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NEW YORK, NY

August 20, 2021

Chairman Dewey Burleson
and Members of the Planning Board
Borough of Hillsdale
380 Hillsdale Ave.
Hillsdale, NJ 07642

Regarding: **Block 501, Lot 13, Borough of Hillsdale**
55 Appletree Lane: Variance Application PZ-07-21
Spiro Athanasatos: Applicant and Owner

Dear Chairman Burleson and Members of the Board:

We are in receipt of a bulk variance 'c' application, a survey, and architectural plans that were submitted to the Borough on July 19, 2021. The survey is prepared by Lantelme, Kurens & Associates and is dated April 12, 2021. The architectural plans are prepared by Joseph J. Bruno, AIA and consist of two sheets dated December 9, 2019 and *revised* to May 26, 2021.

The applicant proposes to construct various additions. The applicant is appealing a June 3, 2021 denial letter from the Zoning Official. The application is for a "c" (bulk) variance due to the proposed improvements exceeding the permitted impervious coverage and encroaching into the required setback areas.

General Site Description

Lot 13 is a pie-shaped containing 16,471 SF (0.38 acre) and located on the northern side of Appletree Lane in the R-2 Zone District (minimum lot size 15,000 SF). It is improved with a split level frame dwelling with a back paver patio. A shed is located to the west (left) of the dwelling, and an inground swimming pool with a surrounding patio is located behind the dwelling. Various walls and fencing are located on the lot. A macadam driveway provides access from Appletree Lane to the dwelling.

The existing dwelling encroaches into the rear yard setback area, and the lot is substandard for Lot Depth and Lot Frontage. The lot is also substandard for lot area and lot depth. Finally, it appears that the existing shed and paver patio do not meet current zoning regulations.

In 1971, the new dwelling was approved with a rear yard setback violation by the Zoning Board of Adjustment. The swimming pool was approved by the Construction Department circa 1980.

Application

The existing dwelling is a split-level house. The family room will have a new valved ceiling wherein the new walk-in closet will be constructed.

The applicant proposes to construct the following:

- Covered front porch (393 SF)
- Garage 2 ft. addition (48 SF)
- Main level pantry addition (35 SF)
- Master Bedroom walk-in closet addition (160 SF)
- Second level balcony addition (40 SF)

The proposed improvements exceed the maximum permitted impervious coverage. In addition, the proposed covered porch encroaches into the required front yard setback, and the proposed second level balcony encroaches into the required rear yard setback.

Completeness Review

The application was reviewed against the Checklist for Variance Applications. The following item is deficient:

1. Photographs of the area and subject property. *These must be provided by the applicant at the public hearing.*

The above deficiency is minor, and the application can be scheduled for a public hearing.

Zoning Review

The architectural plans include a bulk table. The following variances are required:

Proposed Variances:

1. **Impervious Coverage:** 34.5% (5,679 SF) proposed vs. 30% (4,941 SF) maximum permitted, a difference of 4.5%. The existing coverage is 31.1%.

The bulk table should be updated to properly round up the proposed impervious coverage to 34.5% rather than 34.4.

2. **Front Yard Setback to Covered Porch:** 36.5 ft. proposed vs. 50 ft. required, a difference of 13.5 ft.
3. **Rear Yard Setback to Second Story Balcony:** 45.2 ft. proposed vs. 50 ft. required, a difference of 4.8 ft.

Pre-Existing Variances:

4. **Lot Frontage:** 86.9 ft. existing vs. 100 ft. required, a difference of 13.1 ft.
5. **Lot Depth:** 147.65 ft. existing vs. 150 ft. existing, a difference of 2.35 ft.
6. **Rear Yard Setback:** 47.4 ft. existing vs. 50 ft. required, a difference of 2.6 ft.
7. **Impervious Coverage:** 31.5% (5,191 SF) existing vs. 30% (4,941 SF) maximum permitted, a difference of 1.5%.

In addition, it appears that the shed and paver patio are situated in nonconforming locations.

General Comments

1. The application involves bulk variance requests for proposed additions. The existing bedrooms are to remain as existing.
2. Due to the cul-de-sac, the original circa 1971 dwelling was rotated and aligned with the north side lot line thereby causing some of the non-conformities.
3. The applicant should explain the need for the proposed additions in the configurations shown.

The applicant is responsible for providing the required testimony for all variances. The positive and negative criteria must be satisfied.

Very truly yours,

C. P. STATILE, P.A.

(original signed)

Christopher P. Statile, P.E.
Planning Board Engineer

CPS/mr
cc: Nylema Nabbie, Esq.
Spiro Athanasatos, Applicant
Joe Bruno, AIA
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