

CHRISTOPHER P. STATILE, P.A.

PROFESSIONAL ENGINEERS & PLANNERS
CONSULTING ENGINEERS

CPSTATILE@AOL.COM

3 FIR COURT
OAKLAND, NJ 07430
(201) 337-7470
FAX: (201) 337-7599

NEW YORK, NY

August 22, 2024

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

Regarding: **Block 1624, Lot 10, Borough of Hillsdale**
215 Lincoln Avenue: Use and Bulk Variance Application PZ-09-24
Michael D. Larsen, Applicant and Owner

Dear Chairwoman Kates and Members of the Board:

We are in receipt of a bulk variance application submitted on or about July 29, 2024 to the Board. The following documents have been submitted:

- “Addition and Alteration to the Larsen Residence, 215 Lincoln Avenue, Hillsdale, New Jersey, 07642” dated May 16, 2024, unrevised.

The applicant proposes to construct additions (roof over front porch, roof over rear patio) to an existing 1½ story dwelling. The applicant is appealing an April 2, 2024 denial from the Zoning Official for a multiple (“c”) variances and “d(4)” use variance because the Floor Area Ratio will exceed the maximum permitted for the zone district.

The Mayor and his Council representative should recuse themselves from the application due to the necessary “d” variance.

General Site Description

Lot 10 is a non-conforming lot for area and consists of 5,334 SF (0.12 acre). It is located on the southeast corner of the intersection of Lincoln Avenue and Oakland Avenue in the R-4 Residential Zone District (minimum lot size required 7,500 SF).

The property is improved with a 1½ story dwelling. A macadam driveway provides access to the dwelling from Lincoln Avenue. The property contains a patio at the rear and the rear yard is fenced.



Application

The applicant is requesting relief from an April 2, 2024 denial from the Zoning Official for the construction of an addition.

A 48 SF covered roof is proposed at the front doorway. A 237 SF roof over the existing patio is also proposed. The existing patio will not be enlarged.

Completeness Review

The application was reviewed against the Checklist for Variance Applications.

The application is complete to schedule a public hearing.

Zoning Review

Existing Non-Conformities:

1. **Lot Area:** 5,334 SF where a minimum of 7,500 SF is required.
2. **Lot Frontage:** 50.17 ft. where a minimum of 75.0 ft. is required.
3. **Lot Width:** 50.17 ft. where a minimum of 75.0 ft. is required.
4. **Front Yard Setback (Lincoln Ave):** 29.0 ft. proposed vs. minimum of 30.0 ft. required
5. **Front Yard Setback (Oakland Ave):** 11.5 ft. proposed vs. minimum of 30.0 ft. required.

Note: For the purpose of determining the depth of yards of corner lots, all yards abutting a street line shall be deemed front yards, but if the front setback of one of such yards shall meet the requirements specified for the district in which it is located, the setback of the other such yard need not exceed one-half of the depth required for the first mentioned front yard. *This regulation does not apply as the front setback to Lincoln Avenue does not comply with the requirement. Therefore, the required front yard setback to Oakland Avenue is 30.0 ft.*

6. **Side Yard Setback:** 7.9 ft. proposed vs. minimum of 10.0 ft. required.
7. **Building Coverage:** 27.4% where a maximum of 25.0% is allowable.
8. **Impervious Coverage:** 36.1% where a maximum of 30.0% is allowable.
9. **Floor Area Ratio:** 41.6% where a maximum of 35.0% is allowable.

Proposed Variances:

1. **Front Yard Setback (Lincoln Ave):** 27.79 ft. proposed vs. minimum of 30.0 ft. required (decreased 1.11 ft. from existing conditions).
2. **Front Yard Setback (Oakland Ave):** 13.5 ft. proposed vs. minimum of 30.0 ft. required (expansion of non-conformity).
3. **Rear Yard Setback:** 20.1 ft. proposed vs. minimum of 25.0 ft. required (new).
4. **Building Coverage:** 30.6% where a maximum of 25.0% is allowed (increased 3.2% from existing conditions).
5. **Impervious Coverage:** 36.4% where a maximum of 30.0% is allowed (increased 0.3% from existing conditions).
6. **Floor Area Ratio:** 46.9% where a maximum of 35.0% is allowed (increased 5.3% from existing conditions)

Note: Per definition, “Roofed and/or covered decks & patios are considered Buildings and included in the FAR calculations.”

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. A soil moving permit may be required for construction.
3. The sanitary sewer appears to run along the side of the dwelling. This should be confirmed by the applicant’s contractor to avoid damage to it.

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: Marc Liebman, Esq.

Priscilla J. Triolo, Esq.

1120.052

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

Applicant: Michael D. Larsen
Address: 215 Lincoln Avenue
Block: 1624 Lot: 10
Date: August 13, 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.