



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

May 4, 2020

Mr. Shawn Gaiero
8 Hendrickson Place
Fair Haven, NJ 07704
(via email: nyc.editor@gmail.com)

**Re: 8 Hendrickson Place
Fair Haven, New Jersey 07704
Block: 46 Lot: 12, R-10 Zone
Zoning Permit Application # 20-81**

Dear Mr. Gaiero:

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 April 29, 2020 by the Zoning Office.
2. Copy of Survey (not sealed), by Seneca Survey Co., Inc., dated 7-11-16, showing current conditions of the property.
3. Architectural plans entitled, "Alterations & Additions to The Gaiero Residence", prepared by Grammer Designs, LLC, dated 3.6.20, showing the proposed additions with site plan, no revisions.

It is my understanding that you are seeking approval to construct a building addition 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 Lot Area for an interior lot in the R-10 Zone is 10,000 SF.	The existing and proposed Lot Area is 7,405 SF, a <i>pre-existing non-conforming condition</i> .
§ 30-5.1 Table "C"	The minimum lot frontage and width for an interior lot in the R-10 Zone is 75'.	The existing and proposed lot frontage and width is 50', a <i>pre-existing non-conforming condition</i> .

<i>Ordinance Section</i>	<i>Requirement</i>	<i>Proposed</i>
§ 30-5.1 Table “C”	The minimum required Single Side Yard Setback in the R-10 zone for principal structures is 10’.	The existing Single Side Yard Setback is 5’, a <i>pre-existing non-conforming condition</i> . The proposed rear addition maintains the Single Side Yard Setback <i>exacerbating a pre-existing non-confirming condition</i> – Variance Required.
§ 30-5.1 Table “C”	The minimum required Total Side Yard Setback in the R-10 zone for principal structures is 24’.	The existing and proposed Total Side Yard Setback is 16.16’, a <i>pre-existing non-conforming condition</i> being exacerbated by the rear addition - <i>exacerbating a pre-existing non-confirming condition</i> – Variance Required.
§ 30-5.1 Table “C”	The minimum required Front Yard Setback in the R-10 zone for principal structures is 30’.	The existing Front Yard Setback is 21.5’ and a <i>pre-existing non-conforming condition</i> . The first floor maintains 21.5’ and a second floor addition is proposed above <i>exacerbating a pre-existing non-conforming condition</i> – Variance Required.
§ 30-5.1 Table “C”	The maximum permitted Habitable Floor Area Ratio in the R-10 Zone is 28%.	The existing Habitable Floor Area Ratio is 22% and the proposed Habitable Floor Area Ratio is 38%. – “D” Variance Required

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 Signed and Sealed copy of Survey;
- Provide explanation of concrete pad in the rear yard and setbacks of same;

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,

A handwritten signature in black ink that reads "N.J. Poruchynsky." The signature is written in a cursive, flowing style.

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*)
Jim Kennedy, ZB Engineer (*via email*)
Grammer Designs LLC (*via email: DesignStudio@kgdarch.com*)