

**TOWNSHIP OF WASHINGTON
BERGEN COUNTY, NEW JERSEY
ZONING BOARD OF ADJUSTMENT**

RESOLUTION ZB-22-10

WHEREAS, BRYAN MONE AND CLARET MONE (the “Applicant”) have applied to the Zoning Board of Adjustment of the Township of Washington for variance relief from the zoning code to grant the Applicant several variances with regard to the Applicant’s proposed additions as well as interior and exterior renovations of an existing one (1) story ranch style single family residential dwelling. The proposed renovations include a new open covered porch, a new second floor, an expansion of the existing first floor footprint and a new garage. The property is known as 354 Beech Street and designated as Lot 55, Block 4407 on the Tax and Assessment Map of the Township of Washington. The subject property is classified as an “interior lot” and is situated in the “Class B” Zoning District and is located at the west side of Beech Street approximately 75.00 feet south of the intersection with Lincoln Avenue. The property is rectangular shaped and exhibits a frontage of 75.00 feet wide and a depth of 100.00 feet with a total area of 7,500.00 square feet and is a conforming lot size. The Applicant seeks variance approval for maximum building coverage of 28.1% where the maximum permitted is 20.00%. The Applicant seeks variance approval for a minimum side yard setback of 7.7 feet where a minimum of 10.00 feet is required. The Applicant seeks variance approval for a maximum building height of 26.00 feet where a maximum height of 25.00 feet is permitted. The Applicant also seeks variance approval for a garage floor area of 359.00 square feet where a minimum of 500.00 square feet is required. The Application is found to conform with all other applicable zoning criteria for the “Class B” Zone.; and

WHEREAS, the Township of Washington Zoning Board of Adjustment has carefully considered the testimony of the Applicant, Bryan Mone and Claret Mone, and evidence presented

by the Applicants and their professionals and Board discussion and comments during the general public hearing held on April 20, 2021 via electronic means and in compliance with the Open Public Meetings Act, prior to which time the Applicant presented proof of notice and publication as required by law, and;

WHEREAS, the Township of Washington Zoning Board of Adjustment has reviewed the following:

- a. Township of Washington Application for Variance by applicant, Bryan Mone and Claret Mone, including an Affidavit of Service and Proof of Publication, dated March 10, 2021 and consisting of twenty-six (26) sheets;
- b. The report of the Board Engineer, Paul Azzolina, PE, CME, Azzolina & Feury Engineering, Inc. dated April 15, 2021 and consisting of seven (7) sheets;
- c. Survey prepared by Vallee Surveying, LLC, dated December 9, 2014 and consisting of one (1) sheet;
- d. Site Plan, Floor plans and Exterior Elevations prepared by Joseph J. Bruno, AIA, dated March 10, 2021 and consisting of three (3) sheets and marked into evidenced as Exhibit A-1;
- e. Six (6) pictures of different views of the property and adjacent properties taken by Joseph J. Bruno on April 20, 2021 and marked into evidence as Exhibit A-2.

WHEREAS, the Township of Washington Zoning Board of Adjustment has made the following findings of fact and conclusions of law:

1. The property designated as Lot 55, Block 4407 currently has an existing ranch style one

(1) story single family residential dwelling and is located in the “Class B” residential zone and is classified as an “Interior Lot”. The Applicant’s proposed use of the property is a permitted use in the “Class B” Zone;

2. At the public hearing held on April 20, 2021 Joseph J. Bruno, AIA, the Applicant’s Architect, was sworn in and accepted by the Board as an expert witness. He testified that the Applicant currently owns a one (1) story ranch style residential dwelling with no garage. He testified that the Applicant is seeking approval to add a second floor and expand the first floor at the rear of the property. The Applicant will also add a new garage on the right side of the property, a new open covered porch at the front of the property and an expanded driveway area. The existing curb cut shall remain.

3. Mr. Bruno testified that the Applicant is seeking approval of the following variances:

- a) Maximum Building Coverage: The Applicant seeks variance approval for maximum building coverage of 28.1% where the maximum permitted is 20.00%.
- b) Minimum Side Yard Setback: The Applicant seeks variance approval for a minimum side yard setback of 7.7 feet where a minimum of 10.00 feet is required.
- c) Maximum Building Height: The Applicant seeks variance approval for a maximum building height of 26.00 feet where a maximum height of 25.00 feet is permitted.
- d) Minimum Garage Floor Area: The Applicant seeks variance approval for a garage area of 359.00 square feet where a minimum of 500.00 square feet is required.

He testified that the addition of the garage and covered porch is major reason why the variance is needed for the building coverage. There is no garage now so the addition would make the dwelling conforming in that regard and the porch adds aesthetic character to the property and neighborhood which are both positive results of the renovations. The height variance is needed to account for the proper slope needed

for the roof. The Applicant will also be installing a new stormwater management system which is a benefit as there currently is no such system on the property. Paul Azzolina, the Board's Engineer, concurred with the Applicant's Architect that the addition of the stormwater management system is a true benefit for the property and neighboring properties. As to the side yard setback, the second floor wall complies, but the addition of the garage does not comply. Claret Mone, the Applicant, was sworn in and after hearing the Board's concerns about the side yard variance she testified that Applicant agrees to reduce the garage size to 302 square feet. The Applicant will also revise the side yard setback to 10.00 feet which would no longer require a variance and which will reduce the building coverage to 27.0%

WHEREAS, the Zoning Board of Adjustment of the Township of Washington has determined that the Applicant has satisfied the criteria for granting a C variance and has accepted the testimony of the Applicant and their experts that the requested variances as revised at the hearing would be needed to construct the proposed renovations and would be a benefit to the adjacent properties and community.

WHEREAS, members of the public were invited to ask questions of the Applicant after testimony was given, and all questions offered by members of the public were answered to the satisfaction of the Zoning Board of Adjustment;

WHEREAS, the Zoning Board of Adjustment has determined that the relief requested by the Applicants can be granted without substantial detriment to the public good and without substantially impairing the intent and purpose of the Zoning Ordinance of the Township of Washington, the enforcement of which would result in practical difficulty and unnecessary hardship in the use of applicants' property. Moreover, the Board finds that the plan represents a better planning alternative with the least impact on the property as a whole, and is not out of character, and is not

likely to be a substantial detrimental impact upon any other properties in the neighborhood, and would blend into the surrounding properties;

NOW THEREFORE, BE IT RESOLVED by the Zoning Board of Adjustment of the Township of Washington on this 18th day of May, 2021 that based upon the findings of fact, testimony presented and documents submitted for review as previously set forth, the application of Bryan Mone and Claret Mone is hereby granted with approval of the following variances:

- a) Maximum Building Height of 26.0 feet;
- b) Maximum Building Coverage of 27.0%;
- c) Maximum Garage Floor area of 302 square feet;
- d) Side yard setback variance was eliminated and shall be a minimum of ten (10) feet.

WHEREAS the application was approved at the April 20, 2021 hearing and was memorialized in a Resolution at the May 18, 2021 hearing. As per the Resolution the variances granted will expire within one (1) year from the date of the Resolution if construction is not commenced, however, this Board reserves the right to grant extensions of time from this Resolution if circumstances warrant the same. On June 6, 2022 the Board received a letter from the Applicant, Bryan Mone, advising the Board that due to delays, the Applicant was unable to commence construction on their property prior to May 18, 2022 and the Applicant requested an extension of the Approval. The Applicant, Bryan Mone appeared at the June 21, 2022 hearing and testified that the majority of the documentation required was submitted to the town to obtain the permits and construction will begin as soon as possible. Accordingly, the Board approved this request and extended the time for the Applicant to commence construction for one (1) year until July 19, 2023.

BE IT FURTHER RESOLVED that the Applicant shall comply with all of the stipulations

made during the hearing on this Application as set forth herein and on the record before the Board.

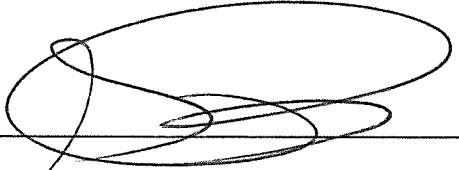
BE IT FURTHER RESOLVED the Applicant's failure to comply with conditions set forth in this Resolution shall constitute a failure of the conditions and may be the cause for the revocation of either a building permit and/or Certificate of Occupancy of the premises, subject to reasonable notice and the opportunity to cure.

BE IT FURTHER RESOLVED that pursuant to the Code of the Township of Washington, the variances granted will expire within one (1) year from the date of this Resolution if construction is not commenced, however, this Board reserves the right to grant extensions of time from this Resolution if circumstances warrant the same;

BE IT FURTHER RESOLVED, that the Secretary of the Zoning Board of Adjustment of the Township of Washington is hereby directed to mail a copy of this Resolution to applicant; to furnish a copy to the building department; to file a copy of this Resolution with the Township of Washington Clerk; and to cause a notice of this determination of the Zoning Board of Adjustment to be published in the official newspaper of the Township of Washington within ten (10) days of the date hereof and thereafter published according to law.

BY THE BOARD

Dated: July 19, 2022

BY: 
Said Toro, Chairman

Certified to be a true copy of the Resolution adopted by the Zoning Board of Adjustments of the Township of Washington at its meeting on Tuesday, July 19, 2022.

BOARD	MOTION	SECOND	AYES	NAYES	ABSTAIN	ABSENT	RECUSE
Callandrillo			X				
Capasso			X				
Hanna			X				
LaGratta	X		X				
Mahoney		X	X				
Roberto			X				
Toro			X				