

TO: Borough of Fair Haven Zoning Board of Adjustment

FROM: Elena Gable, PP, AICP, CFM

RE: Hans Zimmerer
139 Park Road
Block 7 Lot 15
Bulk Variances v4

DATE: April 1, 2021

This report is intended to supplement our previous reports dated October 9, 2020, January 5, 2021, and February 26, 2021. Please note that our previous comments remain valid unless otherwise noted. We have received the following revised application materials in preparation of this report:

- 3-sheet set Architectural Plans entitled, "Proposed New Dwelling Zimmerer Residence, 139 Park Road, Fair Haven, New Jersey, Block 7 Lot 15," prepared by Anthony Condouris Architect Inc., dated June 10, 2020; last revised March 24, 2021.

Changes from Previous Project Proposal

The applicant has submitted revised materials in response to comments previously made by the Board and Board professionals. The revised materials indicate the following changes to the submitted proposal:

1. The applicant has reduced the size of the proposed dwelling by 122 square feet, eliminating the d(4) variance for exceeding the maximum habitable floor area ratio.
2. The proposed patio to the rear of the dwelling is setback approximately 6 feet from the side lot line, where it was previously 5.4 feet.
3. The dwelling is proposed to be setback 8.7 feet from the side yard, where it was previously proposed to be setback 8 feet.
4. As a result of the reduction in habitable floor area, the building coverage is reduced to 20.4% from 24.5%.
5. No changes are proposed to the detached garage, landscaping, or pool since the last submission.

Zoning

The property is located in the R-10 zone where single-family dwellings are a permitted use.

Bulk Standards for the R-10 Zone				
	Required	Existing (TBR)	Proposed	Variance
Lot Requirements (Corner Lot)				
Minimum Lot Area	11,500 sq. ft.	9,569 sq. ft.	9,569 sq. ft.	ENC
Minimum Lot Width- Park Road	95 feet	68.2 feet	68.2 feet	ENC
Minimum Lot Frontage- Park Road	95 feet	74.4 feet	74.4 feet	ENC
Minimum Lot Width- Park Avenue	95 feet	Approx. 173 feet	Approx. 173 feet	-
Minimum Lot Frontage- Park Avenue	95 feet	157.48 feet	157.48 feet	-
Minimum Lot Depth	100 feet	157.49 feet	157.49 feet	-
Principal Structure				
Minimum Front Yard Setback- Park Road	30 feet	26.1 feet	25 feet	Variance
Minimum Front Yard Setback- Park Avenue	30 feet	25.6 feet	16 feet	Variance
Minimum Side Yard Setback- One	10 feet	4.4 feet	6 feet to raised patio; 8.7 feet to dwelling	Variance
Minimum Rear Setback	30 feet	73 feet	69.5 feet	-
Maximum Building Height	32 feet	22 feet	32 feet	-
Maximum Stories	2.5	1.5	2	-
Maximum Building Coverage	35%	18.5%	20.4%	-
Maximum Habitable Floor Area Ratio	0.28	Not Provided	0.28	-
Maximum Habitable Floor Area Sq. Ft.	3,220 sq. ft.	Not Provided	2,680 sq. ft.	-
Maximum Lot Coverage	45%	33.8%	36.2%	-
Accessory Structure - Garage				
Minimum Rear Yard Setback	10 feet	N/A	7.25 feet	Variance
Minimum Side Yard Setback	8 feet	N/A	5 feet	Variance
Maximum Accessory Building Height	15 feet	N/A	15 feet	-
Accessory Structure – Swimming Pool				
Minimum Rear Yard Setback	10 feet	N/A	Approx. 55 feet	-
Minimum Side Yard Setback	10 feet	N/A	10 feet	-

ENC: Existing Nonconforming Condition

TBR: To Be Removed

VariANCES

A review of the application indicates that the property has the following existing nonconforming conditions:

- §30-5.1 Table C: Schedule of Area, Yard and Building Requirements- Minimum Lot Area- The minimum required lot area is 11,500 square feet where 9,569 square feet is existing. This existing nonconforming condition and is proposed to remain unchanged.
- §30-5.1 Table C: Schedule of Area, Yard and Building Requirements- Minimum Lot Width- The minimum required lot width is 95 feet, where approximately 69 feet is existing along Park Road. This existing nonconforming condition is proposed to remain unchanged.
- §30-5.1 Table C: Schedule of Area, Yard and Building Requirements- Minimum Lot Frontage- The minimum required lot frontage is 95 feet, where 74.4 feet is existing along Park Road. This existing nonconforming condition is proposed to remain unchanged.

The application requires the following variances:

- §30-5.1 Table C: Schedule of Area, Yard and Building Requirements- Minimum Front Yard Setback, Principal Structure – The minimum required front yard setback for a principal structure is 30 feet, where 26.1 feet is existing along Park Road and 25 feet is proposed.
- §30-5.1 Table C: Schedule of Area, Yard and Building Requirements- Minimum Front Yard Setback, Principal Structure – The minimum required front yard setback for a principal structure is 30 feet, where 25.6 feet is existing along Park Avenue and 16 feet is proposed.
- §30-5.1 Table C: Schedule of Area, Yard and Building Requirements- Minimum Side Yard Setback, Principal Structure – The minimum required side yard setback for a principal structure is 10 feet, where 4.4 feet is existing, and 6 feet is proposed to the raised patio.
- §30-5.1 Table C: Schedule of Area, Yard and Building Requirements- Minimum Side Yard Setback, Accessory Structure – The minimum required rear yard setback for accessory structures is 10 feet, where 7.25 feet is proposed for the detached garage.
- §30-5.1 Table C: Schedule of Area, Yard and Building Requirements- Minimum Side Yard Setback, Accessory Structure – The minimum required side yard setback for accessory structures is 8 feet, where 5 feet is proposed for the detached garage.
- §30-7.7c: Orientation of Principal Entrance – A proposed building must be oriented to face, which means it must have its most prominent façade and principal entrance face the front

of the lot (the lesser lot frontage). The applicant is proposing its most prominent façade to face Park Avenue, which is the greater lot frontage and opposite the side yard.

Planning Comments

1. The applicant shall provide testimony pertaining to all proposed changes.
2. As noted above, the revised proposal eliminates the d(4) habitable floor area variance. However, the application continues to require bulk variance relief due to the irregular shape of the lot.
3. The floorplans for the first and second floor are similar to what was previously proposed. The rooms have been modified to fit within the smaller building footprint.
 - a. The building footprint is roughly 46.7 feet in length by 29.25 feet in width.
4. We note the applicant is expanding the rear patio and the porch along Park Avenue towards the rear yard by 3.5 inches. The applicant shall confirm that this change is reflected in the lot coverage calculation.
5. The elevations of the dwelling on sheet Z-3 have not been updated to reflect the reduction in the size of the dwelling. The applicant shall provide testimony pertaining to whether any exterior architectural changes will be required to accommodate the reduction in the building (ie. window/door placement). We recommend the applicant provide revised elevations that accurately reflect the proposal.

Aerial Map of Property

