site plan and drawings and prepared by Peter Cooper & Associates

I have reviewed these documents and the Borough of Allendale Zoning Ordinances and I must deny your application for the following reason(s):

1) The garage appears to be an existing non-conforming structure. According to Borough Code 270-14B(2) In the case of an interior lot fronting upon two or more streets, no accessory building shall be erected or altered so as to encroach upon that fourth of the lot depth nearest each and every street.

As a result, According to Borough Code 270-37A(4) Such alteration or improvement does not result in any vertical expansion above any existing nonconformity;

Also, accessory structures can not exceed 21 feet, measured from the highest point to the lowest point at grade. It appears to be higher than that, Plans provided indicate 20' .5" to just below the bottom of the roof.

2) The lot is an irregular triangle shape with street frontage on the front and rear essentially eliminating the side yards. 320 Park Ave is located in the AA zone and 40' front yard setbacks are

required. Currently the majority of the dwelling is non-conforming with regards to the two front yard setbacks.

- 1) Park Ave existing setback is 16'2" the addition encroaches to 14'5"
- 2) W Crescent existing setback is 23'1" the new porch encroaches into that
- 3) The two-story addition and the second story addition are both within the front yard setbacks. According to Borough Code 270-37A(4) Such alteration or improvement does not result in any vertical expansion above any existing nonconformity;

You are hereby notified that you have the right under N.J.S.A. 40:55D-72 to appeal this decision to the Zoning board of adjustments of the Borough of Allendale within 20 days from the date of the decision. For further information please visit. <http://allendalenj.gov/zoning-board-of-adjustments/>

Anthony Hackett
Construction Official

REASONS TO GRANT VARIANCE RELIEF:

Courtney and Craig Cagney ("Applicant") of 320 Park Avenue, Allendale, New Jersey, has applied to the Land Use Board of the Borough of Allendale for bulk variance approval for property located at 230 Park Avenue, Allendale, New Jersey and as shown on the Tax Map of the Borough of Allendale as Block 2206, Lot 1 ("Property"), located in the AA Zone.

The Applicant seeks variance approval related to the construction of a new covered front porch, second floor addition to the existing home, and addition of a dormer to existing detached garage. Specifically, the Applicant seeks the following variance relief; Allendale Code Section:

1. 270-54(B): Park Ave Front Yard Setback: 40' min required, 14.1 existing, 14.1 proposed (preexisting nonconformity);
2. 270-54(B): W Crescent Front Yard Setback: 40' min required, 23.1 existing, 23.1 proposed (preexisting nonconformity);
3. 270-14(A): Accessory Building Height: 21' max permitted, 28.9' existing, 28.9' proposed (preexisting nonconformity);
4. 270-14(B)(3): corner lot with accessory building encroaching upon area of lot between each street and a line drawn parallel to such street in a manner to divide lot into two equal parts (preexisting nonconformity).

All four (4) variances requested, are preexisting nonconformities that will not be exacerbated whatsoever by the proposal.

The placement of the lawfully existing structure, the unusual shape of the lot, and the lot's orientation as a corner lot support variance relief under the Municipal Land Use Law, N.J.S.A. 40:55D-70(c)(1), under which the applicant has applied, states:

“Where: (a) by reason of exceptional narrowness, shallowness **or shape of a specific piece of property**, or (b) by reason of exceptional topographic conditions or **physical features uniquely affecting a specific piece of property**, or (c) by reason of an **extraordinary and exceptional situation uniquely affecting a specific piece of property or the structures lawfully existing thereon**, the strict application of any regulation pursuant to article 8 of this act [40:55D-62 et seq.] would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardship upon, the developer of such property, grant, upon an application or an appeal relating to such property, a variance from such strict application of such regulation so as to relieve such difficulties or hardship...[.] (emphasis added).”

First, the shape of the lot is extraordinarily unusual. The shape of the lot is essentially triangular, thereby eliminating one lot line that a standard lot typically has. Although the lot is a corner lot, it does not have the typical shape, frontage, or calculable width and/or depth that a standard or typical corner lot has. Because Park Avenue and W. Crescent intersect each other at a roughly 45 degree angle (as opposed to the typical 90 degree, perpendicular, intersection), the lot, situated precisely in that 45 degree intersected corner is triangular in shape, with only a total of three (3) lot lines, as opposed to four (4). Consequently, it is absolutely impossible to comply with the provisions of the ordinance as to front yard setback and positioning of the accessory building.

Further, the extraordinarily unusual shape of the lot is compounded by the placement of the principal structure in the narrowest portion of the lot triangle. The structures on the lot were constructed in approximately 1900, which predates the zoning ordinance by decades. As such, the structures are considered lawfully existing structures and complying with the relevant ordinance is considered a hardship when a lawfully existing structure predating the zoning code is nonconforming.

Please recognize that the variance relief being sought pertains to pre-existing nonconformities that are not being exacerbated in regards to the Applicant's proposal. The variance relief being sought 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 Ordinances of the Borough of Allendale.

For the foregoing reasons, it is respectfully submitted that variance relief is supported under the statute and appropriate in this instance.

BOROUGH OF ALLENDALE
500 West Crescent Avenue, Allendale, NJ

DATE: 2/2/23

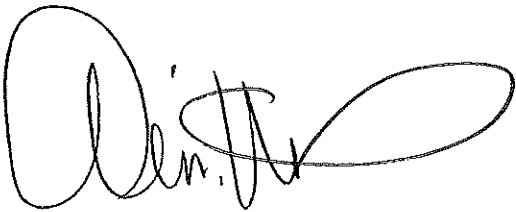
VERIFICATION OF TAXES PAID

Pursuant to Municipal Land Use Law:

This is to certify that taxes for the year 2023 are paid through
the 1 Quarter, 2023

BLOCK: 2206 LOT: 1

PROPERTY LOCATION: 320 Park Avenue, Allendale, NJ

A handwritten signature in black ink, appearing to be 'D. Smith', written over a horizontal line.

Tax Collector-Borough of Allendale

LEGAL NOTICE

BOROUGH OF ALLENDALE LAND USE BOARD NOTICE OF PUBLIC HEARING

NOTICE is hereby given in accordance with C.40:55D-1, et seq, C.2911P.L.1975, that a Public Hearing Meeting will be held on February 15, 2023, at 7:30pm in the Allendale Municipal Building, 500 West Crescent Avenue, 2nd Floor, Allendale, NJ 07401 (or soon thereafter as the matter may be reached) on the following application for land use approval in the Borough of Allendale, New Jersey. All documents relating to this application may be inspected by the public between the hours of 9 a.m. and 4:30 p.m. in the office of the Borough Clerk in the Allendale Municipal Building, 500 West Crescent Avenue, Allendale, New Jersey 07401.

The application is brought on behalf of Courtney and Craig Cagney (hereinafter referred to as the "Applicant") for property located at 320 Park Avenue, Allendale, New Jersey and as shown on the Tax Map of the Borough of Allendale as Lot 1 in Block 2206 (hereinafter referred to as the "Property").

The Applicant is seeking variance approval related to construction of a new covered front porch, second floor addition to existing home, and addition of a dormer to existing detached garage. Specifically, the Applicant seeks the following variance relief; Allendale Code Section:

1. 270-54(B): Park Ave Front Yard Setback: 40' min required, 14.1 existing, 14.1 proposed (preexisting nonconformity);
2. 270-54(B): W Crescent Front Yard Setback: 40' min required, 23.1 existing, 23.1 proposed (preexisting nonconformity);
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4. 270-14(B)(3): corner lot with accessory building encroaching upon area of lot between each street and a line drawn parallel to such street in a manner to divide lot into two equal parts (preexisting nonconformity).

In addition to the above requests, the Applicant further requests that the application be deemed amended to include, and the Board grant any additional approvals, variances, exceptions, or waivers determined to be necessary or desirable in the review and processing of this application, whether requested by the Applicant, the Board or otherwise. Furthermore, to the extent deemed necessary, the Applicant requests variance and/or waiver relief for any and all other pre-existing nonconforming site conditions.

This Notice is being sent to you by the Applicant, by Order of the Borough of Allendale. When the case is called, you may appear either in person or represented by an attorney and present any objections which you may have to the granting of this application.

This Notice is being sent to you because you own property located within 200 feet of the subject property.



SOPHY SEDARAT, ESQ
McDonnell and Whitaker, LLC
Attorney for Applicant
245 E. Main Street, PO Box 379
Ramsey, NJ 07446
201-934-0110

BOROUGH OF ALLENDALE

500 West Crescent Avenue
Allendale, NJ 07401

Angela M. Mattiace, CTA
Tax Assessor

(201) 818-4419
angelamattiace@allendalenj.gov

December 23, 2022

Re: 2206/1- 320 Park

Dear Sir/Madam:

As per your recent request, attached please find the listing of property owners within 200 feet of the above mentioned, as well as the list of public utilities, which must also be noticed.

If your property falls within 200 feet of an adjacent municipality, you must obtain a certified list from that municipality and serve notices on all persons on that list. Additionally, you must also serve notice upon the Municipal Clerk of that municipality.

This is to certify to the Allendale Land use Board and to all interested parties, that the attached names and addresses commonly referred to as a "Property Listing" have been prepared in conformance with the requirements of the Municipal Land Use Law. All lists are prepared within (7) days after receipt. Any omission and/or failure on the part of the undersigned shall not invalidate this certification, any hearing meeting or proceeding. (C40:55D12-C).


Angela M. Mattiace, CTA
Tax Assessor

OWNER & ADDRESS REPORT

ALLENDALE

200 FT LIST - 2206/1
320 PARK AVE

12/23/22 Page 1 of 1

BLOCK	LOT	QUAL	CLA	PROPERTY OWNER	PROPERTY LOCATION	Add'l Lots
1503.01	9		2	PAULIUS, ROBERT & SIGITA 684 WEST CRESCENT AVE ALLENDALE, NJ 07401	684 W CRESCENT AVE	
1503.01	8		2	FARGIS JAMES E & ANN CARROLL 668 W CRESCENT AVE ALLENDALE, N.J. 07401	668 W CRESCENT AVE	
1502	13		2	RODLAND, ANDREW & OLGA 720 W CRESCENT AVE ALLENDALE, NJ 07401	720 W CRESCENT AVE	
1502	14		2	HUERTA, FRANK 601 90TH STREET NORTH BERGEN, NJ 07047	710 W CRESCENT AVE	
1502	15		2	PALIN, MARGARET L (AKA MARGARET) 700 WEST CRESCENT AVE ALLENDALE, NJ 07401	700 W CRESCENT AVE	
2204	1		2	LUISI, NICHOLAS & KRISTINE B 735 W CRESCENT AVE ALLENDALE, NJ 07401	735 W CRESCENT AVE	
2204	2		2	D'ARGENZIO, PAUL E. & GERALYNN 723 W CRESCENT AVE ALLENDALE NJ 07401	723 W CRESCENT AVE	
2204	6.01		2	O'TOOLE, WILLIAM J & JANET M 281 PARK AVE ALLENDALE, NJ 07401	281 PARK AVE	
2204	4		2	KELLY, SHANNON & JOHN 323 PARK AVENUE ALLENDALE, NJ 07401	323 PARK AVE	
2204	5		2	DOWNING, BRYAN & AMY 313 PARK AVE ALLENDALE, NJ 07401	313 PARK AVE	
2206	2		2	MERCADANTE, GERALD & SHERI 300 PARK AVE ALLENDALE, NJ 07401	300 PARK AVE	
1601	15		2	MARTIN, BARBARA J. 611 W CRESCENT AVE ALLENDALE NJ 07401	611 W CRESCENT AVE	2206/10
2206	3		2	CHUNG, INSUK & HYONSUK & BORA 258 PARK AVE ALLENDALE, NJ 07401	258 PARK AVE	
1502	1		2	MULLIGAN, M. & O'HORA, J. TRUSTEES 382 WHITE OAK SHADE ROAD NEW CANAAN, CT 06840	740 W CRESCENT AVE	
2204	6		2	JASPER, KYOKO 295 PARK AVE ALLENDALE, NJ 07401	295 PARK AVE	
2204	3		2	GUEVARA, ERNEST & MC RAE, CHERYL 333 PARK AVE ALLENDALE, NJ 07401	333 PARK AVE	

UTILITIES LISTING

**BOROUGH OF ALLENDALE
500 W CRESCENT AVENUE
ALLENDALE, NJ 07401**

Rockland Electric – 1 Blue Hill Plaza, Pearl River, NY 10965

New Jersey Department of Transportation - POB 600, Trenton, NJ 08625

PSE&G - 20 Van Vooreen Drive, Oakland, NJ 07436

Cablevision of New Jersey - 40 Potash Rd, Oakland, NJ 07436

Verizon New Jersey - 114 Paterson Street, Paterson, NJ 07501

Bergen County Planning Board - 1 Bergen County Plaza, Hackensack, NJ 07601

Veolia Water – 461 From Road #400, Paramus, NJ 07652

















PETER@PETERCOOPERARCHITECTS.COM

PROJECT DESCRIPTION:
THERE ARE TWO PARTS TO
THIS PROJECT:

1. MAIN HOUSE- PROPOSED
IS A 2 STY ADDITION TO
AN EXISTING 2 STORY
DWELLING. PROVIDED ARE

- A. NEW FAMILY ROOM &
MUD AREA, COVERED
PORCH.
- B. ENCLOSING AN
EXISTING FRONT
PORCH.
- C. NEW ENTRY PORTICO
AND STAIRS
- D. 2ND FLOOR
RECONFIGURATION OF
EXISTING BEDROOMS
AND ADDING A
MASTER SUITE

2. BARN/ CARRIAGE HOUSE
THE EXISTING BARN IS
TO BE RENOVATED TO
PROVIDE A STUDIO AND
FINISHED STORAGE

PROPRIETARY NOTE:
IT IS A VIOLATION OF NJS LAW FOR ANY PERSON
UNLESS ACTING UNDER THE DIRECTION OF THE
ARCHITECT OF RECORD, TO ALTER OR CHANGE
ANY ITEM ON THESE PLANS. THE INFORMATION
AND DRAWINGS HEREIN ARE OF PROPRIETARY
NATURE ARE FOR USE BY OUR CLIENTS ONLY, ON
THIS SITE ONLY, AND NOT TO BE USED FOR ANY
OTHER PURPOSE OTHER THAN THIS LOCATION OR
OWNER WITHOUT WRITTEN CONSENT OF PETER
COOPER.

PROJECT:
CRAIG & COURTNE
CAGNEY
RESIDENCE

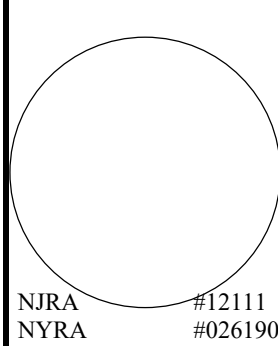
320 PARK AVE
ALLENDALE, NJ 07401

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ISSUED:	11-17-22
ISSUED FOR VARIANCE:	12-27-22
DRAWN BY:	PBC
CHECKED BY:	PBC
SCALE:	AS NOTED
PROJECT #:	21-28
DRAWING:	

SITE PLAN & ZONING
DATA & NOTES
FRONT ELEVATION

PETER B. COOPER
ARCHITECT



T-1

320 PARK AVENUE, ALLENDALE, NJ 07401

LOT: 1 BLOCK: 2206
ZONE: ZONE AA USE GROUP: R-5 CLASS: 5B
LOT SIZE: 26,074 SF.
TOWN OF ALLENDALE

	REQUIRED	EXISTING	PROPOSED	
LOT REQ.	LOT AREA	20,000 SF.	26,014.6 SF.	N/C
	LOT WIDTH	115		N/C
	LOT DEPTH			N/C
SETBACKS	HEIGHT/ STORIES	35.0' / 2 / 1/2	33'-1"	34'-9"
	FRONT YARD S.B.	40.0'	★ 14.1'	14.1' N/C
	FRONT YARD S.B. ?	40.0'	★ 23.1'	23.1' N/C
	REAR YARD S.B.	50.0'	106.1'	82.1'
ACCESSORY	ACCESS BLDG:			
	ACCESSORY BLD HT	21 FT	★ 28.9'	N/C 28.9'
	YARD SETBACK(S)		★	SEE NOTE BELOW
COVER, GRASS	BUILDING COVERAGE	6518.7 SF/ 25%	1707 SF/ 6.6%	2850 SF /10.9%
	IMPERVIOUS COVER (2)	8881 SF/ 34.06%	3962 SF/15.1%	5735 SF/21.9%
	FAR (3)	218% 5684.3 SF.	9.6%/ 2517 SF.	16.5% / 4264 SF.

		EXISTING	ADDED	PROPOSED
BUILDING COVERAGE	GROUND FLR FOOTPRINT	120 SF	793 SF	1793 SF
	STOOP, PORCH 4STEPS	213 SF	360 SF	513 SF
	ACCESS'Y BLDG	484 SF	0 SF	484 SF
	TOTAL	1707 SF	1143 SF	2850 SF

		EXISTING	ADDED	TOTAL PROPOSED
INTERVIEWS LOT COVERAGE	BUILDING COVERAGE	1701 SF	1143 SF	2850 SF
	DRIVEWAY	1721 SF	0 SF	2814 SF
	PAVED AREAS	462 SF	630 SF	1092 SF
	A/C PADS/ WIND WELL	72 SF	0 SF	72 SF
	TOTAL SF	3962 SF	1173 SF	5135 SF

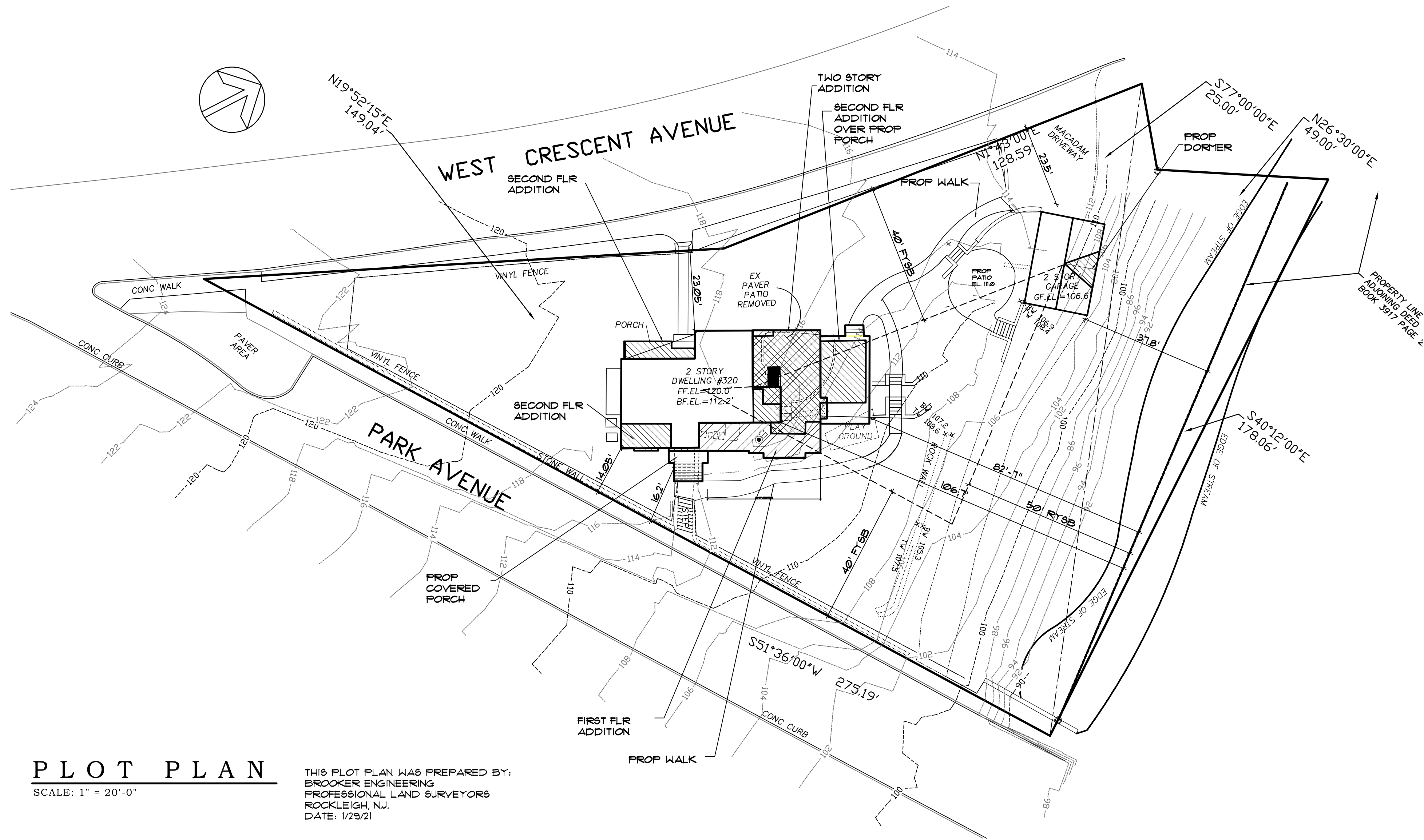
	EXISTING	ADDED	TOTAL PROPOSED
FIRST FLOOR AREA	1010 SF.	822 SF.	1832 SF.
SECOND FLOOR AREA	1718 SF.	958 SF.	1736 SF.
ACC. BUILDING -BARN	129 SF.	0 SF.	129 SF.
TOTAL SF	2857 SF.	1786 SF.	4303 SF.

★ EXISTING NON CONFORMING CONDITION

★★V VARIANCE REQUIRED

- 1 FRONT YARD SETBACK- REQ'D 40 FT, EXIST'G 14.1 FT, PROP 14.1 FT, NO CHANGE, EXIST'G NON CONFORMING OVER BY 25.9 FT.
- 2 FRONT 2ND YD SETBACK - REQ'D 40 FT, EXIST'G 23.1 FT, PROP 23.1 FT NO CHANGE- EXIST'G NON CONFORMING, OVER BY 16.9 FT
- 3 BARN- AUSE BLDG HT- EXISTING NON CONFORMING CONDITION REQ'D 21 FT, EXIST'G 28.5 FT, PROP- NO CHANGE, OVER BY 7.5 FT.
- 4 ACCESSORY BLDG YARD SETBACKS-
ZONE ORD: 270-14(B)(3)
"Accessory buildings on a corner lot cannot encroach upon area between adjacent streets, and a line drawn parallel to such street in a manner to divide lot into two equal parts."

- ② IMPERV COVER= 55/SQ RT OF LOT AREA= SQ RT OF 26,074.6 = 161.48
55/161.48 = 34.06%, OR = 8881 SF
- ③ FAR FOR LOTS 10,000-40,000 SF, FAR= 25- .0002 X (LOT AREA-10,000). 25 - .0002 X (16,074.6 SF)= 25-3.2 % = 21.8%
21.8 X 26,074.6 = 5,684.3 SF



P L O T P L A N

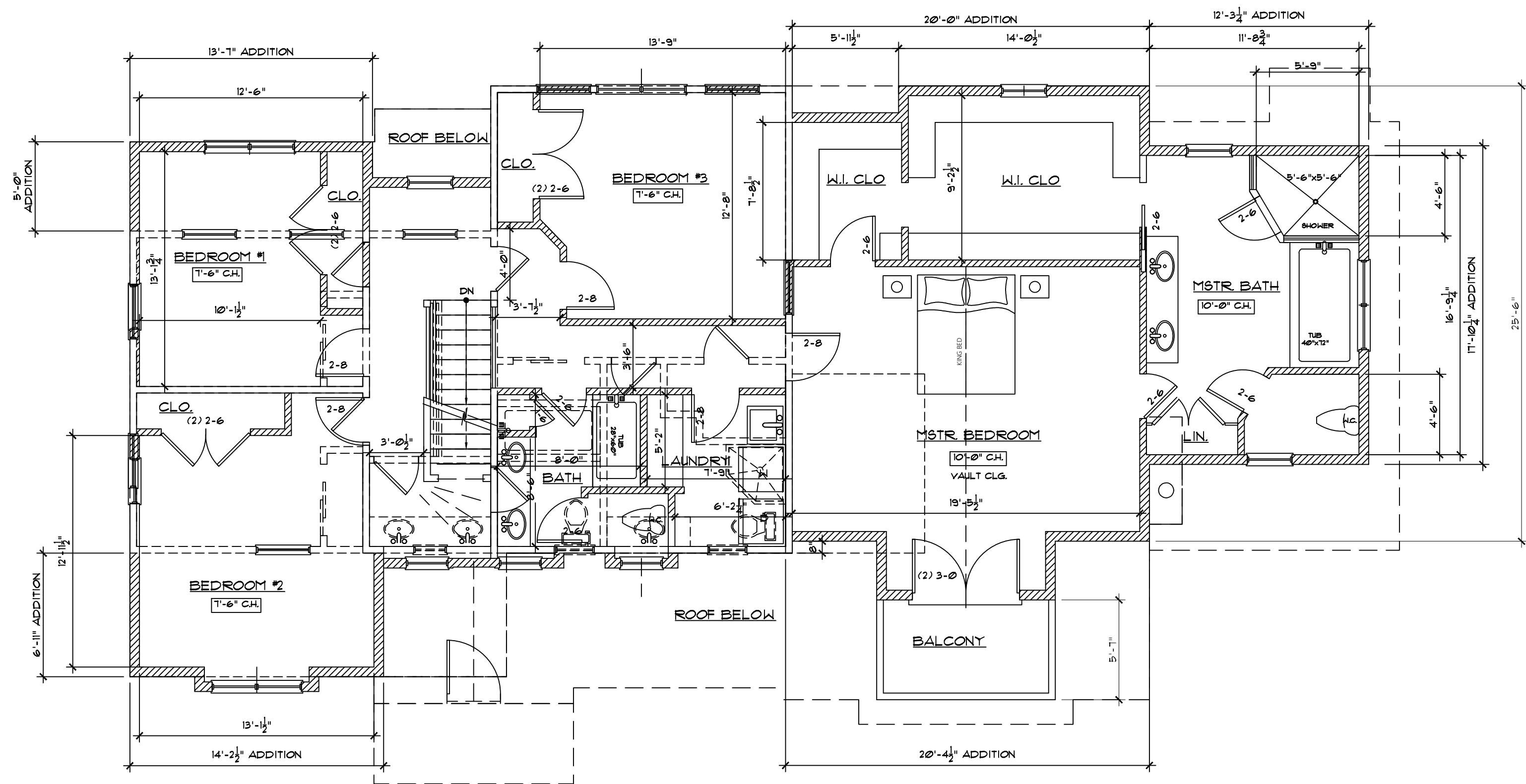
SCALE: 1" = 20'-0"

THIS PLOT PLAN WAS PREPARED BY:
BROOKER ENGINEERING
PROFESSIONAL LAND SURVEYORS
ROCKLEIGH, N.J.
DATE: 1/29/21

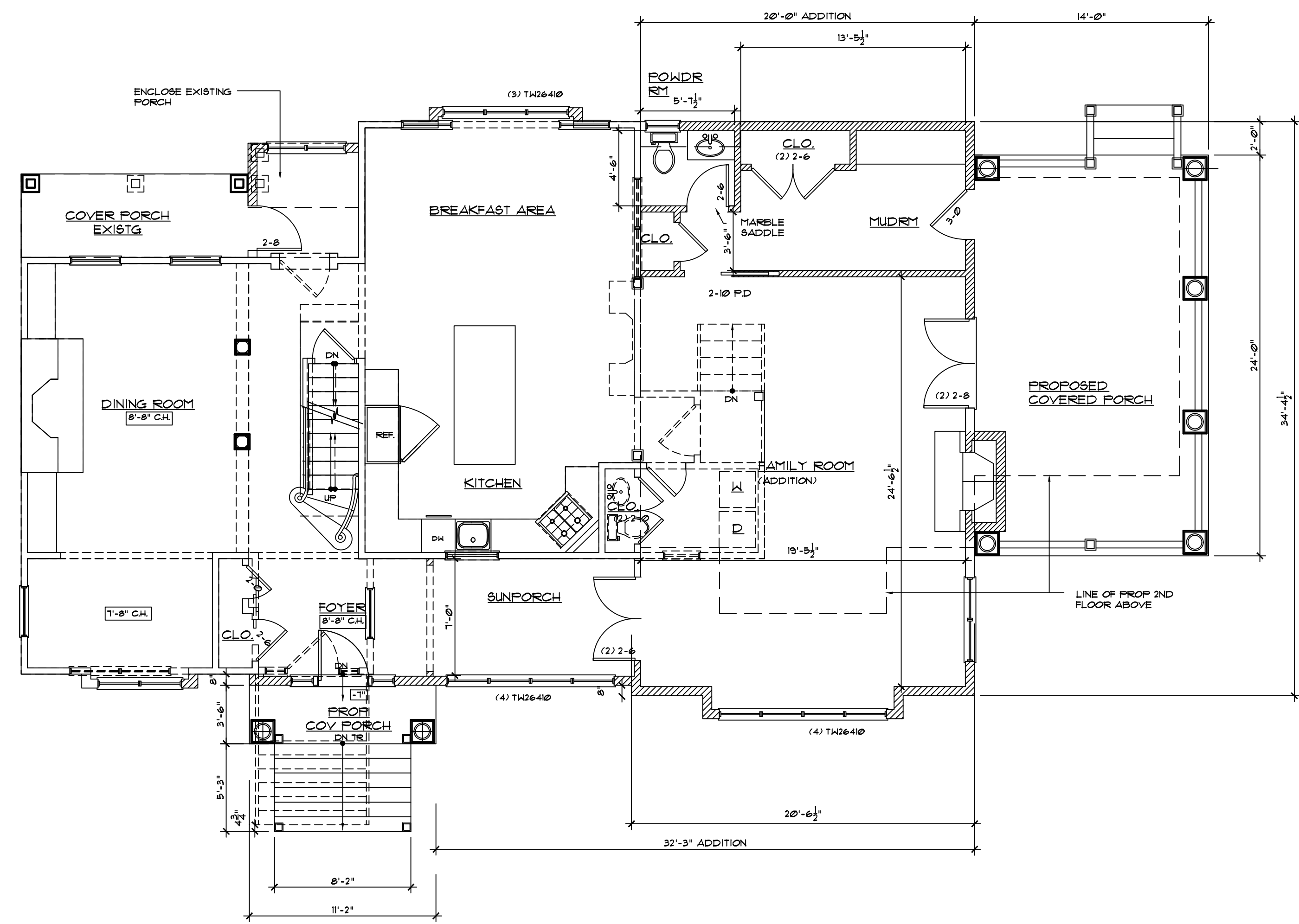


F R O N T E L E V A T I O N

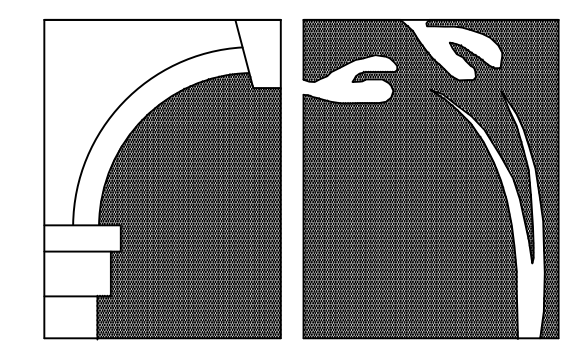
SCALE: $\frac{3}{16}" = 1'-0"$



SECOND FLOOR PLAN
SCALE: 3/16" = 1'-0"



FIRST FLOOR PLAN
SCALE: 3/16" = 1'-0"



PETER B. COOPER
& ASSOCIATES

ARCHITECTS & LANDSCAPE ARCHITECTS
14 OVERBROOK ROAD RAMSEY, NJ 07446
TEL: 201-512-1146 FAX: 201-783-8299
PETER@PETERCOOPERARCHITECTS.COM

PROJECT DESCRIPTION:
THIS PROJECT:

PROPRIETARY NOTE:
IT IS A VIOLATION OF NJS LAW FOR ANY PERSON, UNLESS ACTING UNDER THE DIRECTION OF THE ARCHITECT OF RECORD, TO ALTER OR CHANGE ANY ITEM ON THESE PLANS. THE INFORMATION AND DRAWINGS HEREIN ARE OF PROPRIETARY NATURE ARE FOR USE BY OUR CLIENTS ONLY, ON THIS SITE ONLY, AND NOT TO BE USED FOR ANY OTHER PURPOSE OTHER THAN THIS LOCATION OR OWNER WITHOUT WRITTEN CONSENT OF PETER COOPER.

PROJECT:
CRAIG & COURTNEY
CAGNEY
RESIDENCE
320 PARK AVE
ALLENDALE, NJ 07401

NO.	DATE	REVISION

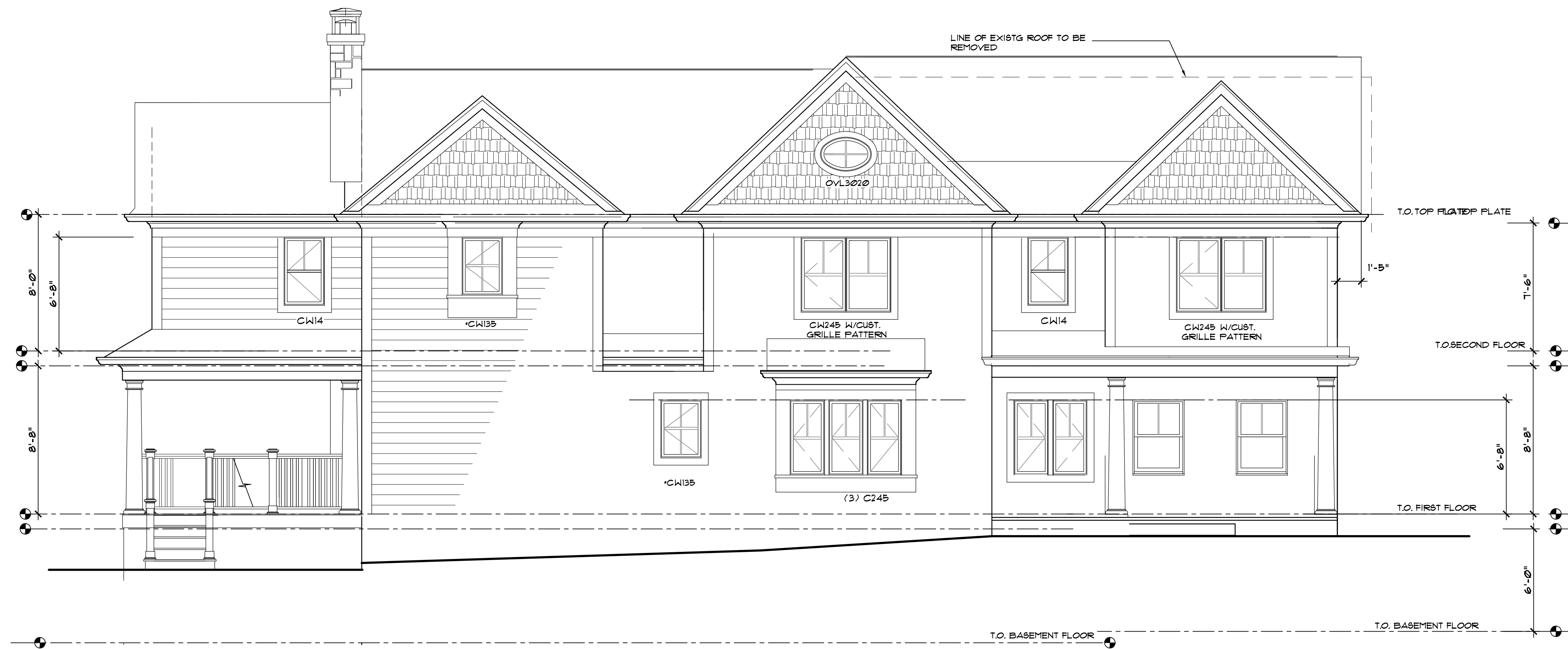
ISSUED:	11-17-22
ISSUED FOR VARIANCE:	12-27-22
DRAWN BY:	PBC
CHECKED BY:	PBC
SCALE:	AS NOTED
PROJECT #:	21-28
DRAWING:	

FIRST & SECOND
FLOOR PLANS

PETER B. COOPER
ARCHITECT

NYRA
#12111
#026190

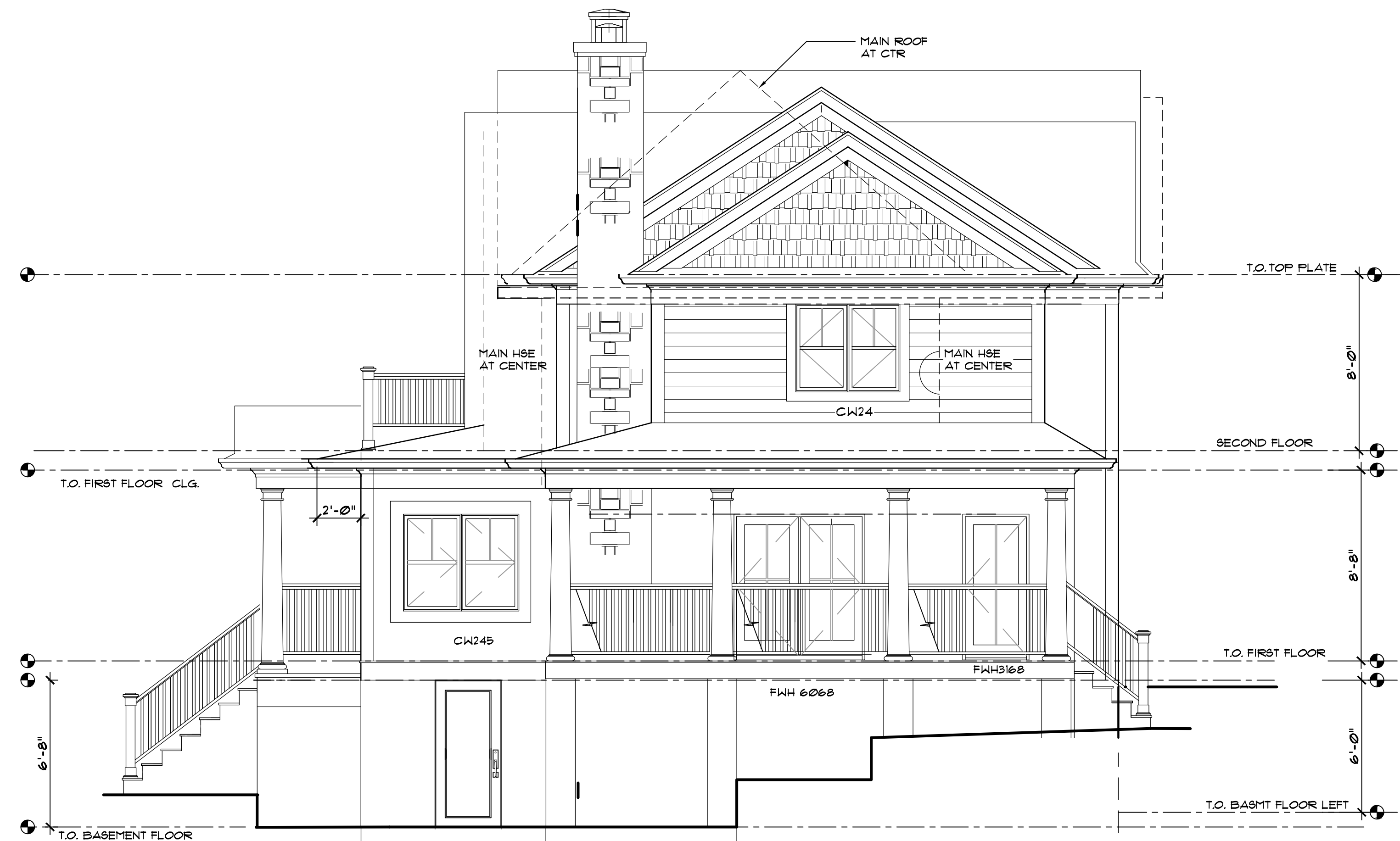
A-1



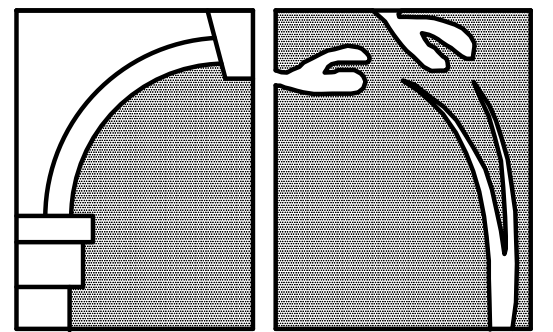
REAR ELEVATION
SCALE: 1/4" = 1'-0"



RIGHT SIDE ELEVATION
SCALE: 1/4" = 1'-0"



RIGHT SIDE ELEVATION
SCALE: 1/4" = 1'-0"



**PETER B. COOPER
& ASSOCIATES**

ARCHITECTS & LANDSCAPE ARCHITECTS
14 OVERBROOK ROAD RAMSEY, NJ 07446
TEL: 201-512-1146 FAX: 201-783-8299
PETER@PETERCOOPERARCHITECTS.COM

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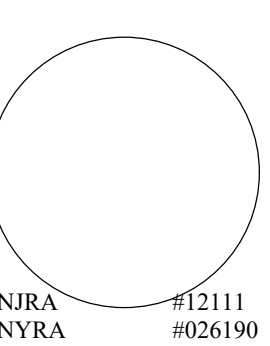
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NO.	DATE	REVISION

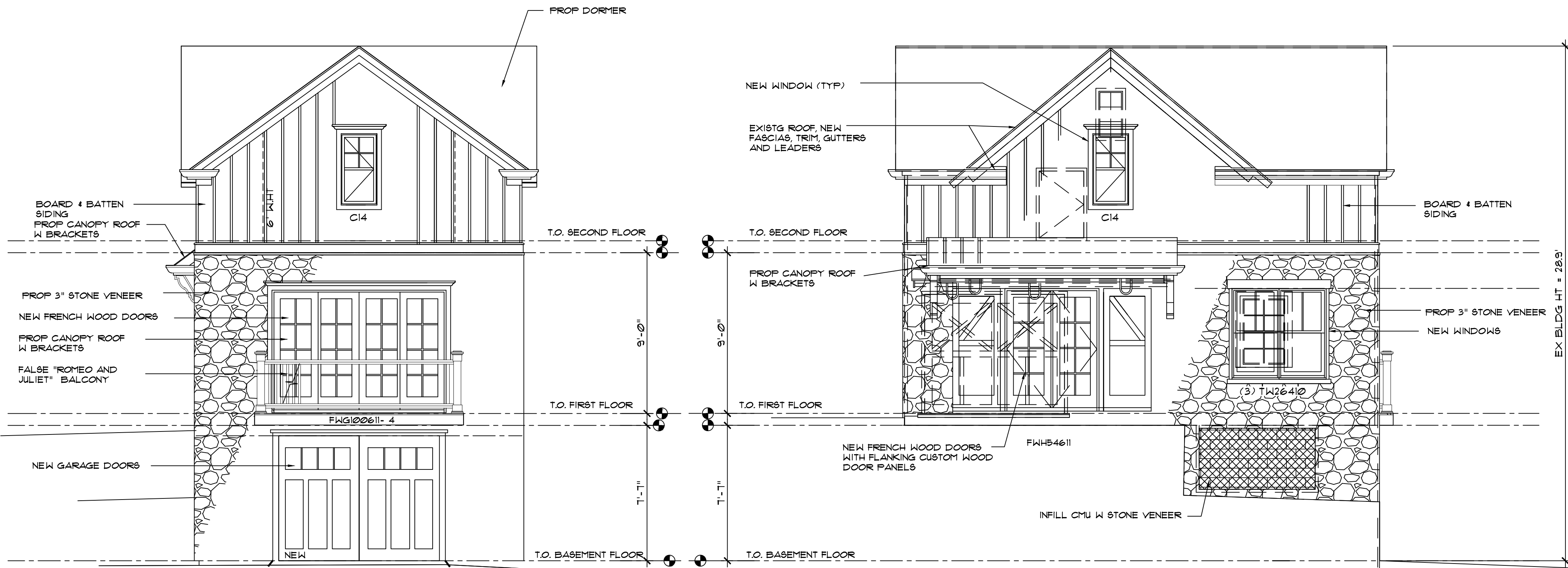
ISSUED: 11-17-22
ISSUED FOR PERMIT:
DRAWN BY: PBC
CHECKED BY: PBC
SCALE: AS NOTED
PROJECT #:
DRAWING:

**REAR, LEFT & RIGHT SIDE
ELEVATIONS**

**PETER B. COOPER
ARCHITECT**



A-4

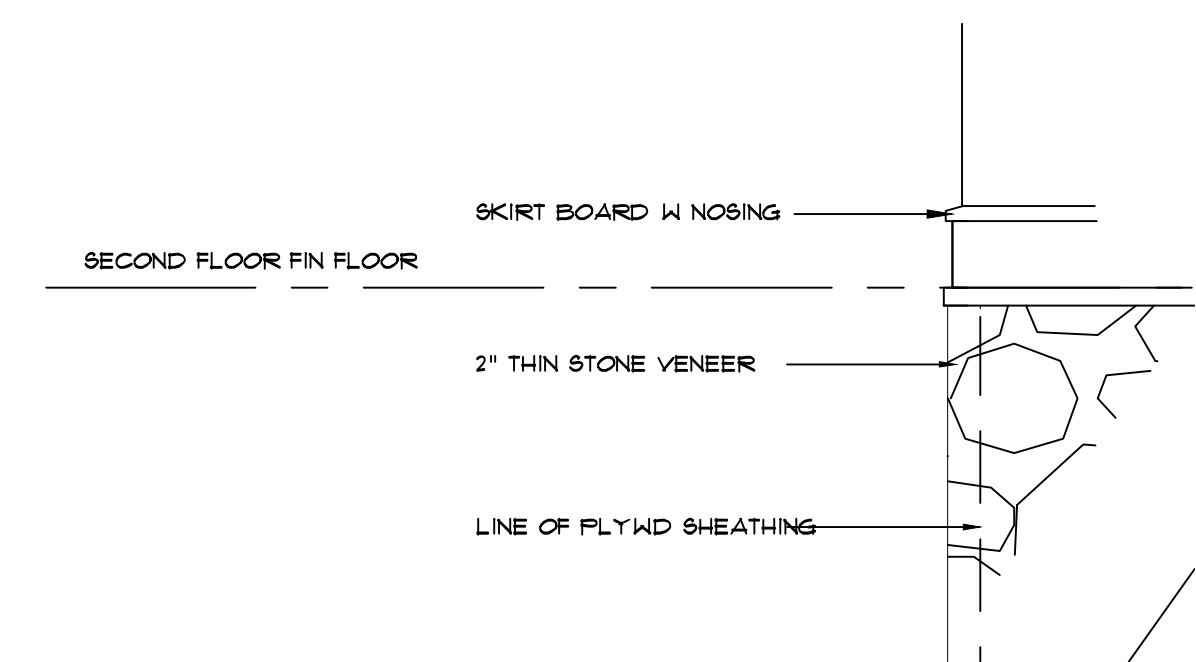


LEFT SIDE ELEVATION

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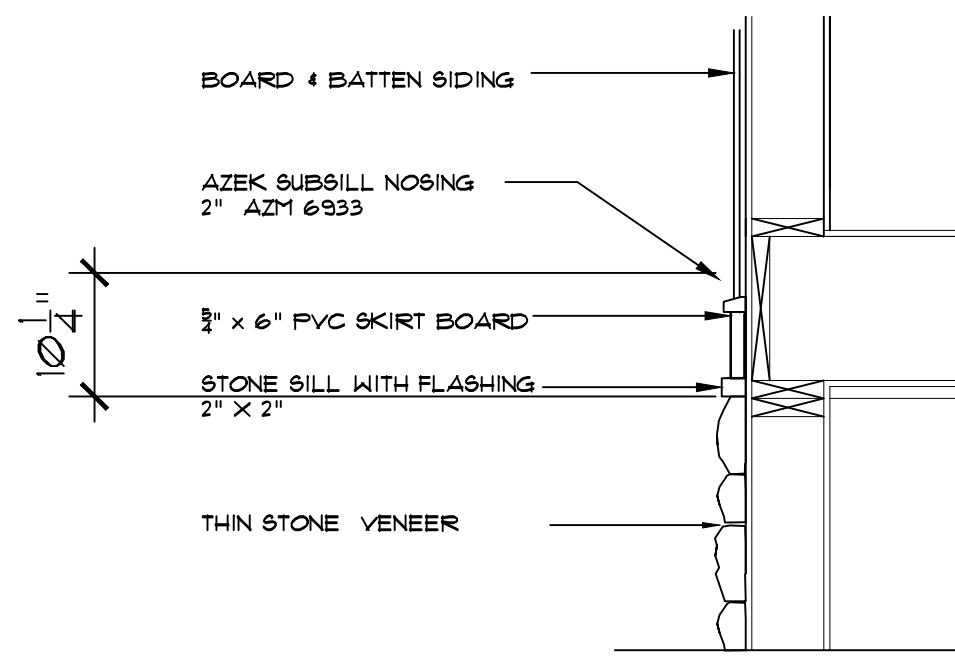
RIGHT SIDE ELEVATION

SCALE: 1/4" = 1'-0"



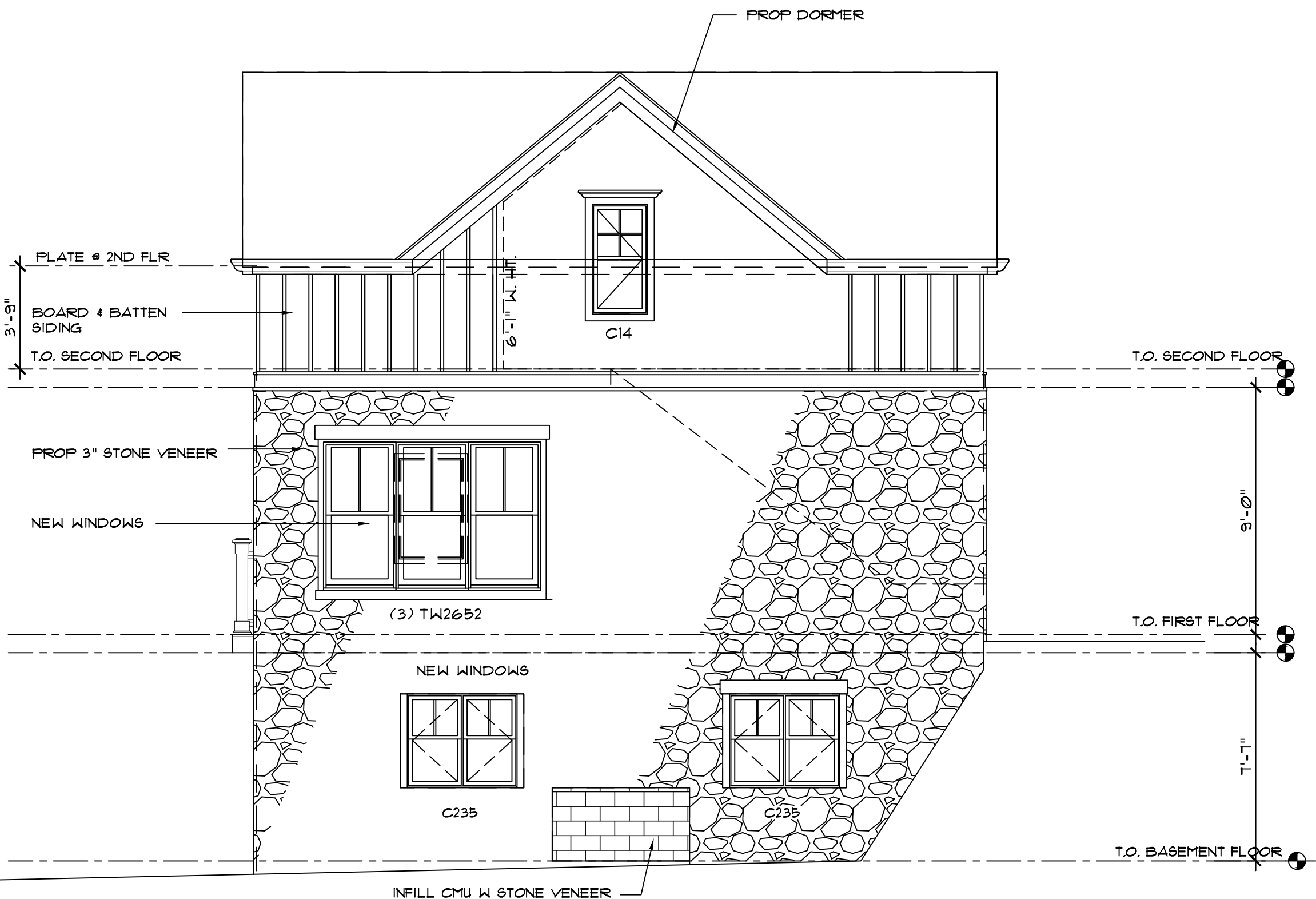
STONE CAP DETAIL

SCALE: 3/4" = 1'-0"



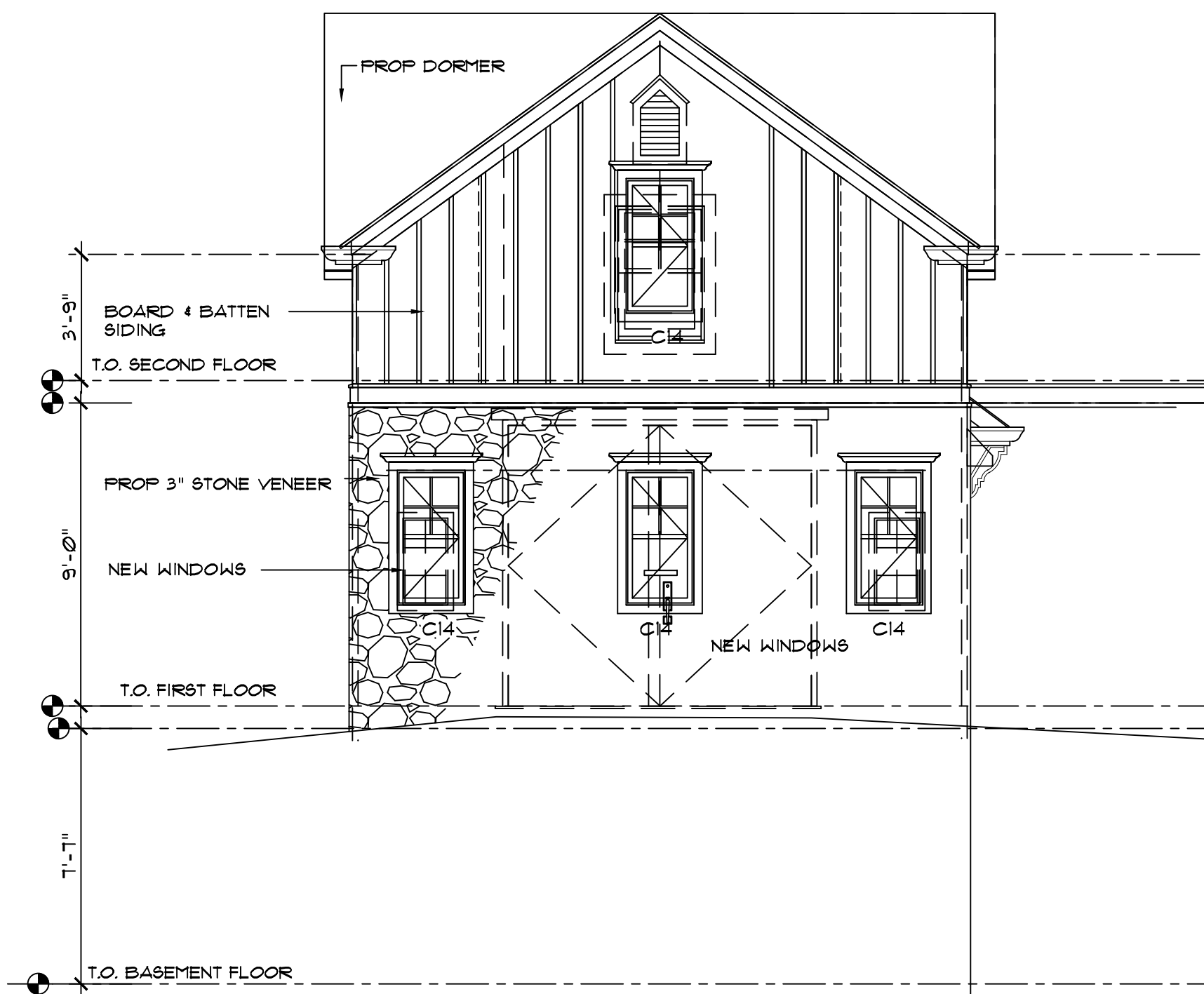
STONE CAP DETAIL

SCALE: 3/4" = 1'-0"



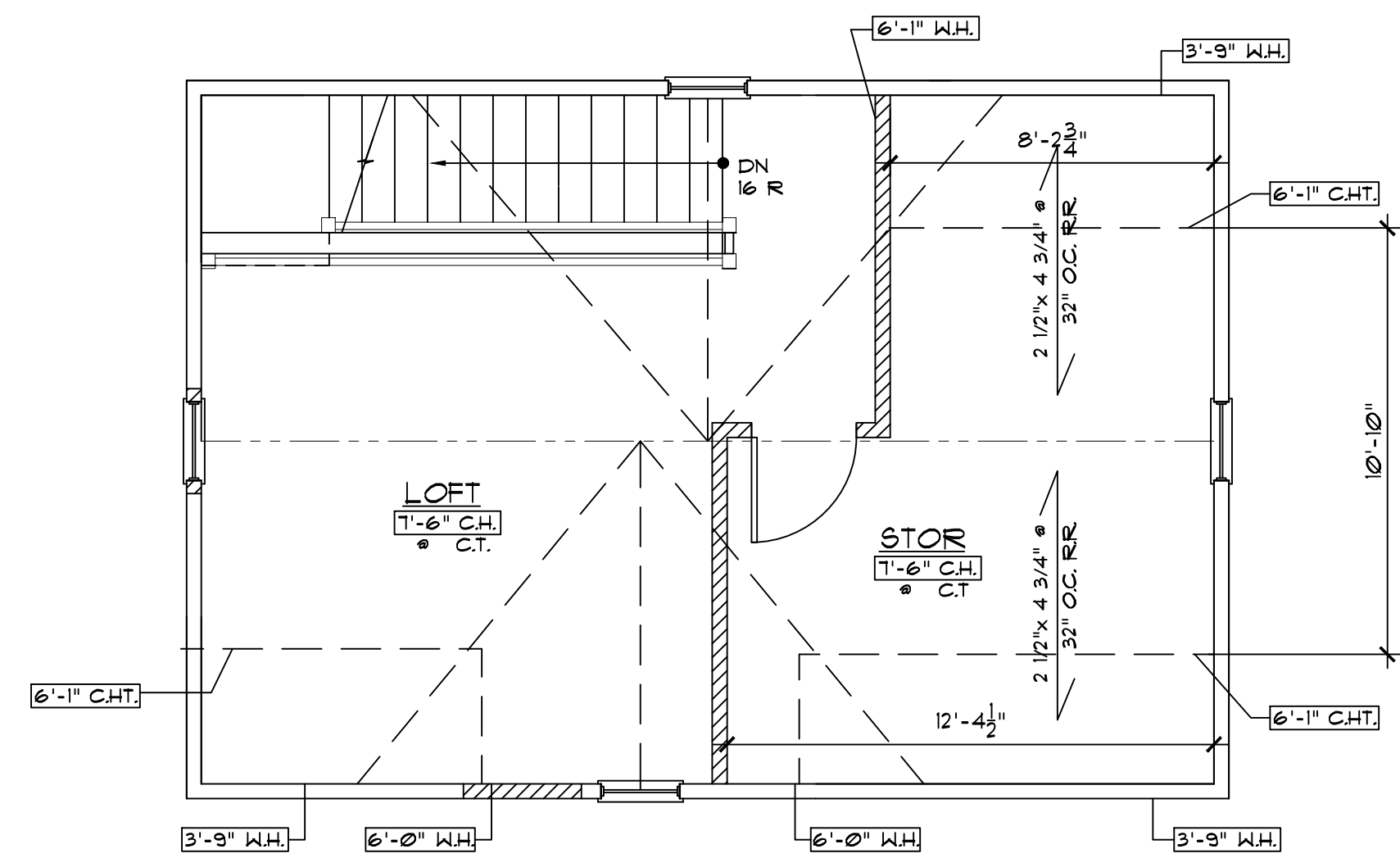
LEFT SIDE ELEVATION

SCALE: 1/4" = 1'-0"



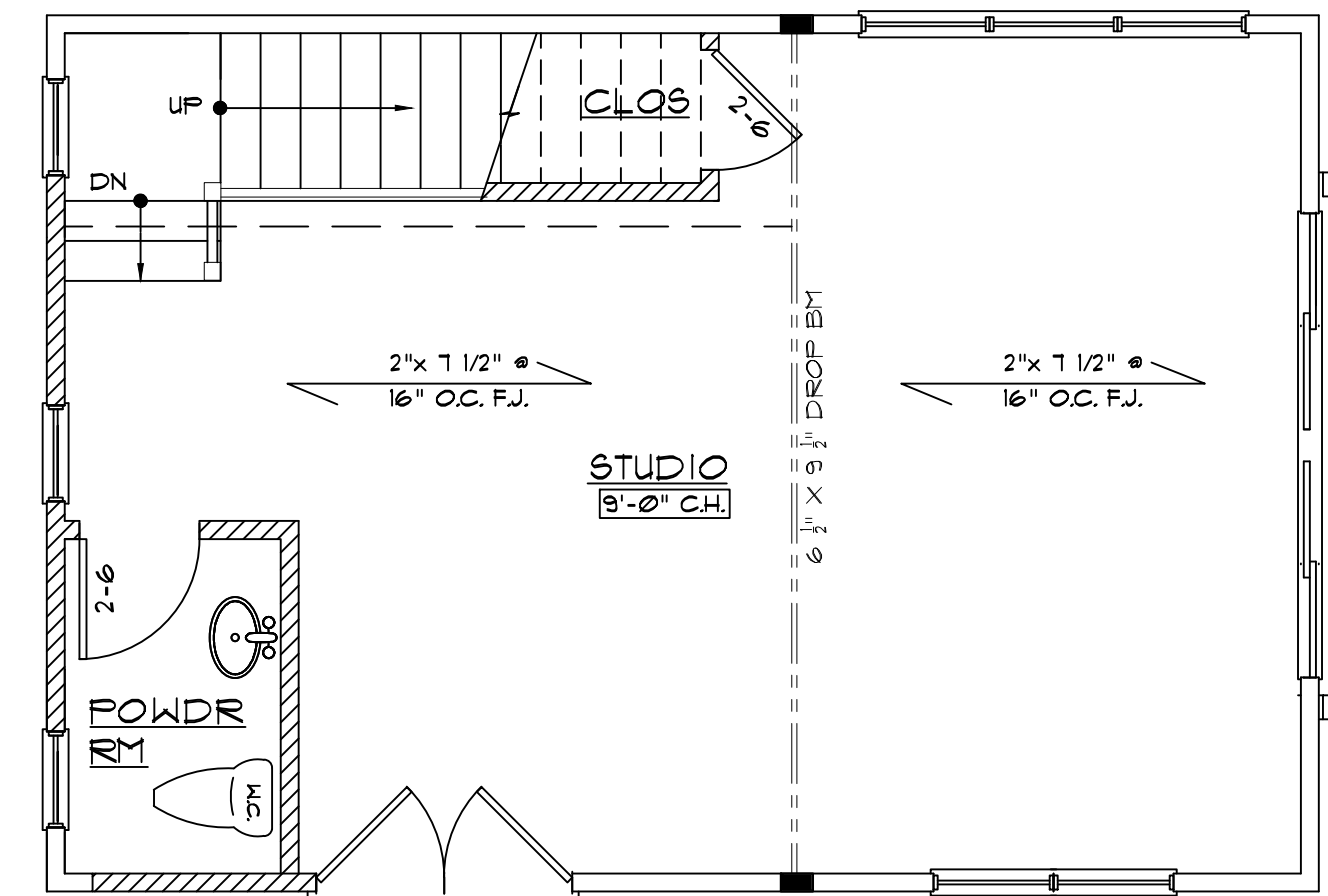
FRONT ELEVATION

SCALE: 1/4" = 1'-0"



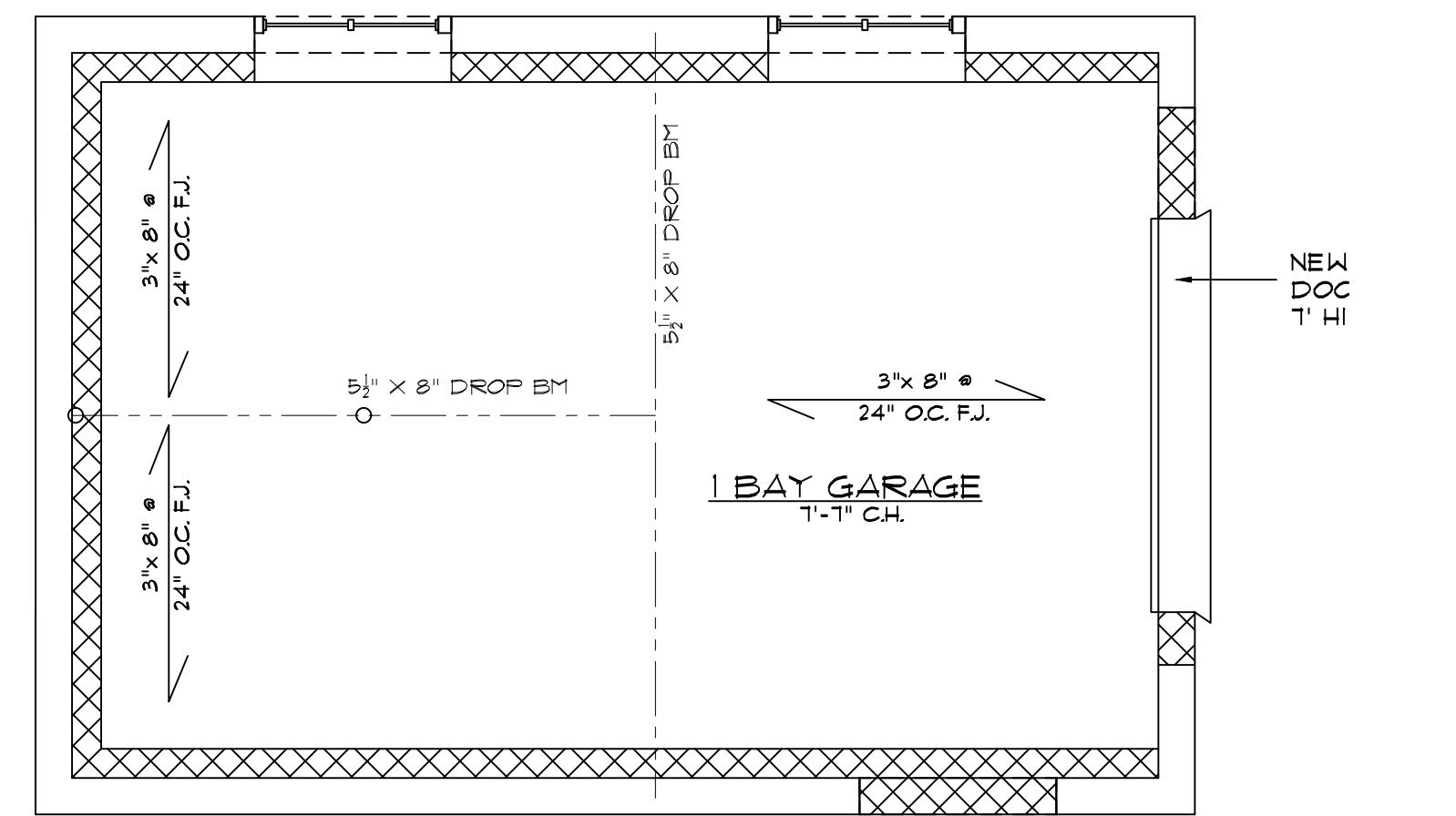
SECOND FLOOR PLAN

SCALE: 1/4" = 1'-0"



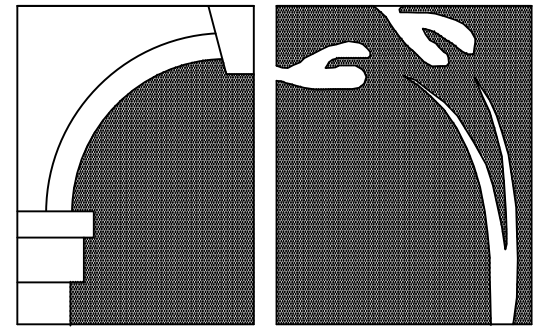
FIRST FLOOR PLAN

SCALE: 1/4" = 1'-0"



BASEMENT FLOOR PLAN

SCALE: 1/4" = 1'-0"



PETER B. COOPER
& ASSOCIATES

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PROJECT DESCRIPTION:
THIS PART OF THE PROJECT INVOLVES THE RENOVATION OF AN EXISTING BARN FOR THE PURPOSE OF STUDIO SPACE AND FINISHED STORAGE. THERE IS NO CHANGE TO THE FOOTPRINT. ON THE LEFT SIDE, A DORMER IS PROPOSED TO ALLOW HEAD HEIGHT FOR THE REBUILD OF STAIRS SO THEY ARE CODE COMPLIANT

PROPRIETARY NOTE:
IT IS A VIOLATION OF NJS LAW FOR ANY PERSON, UNLESS ACTING UNDER THE DIRECTION OF THE ARCHITECT OF RECORD, TO ALTER OR CHANGE ANY ITEM ON THESE PLANS. THE INFORMATION AND DRAWINGS HEREIN ARE OF PROPRIETARY NATURE ARE FOR USE BY OUR CLIENTS ONLY, ON THIS SITE ONLY, AND NOT TO BE USED FOR ANY OTHER PURPOSE OTHER THAN THIS LOCATION OR OWNER WITHOUT WRITTEN CONSENT OF PETER COOPER.

PROJECT:

CAGNEY
RESIDENCE

320 PARK AVE
ALLENDALE, NJ 07401

NO.	DATE	REVISION

ISSUED:

ISSUED FOR PERMIT:

DRAWN BY: PBC

CHECKED BY: PBC

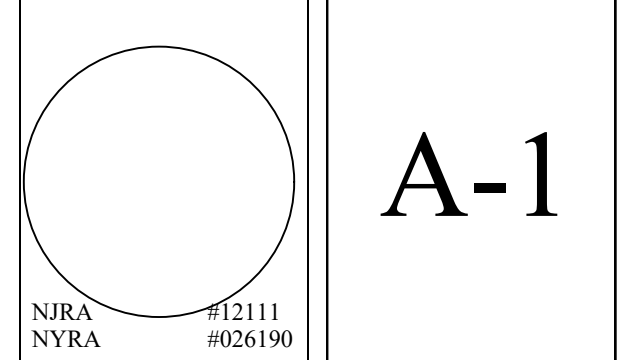
SCALE: AS NOTED

PROJECT #:

DRAWING:


FLOOR PLANS
& ELEVATIONS

PETER B. COOPER
ARCHITECT



MEMORANDUM

TO: Borough of Allendale Land Use Board
L. Garofalo, Land Use Administrator / C. Botta, Board Attorney

FROM: Michael Vreeland, Board Engineer 

CC: C. & C. Cagney, Applicants /
P. Cooper, Applicant's Architect

RE: 320 Park Avenue - Variance Application
Block 2206 Lot 1
VCEA Project No. ALN-1001.057

DATE: February 12, 2023

We are in receipt of the following information pertaining to the above-referenced application:

- A. Land Use Application and associated documents.
- B. Architectural plan set entitled, "Craig & Courtney, Cagney, Residence, 320 Park Ave, Allendale, NJ 07401" consisting of 4 sheets. The plans prepared by Peter B. Cooper & Associates (Peter B. Cooper, RA) are dated November 17, 2022.

We have reviewed the aforementioned information along with the Borough Code, visited the site and offer the following comments for the Board's consideration:

1. INTRODUCTION

The property is located on the north side of Park Avenue (at the intersection of West Crescent Avenue). The property is located within the Borough's AA Residence Zone District. The Hohokus Creek crosses the northern end of the property. The property is developed with a single-family dwelling, detached garage and associated amenities.

The application and plans propose additions and renovations to the dwelling (including foot print expansions and multiple-story additions) as well as garage (including dormers and plumbing).

The application and plans request relief for conflicts with: §270-14A (accessory building height); §270-14B (accessory building location); §270-37A (alterations to nonconforming structures); and §270-54B (front yard) of the Code.

OFFICE LOCATIONS

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Lebanon, NJ
908-735-9500

Hamilton, NJ
609-689-1100

Toms River, NJ
732-573-0490

Freehold, NJ
732-303-8700

Bethlehem, PA
610-332-1772

Hillsborough, NJ
908-359-8291

Mt. Arlington, NJ
862-284-1100

Phillipsburg, NJ
908-454-3080

Doylestown, PA
215-345-1876

2. TECHNICAL COMPLETENESS

We have reviewed the application for technical completeness in accordance with the Application Checklist. Based on the nature of the proposal, we believe the Applicant's submission is sufficient to conduct technical review.

We defer to the Land Use Administrator and the Board Attorney regarding administrative and legal completeness matters.

3. ZONING

We have reviewed this application in accordance with the requirements of the Borough's Code. Based on this review we find the following:

3.1. Non-Conforming Conditions:

3.1.1. §270-14A – Accessory Building Height

Comment: The noted 28.9 ft existing height ± 7.9 ft more than the required 21 ft. The proposal includes dormers. However, the application does not appear to alter this condition.

3.1.2. §270-14B – Accessory Building Location

Comment: The location of the existing accessory building does not conform to the street setback requirements. The proposal includes alteration to the accessory building. However, the application does not appear to alter this condition.

3.1.3. §270-17B – Minimum Building Envelope

Comment: The existing building envelope does not conform to the required minimum 50 ft x 50 ft area. The application does not appear to alter this condition.

3.1.4. §270-54B – Front Setback

Comment: The noted 14.1 ft (Park Ave) and 23.1 ft (West Crescent Ave) existing front setbacks are ± 25.9 ft less and ± 16.9 ft less than the required 40 ft. The application does not appear to alter these conditions.

The proposal does include new and additional encroachments as well as vertical expansions above existing nonconformities (conflicting with §270-37A).

3.2. Discussion:

Since this proposal does not meet the requirements noted above, the Applicant must seek relief from the Board pursuant to the Municipal Land Use Law under N.J.S.A. 40-55D-70c.

The Applicant has requested "C" variances in conjunction with this proposal.

“C(1)” or “Hardship” Variances:

In judging an application by the C(1) criteria, the core question presented to the Board is whether there has been a showing of (1) peculiar and exceptional practical difficulties to, or (2) exceptional and undue hardship upon, the Applicant arising out of (a) the exceptional narrowness, shallowness or shape of the subject property, or (b) by reason of exceptional topographic conditions or physical features uniquely affecting the subject property, or (c) by reason of an extraordinary and exceptional situation uniquely affecting the subject property or the structures lawfully existing thereon. In all cases, the alleged hardship must relate to a specific piece of property.

“C(2)” or “Benefits v. Detriments” Variances:

In judging an application by the C(2) criteria, the core questions presented to the Board is whether the grant of a variance would promote or advance the purposes of the Municipal Land Use Law and the benefits of such deviation outweigh any detriment.

As in all variance cases, the Applicant bears the burden of proving both the positive and negative criteria. Relief cannot be granted unless it can be granted without substantial detriment to the public good and unless it will not substantially impair the intent and purpose of the zone plan and zoning ordinance.

We specifically note that it is the Applicant’s burden to show the special reasons and satisfy the negative criteria. As such, the Applicant will need to present additional information concerning the aforementioned issues as well as the positive and negative elements pertaining to the subject proposal.

4. TECHNICAL REVIEW COMMENTS

- 4.1. A copy of the referenced survey needs to be provided.
- 4.2. The proposal brings the dwelling to within inches of the permitted 35 ft height.
- 4.3. Testimony should address use of the renovated garage building.
- 4.4. Testimony should address proposed building finishes, colors and materials.
- 4.5. The plans do not include exterior lighting. Testimony should address lighting.
- 4.6. Testimony should address tree removal and replacement as well as landscaping.
- 4.7. It appears that some of the views illustrated on the plans may be incorrectly labeled. Testimony should address these discrepancies.
- 4.8. Should the Board approve this application:
 - 4.8.1. Site grading and stormwater management will need to be addressed. The Applicant will need to obtain Soil Movement Permit (§225) and Plot Plan Approval (§196). The Applicant is advised that drainage calculations will be

required to demonstrate stormwater management measures have been designed to reduce runoff and sized for tributary areas (§225-5.D).

- 4.8.2. NJDEP regulated areas (including the NJFHA) are located on the property. Approval will be needed for work within regulated areas.
- 4.8.3. Soil erosion and sediment control measures will need to be provided. The measures need to be in place prior to initiating soil disturbance and maintained until the area of disturbance has been permanently stabilized.
- 4.8.4. Inspection of the existing water and sewer services will need to be addressed. The sewer service will need to be TV inspected prior reuse. The water service material should also be verified.
- 4.8.5. We recommend an “As-Built Plan” be required prior to requesting a certificate of occupancy.

Please contact me should you have any questions.