



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

August 5, 2020

Mr. Scott Feminello
2 Holly Lane
Fair Haven, NJ 07704
(via email: sfeminello@gmail.com)

**Re: 2 Holly Lane
Fair Haven, New Jersey 07704
Block: 79, Lot: 32, R-30 Zone
Zoning Permit Application # 20-188**

Dear Mr.Feminello:

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

1. Zoning permit application form and fee received on July 28, 2020 by the Zoning Office.
2. Copy of property survey of the subject lot by Control Layouts, Inc. dated 11/20/15, showing current conditions.
3. Architectural plans titled “Feminello Residence – Proposed Residential Renovation and Addition – 2 Holly Lane, Fair Haven, NJ, Block 79 Lot 32”, prepared by Robert W. Adler & Associates, PA, dated April 21, 2020 last revised July 10, 2020.

It is my understanding that you are seeking approval to construct first and second story 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:

<i>Ordinance Section</i>	<i>Requirement</i>	<i>Proposed</i>
§ 30-5.1 Table “C”	The minimum required Lot Area in the R-30 Zone is 30,000 square feet.	The existing and proposed Lot Area of the subject lot in the R-30 Zone is 14,562 square feet, <i>a pre-existing non-confirming condition.</i>

<i>Ordinance Section</i>	<i>Requirement</i>	<i>Proposed</i>
§ 30-5.1 Table “C”	The minimum required Lot Depth in the R-30 Zone is 200 feet.	The existing and proposed Lot Depth of the subject lot in the R-30 Zone is 118 feet, <i>a pre-existing non-confirming condition.</i>
§ 30-5.1 Table “C”	The minimum required Front Yard Setback in the R-30 Zone is 50 feet.	The existing Front Yard Setback of the subject lot in the R-30 Zone is 45.58 feet to the front porch. The proposed Front Yard Setback is 45.58 feet to the front porch and 47 feet to the new expanded garage, <i>exacerbating a pre-existing non-confirming condition</i> – Variance Required.
§ 30-5.1 Table “C”	The minimum required Single Side Yard Setback in the R-30 Zone is 20 feet.	The existing and proposed Single Side Yard Setback of the subject lot in the R-30 Zone is 11.83 feet and 11.75 feet respectively, <i>exacerbating a pre-existing non-confirming condition</i> – Variance Required.
§ 30-5.1 Table “C”	The minimum Combined Side Yard Setback in the R-30 Zone is 40 feet.	The existing and proposed Combined Side Yard Setback of the subject lot in the R-30 Zone is 38.42 feet and 38.33 feet respectively, <i>exacerbating a pre-existing non-confirming condition</i> – Variance Required.
§ 30-5.1 Table “C”	The maximum permitted Floor Area in the R-30 Zone is the more restrictive of 5,180 square feet, or a Floor Area Ratio of .15 of the Lot Area. Given the lot size of 14,562 square feet, Floor Area Ratio of .15 will control.	The existing Floor Area Ratio is 19.95 % and the proposed Floor Area Ratio is 24.79%, <i>exacerbating a pre-existing non-confirming condition</i> – Variance Required.
§ 30-5.1 Table “C”	The maximum Lot Coverage in the R-30 Zone is 30%.	The existing Lot Coverage is 30.20% and proposed Lot Coverage is 38.14% <i>exacerbating a pre-existing non-confirming condition</i> – Variance Required.

<i>Ordinance Section</i>	<i>Requirement</i>	<i>Proposed</i>
§ 30-9.2 Exhibit A	A 4 bedroom home requires parking for 3 cars behind the front setback line.	The proposed home will have parking for two cars in the garage with one car within the Front Yard Setback. – Variance Required.

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 during normal business hours to obtain the required application forms and further information regarding the Board approval and appeal process.

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*)
Robert W. Adler, Architect (*via email*)