

RESOLUTION
TOWNSHIP OF WASHINGTON
ZONING BOARD OF ADJUSTMENT

WHEREAS, Jonathan & Lynne Moore (collectively the “Applicants”) has applied to the Zoning Board of Adjustment of the Township of Washington for zoning approval to permit the addition of a second level with attic to an existing ranch-style home, to enclose an existing carport and to replace an existing deck at the location known as 573 Willow Street and designated as Lot 1 in Block 3211 on the Tax and Assessment Map of the Township of Washington, and

WHEREAS, the proposed application seeks a height variance from the zoning code where the proposed height of 27.84’ for the addition exceeds the permitted 25.00’ height of residential structures in violation of the local zoning code, Section §245-21; and

WHEREAS, on July 19, 2016 a public hearing was held at which time testimony and arguments were given on behalf of the Applicants; and

WHEREAS, on July 19, 2016, the Board after due consideration and deliberation voted to grant the variance requested to permit the proposed construction; and

WHEREAS, all Board members who were present voted to approve the Application; and

WHEREAS, pursuant to N.J.S.A. 40:55D-10(g), said decision must be reduced to writing and include findings of fact and conclusions of law based thereon; and

WHEREAS, on August 16, 2016, the Board of Adjustment in an open and public session, does hereby adopt, ratify and confirm the following as its findings of fact and conclusions of law:

1. The Applicants are the owner of the premises known as Lots 1 in Block 3211 on the tax assessor’s map of the Township of Washington, more commonly known as 573 Willow Street.
2. The property is a single-family ranch-style home.
3. The Applicants seek to add a second floor and attic to their existing ranch-style home with a proposed height of 27.84 feet where 25 feet are permitted.
4. A variance is required under Township Ordinance §245-21 (which regulates Class B Residential District Height Restrictions in the Residential Zone). The Applicants are seeking this relief under N.J.S.A. 40:55D-70(d)(6).

5. The Applicants testified together that the additional height was necessary to accommodate air conditioning equipment and that the proposed height and construction would be consistent with other properties in the immediate area.

6. The Applicants' application was supported by the testimony of their architect, Jordan Rosenberg, R.A., who confirmed that the additional height was necessary to accommodate the proposed air conditioning equipment, that the house has otherwise been designed to minimize the height as much as possible, and that the proposed design and height represent an aesthetic improvement to the property and the surrounding neighborhood. Moreover, the proposed design, including the height, are consistent with the design and height of other properties in the immediate area. Conversely, without the addition and increased height, the existing residence would be out of scale with other nearby properties.

7. The Applicants confirmed that the proposed attic space may be suitable for storage but would not be habitable.

8. No members of the public appeared in connection with this Application.

9. The Zoning Board having been satisfied with the proofs presented and based upon the foregoing findings of fact hereby conclude that:

A. This Resolution is not intended to be all encompassing, but merely a summary of the testimony, exhibits and other evidence presented and relied upon by the Board during the hearings on this Application, all of which are included herein by reference.

B. The granting of the Applicants' application including the variance for the height variance for the proposed building height of 27.84' is appropriate and approved.

C. Particularly, given the aesthetic improvement of the proposed construction the property as contemplated in the submitted plans will be harmonious and consistent with other residences in the immediate area, the Board hereby finds that the granting of the variance far outweighs any detriments and the variance should be granted. Indeed the Board finds that there would be no substantial

detriment to the surrounding neighborhood nor to the Township's Master plan were the variance to be granted and the application be approved

NOW, THEREFORE, BE IT RESOLVED by the Zoning Board of Adjustment of the Township of Washington on this 16th day of August, 2016, that based upon the findings of fact previously set forth, the Zoning Board of Adjustment determines that the Application is granted, subject to the Applicants paying all the necessary fees and permit costs to the Township of Washington, complying with all applicable rules, regulations and laws of the Township of Washington.

Moved By:

Seconded By:

On August 16, 2016 according to the below indicated votes:

<u>Name</u>	<u>Yes</u>	<u>No</u>	<u>Abstain</u>	<u>Absent</u>
Mr. Asfar	[<input checked="" type="checkbox"/>]	[]	[]	[]
Mr. Miras	[<input checked="" type="checkbox"/>]	[]	[]	[]
Ms. Burke	[<input checked="" type="checkbox"/>]	[]	[]	[]
Mr. Cumming	[<input checked="" type="checkbox"/>]	[]	[]	[<input checked="" type="checkbox"/>]
Mr. Mouravieff	[<input checked="" type="checkbox"/>]	[]	[]	[<input checked="" type="checkbox"/>]
Ms. Ozment	[<input checked="" type="checkbox"/>]	[]	[]	[<input checked="" type="checkbox"/>]
Mr. DeSena	[<input checked="" type="checkbox"/>]	[]	[]	[]
Mr. Toro	[<input checked="" type="checkbox"/>]	[]	[]	[<input checked="" type="checkbox"/>]
Mr. Smith	[]	[]	[]	[<input checked="" type="checkbox"/>]

APPROVED [X]

DISAPPROVED []

Attest:

Approved: Pat McDermott
Pat McDermott, Acting Secretary

Thomas Asfar
Thomas Asfar, Chair

I hereby certify the foregoing to be a true and accurate copy of a resolution adopted by the Board of Adjustment of the Township of Washington at a meeting held on 16th day of August, 2016