

ZB#: 20-09

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Per _____

FAIR HAVEN ZONING BOARD OF ADJUSTMENT

APPLICANT: Hans Zimmerer PROPERTY ADDRESS: 139 Park Road
BLOCK: 7 LOT: 15 ZONE: R-10 PHONE #: 732-241-3550
APPLICANT ADDRESS (IF DIFFERENT): Same
ZONING BOARD ACCOUNT #: _____

APPLICATION GUIDELINES

In accordance with Borough requirements, the following items must be submitted with the application before it can be deemed complete.

- Letter from Zoning Office
- Compliance with Chapter 30.12 of the Fair Haven Land Development Code
- Original signed survey with raised seal, plus 15 copies
- Architectural plans containing the following information:
 - Complete floor plans showing **existing** and proposed conditions with **string dimensions**
 - Elevations of all sides of structure(s) **with string dimensions**
 - Zoning Schedule: must include total habitable floor area and floor area ratio
 - Detail as to calculation of habitable floor area. All measurements must be from exterior perimeter of structure.
 - Detail as to lot coverage calculation
 - Location and type of proposed attic access
 - Site plan showing existing and proposed conditions and setbacks
 - Key Map showing all properties within 200'
- Photographs of the property and adjacent properties
- Statement of legal basis for granting variances sought
- List of property owners within 200' and all others required to be served
- Proof of payment of taxes for the current quarter
- Proposed** Notice to Property Owners with copy of Zoning Officer's letter attached.
- Proposed** Notice to be published in newspaper.
- Payment of application and escrow fees

THE FOLLOWING ARE TO BE SUBMITTED AFTER NOTIFICATION THAT APPLICATION HAS BEEN DEEMED COMPLETE

- Affidavit of Publication from Newspaper
- Affidavit of Service: Copy of Notice sent to property owners with copy of Zoning Officer's letter attached, must be attached to affidavit.

IF A WAIVER OF ANY OF THE ABOVE REQUIREMENTS IS REQUESTED, SUCH REQUEST MUST BE IN WRITING AND SUBMITTED WITH THE APPLICATION

* For applications involving variances only, 15 copies of the plans are required. Of those, 11 may be reduced size. For applications involving a site plan, 20 copies are required and 15 may be reduced size.

APPLICATION TO ZONING BOARD OF ADJUSTMENT
OF THE BOROUGH OF FAIR HAVEN

PART III

TO BE FILLED IN ONLY IF APPLICATION IS MADE DIRECTLY TO THE BOARD OF ADJUSTMENT OR IF ALTERNATIVE RELIEF IS SOUGHT PURSUANT TO N.J.S. 40:55D-70c or d. AND ARTICLE 4 OF THE LAND USE ORDINANCE AND DEVELOPMENT REGULATIONS OF THE BOROUGH OF FAIR HAVEN

Phone# 732-241-3550

Applicant's Name Hans Zimmerer

Applicant's Address 139 Park Road, Fair Haven, NJ 07704

Owner's Name Same as Applicant

Owner's Address Same as Applicant

Relationship of applicant of owner (i.e. tenant, purchaser under contract, etc.) _____

Location of Premises 139 Park Road Block 7 Lot 15

(Street)

(Tax Map Reference)

The premises are located in the following Zone R-10

construct

Request is hereby made for permission to ~~construct, alter, convert, use, or~~ construct a new
residential dwelling _____ contrary to the

requirements of Article _____, Exhibit _____ of the Zoning Ordinance, or
for other relief as follows:

See attached list of variances

1. Said property is approximately 74'41.6' x 157.48'/184.20'
consisting of 9,569 sf

(give dimensions and area)

and has the following structures Dwelling and garage

(dwelling, garage, shed, pool, etc.)

2. Size of proposed building:

a) Total square footage of all stories (exclusive of attached garage & cellar), half stories
or any attic served by a fixed stairway 2,948 square feet

b) Number of stories 2

c) Height of principal building 31' 7 1/2"

3. Setbacks of building: Front 25'/15' Rear 73'/79.8' Side 8' Side _____

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4. Has there been any previous appeal, request, or application to this or any other Borough Board or the Construction Official involving these premises? Yes ___ No X

If YES, state the nature, date and the disposition of said matter: _____

5. Attach a statement to this application stating what exceptional conditions exist preventing the Applicant from complying with the Zoning Ordinance. Also include a statement of facts showing why the relief requested can be granted without substantial detriment to the public good and will not substantially impair the intent and purpose of the Zoning plan and Zoning ordinance. See attached statement

6. All applicants must attach to this application a schedule showing the following information (if applicable):

Type of construction (frame, stone, brick, etc.) _____
Present use of existing building(s) & premises Residential

Describe any deed restrictions affecting the property. _____

Total proposed dwelling units One
Total proposed professional offices N/A
Total proposed parking spaces _____

A photograph or photographs of land & buildings involved in the application. See attached

Name & addresses of all expert witnesses proposed to be used. See attached

Proof of payment of all property taxes due & owing on the premises. See attached

7. A SEALED SURVEY made by a licensed Land Surveyor to scale (not less than 1" = 100' of the property). Scale drawings (of not less than .25" = 1' of the proposed building(s) of the existing structure(s) indicating the changes, alterations or additions contemplated, if relevant.

8. A copy of any conditional contract or agreement related to this application must be filed with the application or presented to the Board at the times of the hearing.

9. A signed copy of the attached checklist indicating the documents to be submitted with the application to conform to the requirements of the Fair Haven Land Use Ordinance with respect to applications for variances and as set forth in Article 12 of the Fair Haven Land Use Ordinance.

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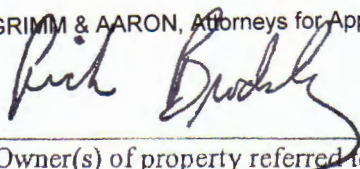
10. If the applicant is a corporation or partnership, the names and addresses of all stockholders or partners owning a 10% or greater interest in said corporation or partnership shall be set forth in accordance with P.L. 977 Ch. 336.

State of New Jersey, County of Monmouth ss

Rick Brodsky, being duly sworn according to law hereby certify that the information presented in this application to be true and accurate. If applicant is not the owner of the property, have the owner sign below, consent, or file with the application a letter signed by the owner consenting to the application.

The foregoing application is hereby consented to this 25th day of August, 2020.

ANSELL GRIMM & AARON, Attorneys for Applicant/Owner

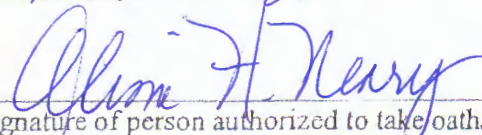
By: 
(Owner(s) of property referred to)
RICK BRODSKY, ESQ.

(Applicant(s) other than owners)

139 Park Road, Fair Haven, NJ

(Address of property referred to)

Sworn and subscribed to
before me this 25th day of
August, 2020


Signature of person authorized to take oaths

ALISON H NEARY
NOTARY PUBLIC OF NEW JERSEY
MY COMMISSION EXPIRES SEPT. 13, 2020

Application of Hans Zimmerer

139 Park Road

Block 7, Lot 15, R-10 Zone

LIST OF VARIANCES

The following variances have been applied for:

§30-5.1 Table "C": Minimum Lot Area for Corner Lot in the R-10 zone is 11,500 square feet, where 9,569 square feet is existing and proposed

§30-5.1 Table "C": Minimum Lot Frontage and Lot Width for a Corner Lot in the R-10 zone is 95 feet, where 74.4 feet is existing and proposed on Park Road, and 157.48 feet is existing and proposed on Park Avenue

§30-5.1 Table "C": Minimum Front Yard Setback for Principal Building and Structure in the R-10 zone is 30 feet, where 26.1 feet is existing and 25 feet is proposed on Park Road, and 25.6 feet is existing and 15 feet is proposed on Park Avenue

§30-5.1 Table "C": Minimum Required Single Side Yard Setback in the R-10 zone for principal structures is 10 feet on one side, where 4.4 feet exists and 5 feet (to raise patio) is proposed

§30-7.8 a, 2: Detached Accessory Buildings shall not be located in a front yard, where the proposed Accessory Building (Garage) is located in the front yard

§30-5.1 Table "C": Minimum Required Rear Yard Setback for an Accessory Structure (Garage) in the R-10 zone is 10 feet, where 5 feet is proposed

§11-4.10: Swimming Pool Location: No swimming pool (and associated coping or patios) is permitted to be constructed or installed nearer than 10 feet to any property line of the property upon which the pool is to be located, where the proposed swimming pool (and associated coping or patios) are 4.75 feet from the side property line

§30-5.1 Table "C": Maximum Permitted Habitable Floor Area in the R-10 zone is the lesser of HFA maximum allowable of 3,220 sf and/or HFA Ratio 0.28 of the Lot Area (9,569 sf x 0.28 = 2,679 sf), where the proposed Habitable Floor Area is 2,948 sf and the HFA Ratio will be 0.308 (the proposed 2,948 sf exceeds the HFA allowable of 2,679 sf)

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STATEMENT OF LEGAL BASIS FOR GRANTING VARIANCES SOUGHT

The benefits of granting the requested variance relief substantially outweigh any detriment, especially where, as here, the proposed new construction is a significant improvement over that which exists today, and is designed in keeping with the other homes in the immediate area. In addition, the existing lot is a significantly undersized, irregularly shaped corner lot, therefore creating challenges in terms of the development and improvement of same.

Application of Hans Zimmerer

139 Park Road

Block 7, Lot 15, R-10 Zone

LIST OF EXPERT WITNESSES

Anthony M. Condouris, Architect
20 Bingham Avenue
Rumson, NJ 07760