



**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](mailto:nporuchynsky@fhboro.net)

June 15, 2020

Mr. Andrew Anderson  
c/o Mark R. Aikins, L.L.C.  
Counselors at Law  
Autumn Ridge Office Park  
3350 Route 138, Building 1, Suite 113  
Wall, NJ 07719  
(via email: [maikins@aikinslaw.com](mailto:maikins@aikinslaw.com))

**Re: 81 Riverlawn Drive  
Fair Haven, New Jersey 07704  
Block: 26, Lot: 07, R-30 Zone  
Zoning Permit Application # 20-116**

Dear Mr. Aikins:

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. Your letter of transmittal, dated May 29, 2020.
2. Zoning permit application form and fee received on June 1, 2020 by the Zoning Office.
3. Property survey of the subject lot dated 12-16-16 prepared by Charles Surmonte P.E. & P.L.S., showing current conditions.
4. Site Plan titled "Anderson Residence", prepared by Steven R. Krog, L.A., dated 14 May 2020.
5. Architectural plans titled "Anderson Residence 81 Riverlawn Drive, Lot 7, Block 26, Fair Haven, New Jersey", prepared by Anderson Campanella Architects, dated 5/14/2020.

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:

<b><i>Ordinance Section</i></b>	<b><i>Requirement</i></b>	<b><i>Proposed</i></b>
§ 30-5.1 Table “C”	The minimum required Single Side Yard Setback in the R-30 zone for principal structures is 20 feet.	<p>The existing Single Side Yard Setback is 9.6 feet to the principal structure on south side, <i>a pre-existing non-conforming condition.</i></p> <p>The proposed front porch creates a new Single Side Yard Setback to the principal structure of 8.2 feet <i>exacerbating a pre-existing non-conforming condition.</i></p> <p><b>Variance Required.</b></p>
§ 30-5.1 Table “C”	The minimum required Combined Side Yard Setbacks in the R-30 zone for principal structures is 40 feet.	<p>The existing Combined Side Yard Setbacks is 19.2 feet to the principal structure, <i>a pre-existing non-conforming condition.</i></p> <p>The proposed additions on north side of the house, new covered entry, new front porch and pergolas on garage noted on the site plan in purple and on the architectural plans create new Combined Side Yard Setbacks to the principal structure of 17.7 feet <i>exacerbating a pre-existing non-conforming condition.</i></p> <p><b>Variance Required.</b></p>
§ 30-5.1 Table “C”	The minimum Single Side Yard Setback in the R-30 Zone is 20 feet.	There is an AC Unit in the side yard with a Single Side Yard Setback of 8 feet, <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 any details of the proposed work (if any) to the detached garage.

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*)