

# CHRISTOPHER P. STATILE, P.A.

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NEW YORK, NY

April 24, 2024

Chairwoman Meredith Kates  
and Members of the Planning Board  
Borough of Hillsdale  
380 Hillsdale Ave.  
Hillsdale, NJ 07642

Regarding: **Block 2201, Lot 12, Borough of Hillsdale**  
**5 Strawberry Hill Road: Variance Application PZ-06-24**  
**Marianne Illian, Applicant and Owner**

Dear Chairwoman Kates and Members of the Board:

We are in receipt of a bulk variance application and survey of the subject property that were submitted on or about March 19, 2024 to the Board. An as-built survey by Geospatial Surveying & Layout dated February 12, 2024, *unrevised*, has been provided.

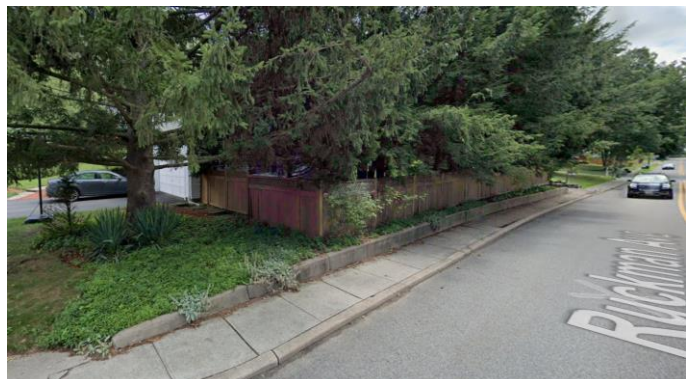
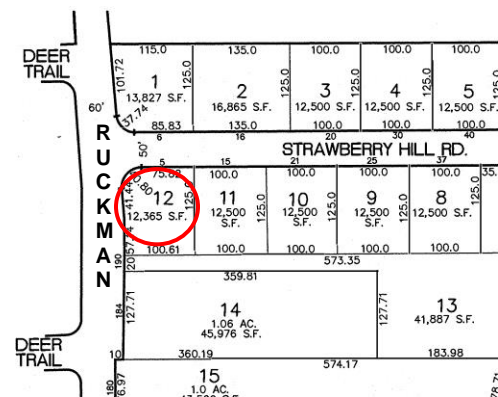
The applicant is appealing a March 12, 2024 denial from the Zoning Official for a bulk “c” variance.

## General Site Description

Lot 12 is an undersized pre-existing lot for area consisting of 12,365 (0.28 acre) created via the Strawberry Hill Road subdivision circa 1951 by Filed Map #4485. It is located on the southeast corner of the intersection of Ruckman Road and Strawberry Hill Road in the R-2 Residential Zone District (minimum lot size required 15,000 SF).

The property is improved with a one-story dwelling. A macadam driveway provides access to the dwelling from Strawberry Hill Road. A pool, deck, and shed are located to the rear of the dwelling. A 5-foot high wood fence borders Ruckman Road with a 6-foot high vinyl fence along the south and east property lines.

Note curb along back of sidewalk.



## Application

The applicant seeks to replace the 5-foot high wood fence along Ruckman Road and a portion of the fence within the front yard to Ruckman Road with a 6-foot high vinyl fence.

## Completeness Review

The application was reviewed against the Checklist for Variance Applications.

The application is complete to schedule a public hearing.

## Zoning Review

The following variances are required:

### Existing Non-Conformities:

1. **Fence Height:** 5-foot high wood and 6-foot high vinyl in front yard to Ruckman Road. Front yard is described as the area between the property line bordering Ruckman Road and the front setback line (a line setback 50.0 feet from the property line).
2. **Lot Area:** 12,365 SF existing vs. 15,000 SF required.
3. **Front Yard Setback (corner lot):** dwelling 25.0 ft. to Ruckman Road and 24.4 ft. to Strawberry Hill Road versus 50 ft. required.

### Proposed Variances

1. **Fence Height, Section 310-56B:** The 6-foot fence is proposed within the 50 ft. front yard setback of Ruckman Road. Fences on residential properties shall not exceed 4 ft. in height when located at a distance closer to any street line than the required front yard setback line (50 ft.).

A 4 ft. maximum height is permitted vs. 6 ft. proposed, a difference of 2 ft.

## General Comments

1. The applicant is responsible for providing the required testimony for the need for all variances. The positive and negative criteria must be satisfied.
2. The applicant should explain the need for the 6 ft. high fence versus a lower fence within the setback areas, i.e. using a stepped fenced.
3. The applicant may wish to consider landscape buffer along the exterior side of the fence as a mitigating measure, as agreed with the Board.

The variance completeness checklist is attached. We trust these review comments assist the Board in this application.

Very truly yours,

C. P. STATILE, P.A.

(original signed)

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

CPS/mr

cc: Marianne Illian, Applicant/Property Owner  
1120.052

**BOROUGH OF HILLSDALE PLANNING BOARD**  
**CHECKLIST - VARIANCE APPLICATION**

Applicant: Marianne Illian  
Address: 5 Strawberry Hill Road  
Block: 2201      Lot: 12  
Date: March 7, 2024

- A completed application form. [Obtain a form from the Building Department]
- A copy of the Land Use Officer's denial of your building permit application. This is usually the letter refusing to issue you a building permit. [Obtain this from the Building Department]
- A copy of the tax map indicating the subject property. [Obtain this from the Building Department]
- Sixteen (16) copies of the ground and typical floor plan of the existing building, and proposed additions or changes with all necessary measurements, as were submitted to the Land Use Officer.
- Sixteen (16) copies of a current property survey of the premises in question with all relevant proposed dimensions certified by a licensed Professional Engineer or Land Surveyor in the State of New Jersey. The surveyor or engineer only must show the proposed changes (i.e. new addition, deck, shed, fence) to your survey, with relevant dimensions.  
  
The property owner or architect may not change, add or adulterate the survey in any manner. The survey should include a bulk table showing the existing and proposed zoning requirements for the subject property. All sixteen (16) copies of the survey must have a raised seal by the surveyor or engineer's signature.
- A certificate from the Tax Collector stating whether any taxes or assessments for local improvements are due or delinquent. [Obtain this from the Tax Collector]
- Submit the filing fee as required by the Hillsdale Land Use Ordinance.
- Statement of reasons for seeking the variance. [This may be a separate attachment to the application form]
- Photographs of the property in question and of all adjacent properties. The applicant's name and the property address should be marked on the photographs.