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NEW YORK, NY

May 3, 2021

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

Regarding: **Block 501, Lot 2, Borough of Hillsdale**
934 Hillsdale Ave.: Variance Application PZ-03-21
Justin White: Applicants and Owners

Dear Chairman Burluson and Members of the Board:

We are in receipt of a bulk variance application, survey copy, and photographs of the subject property and a proposed fence. The survey is prepared by Matarazzo Engineering, LLC and dated November 16, 2020. The application was originally submitted on March 19, 2021, with additional documents submitted on April 20, 2021 to satisfy completeness.

The applicant proposes to install a fence with a height of 5 feet along the perimeter of the property. The applicant is appealing a January 7, 2021 denial letter from the Zoning Official. The application is for a "c" (bulk) due to the proposed fence exceeding the permitted fence height within a required front yard.

General Site Description

Lot 2 consists of consists of 15,000 SF (0.34 acre) and is located at the northeastern corner of the Hillsdale Ave./Apple Tree Lane intersection in the R-2 Zone District (minimum lot size 15,000 SF).

The property is improved with a two-story frame dwelling that fronts on Hillsdale Ave. The dwelling has a back deck and a side covered porch. A detached masonry garage and shed are both located on the property. An asphalt driveway provides access from Hillsdale Ave. to the garage. It is improved with a one-story frame dwelling. Various walkways are located on the lot. An existing fence is located on the property line between the subject property and Lot 18, which is adjacent on located on Hillsdale Ave.

As a corner property, Lot 2 has two frontages and front yard setbacks. If one or primary front yard setback is compliant to the zoning ordinance, the other secondary is reduced to 15 ft. In this application, neither existing front yard setbacks are complaint.

Application

The applicant proposes to construct an open metal fence (picket style) along the property line on the Apple Tree Lane frontage, as well as the north (rear) property line. Both of these proposed fence locations encroach into the Apple Tree Lane required front yard setback area. A fence is also proposed to connect the back of the house to the existing fence on the east side property line.

The proposed fence measures 5 ft. in height, which requires a variance.

Completeness Review

The application was reviewed against the Checklist for Variance Applications. The application is complete and can be scheduled for a public hearing.

Zoning Review

The following variances are required:

Existing Non-Conformities:

1. **Front Yard Setbacks to dwelling:** 19.9 ft. & 21.8 ft. (excluding roof) versus 30 ft. required.

Proposed Variances

1. **Fence Height, Section 310-56B:** The fence is proposed within the 50 ft. front yard setback. 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. 4 ft. maximum height permitted vs. 5 ft. proposed, a difference of 1 ft.

Corner lots have two front yards.

General Comments

1. The applicant is responsible for providing the required testimony for all variances. The positive and negative criteria must be satisfied.
2. The applicant should explain the need for the 5 ft. high fence versus a lower fence within the setback areas, i.e. a stepped fenced.
3. A condition of approval should include that no changes to the fence are permitted i.e. conversion to a solid fence without a new application to the Board.

4. If approved, the fence must be laid out by a land surveyor to ensure it does not encroach into the public right-of-way.
5. The applicant should confirm that no trees are to be removed to install the fence. If any trees over 6" caliper are removed, two trees must be replanted for each.

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: Nylema Nabbie, Esq.

Justin White, Owner/Applicant

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