



BOROUGH OF FAIR HAVEN

748 River Road
New Jersey 07704

NICOLAS J. PORUCHYNSKY • ZONING OFFICER • MUNICIPAL BUILDING
telephone: 732-747-0241 ext. 217 • Email: nporuchynsky@fhboro.net

June 8, 2020

Mr. Christopher Shaw
15 Buttonwood Drive
Fair Haven, NJ 07704
(via email: chshaw52@gmail.com)

**Re: 15 Buttonwood Drive
Fair Haven, New Jersey 07704
Block: 72, Lot: 15, R-10B Zone
Zoning Permit Application # 20-120**

Dear Mr. Shaw:

I am in receipt of your zoning permit application and supporting plans for the above-mentioned address including the following:

1. Zoning permit application form and fee received on June 3, 2020 by the Zoning Office.
2. Property survey of the subject lot dated January 31, 2020 prepared by Thomas M. Ernst, Professional Land Surveyors, showing the current conditions.
3. One page Architectural plan entitled, "The Shaw Residence", prepared by Grasso Design Group, dated 5/27/2020.

It is my understanding that you are seeking approval to construct building additions and internal renovations to existing residential dwelling. After reviewing your application it was found not to comply with the requirements set forth in the Fair Haven Land Use and Development Regulations. Your application is therefore **DENIED** and the following variances will be required before zoning approval can be granted:

Ordinance Section	Requirement	Proposed
§ 30-5.1 Table "C"	The minimum required Single Side Yard Setback in the R-10B zone for principal structures is 10 feet.	The existing Single Side Yard Setback is 9.9 feet, a <i>pre-existing non-conforming condition</i> . The proposed second story addition maintains the 9.9 feet Single Side Yard Setback <i>exacerbating a pre-existing non-confirming condition</i> – Variance Required.

§ 30-5.1 Table “C”	The minimum required Rear Yard Setback for principal buildings in the R-10B zone is 30 feet.	The existing Rear Yard Setback is 26 feet, <i>a pre-existing non-conforming condition</i> . The proposed second story addition maintains the 26 feet Rear Yard Setback <i>exacerbating a pre-existing non-conforming condition</i> – Variance Required.
§ 30-5.1 Table “C”	The minimum Side and Rear Yard Setbacks for a Shed is 5 feet.	The existing Side and Rear Yard Setbacks for the Shed are 1.5 feet and 6 feet respectively, creating a Side Yard Setback 1.5 feet where 5 feet is permitted, <i>a pre-existing non-conforming condition</i> .

Please provide the following additional information as part of any future plan revisions or submissions of the Borough’s Land Use and Development Code:

- Provide detailed breakdown of calculations regarding existing and proposed Floor Area;
- Provide detailed breakdown of calculations regarding building and lot coverage;

Please be advised that you have the option of amending this application to conform to the requirements set forth in the Borough’s Land Use and Development Ordinance or you can apply for relief from this ordinance by submitting an application to the Borough’s Zoning Board of Adjustment. You also have the option as per NJSA 40:55D-72a of appealing my ruling to the Borough’s Zoning Board of Adjustment by filing a notice of appeal with my office within 20 days from the date of my letter.

If you choose to seek relief or want to file an appeal, please contact Jennifer Johnson in the Zoning and Planning Board Office at 732/747-0241 ext. *215 to obtain the required application forms and further information regarding the Board approval and appeal process. Zoning Board office hours are on Tuesdays and Thursdays from 8 AM to 12 Noon.

If you have any questions regarding the denial of this application, please feel free to contact me at the number or e-mail address above.

Sincerely,



Nicolas J. Poruchynsky, PE, PP, CME
Assistant Director of Engineering and Public Works,
Code Enforcement Officer and Zoning Officer

CC: File
Richard Gardella, Director of Engineering and Public Works (*via email*)
Jennifer Johnson, Board Secretary (*via email*)
Joe Mulé, Planning and Zoning Code Compliance (*via email*)
Jim Kennedy, ZB Engineer (*via email*)