

RESOLUTION
TOWNSHIP OF WASHINGTON
ZONING BOARD OF ADJUSTMENT

Introduced by:

Forray, Grimaldi, Hanna, LaGratta, Ozment, Plantamura, erfe Toro, Goetz (Chairman)

Seconded by:

Forray, Grimaldi, Hanna, LaGratta, Ozment, Plantamura, Werfel, oro Goetz (Chairman)

WHEREAS, SACHA HAZEN-POULIOT (the "Applicant") has applied to the Zoning Board of Adjustment of the Township of Washington for variances from the zoning code to allow construction of a two (2) and one-half(1/2) story addition with a full height basement below grade along the rear elevation of an existing two (2) and one-half(1/2) story residential dwelling on an interior lot. The Application requires a variance for building height. The Applicant seeks approval for a two (2) and one-half (1/2) story, 27 foot building height where the maximum building height permitted is two (2) and one-half (1/2) stories and 25 feet. The property is known as 661 Beech Street and designated as Lot 13, Block 3117 on the Tax and Assessment Map of the Township of Washington; and

WHEREAS, the Township of Washington Zoning Board of Adjustment carefully considered the testimony of applicant, Sacha Hazen-Pouliot and Christina Hazen-Pouliot, and evidence presented by the applicants and Board discussion and comments during the general public hearing held on April 17th, 2018, as well as the April 6, 2018 report of Paul Azzolina, PE, CME of Azzolina & Fuery, Inc.,

30 Madison Avenue, Paramus, New Jersey, 07652;

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

- a. Township of Washington Application for Variance by applicants, Cristina HazenPouliot and Sacha Hazen-Pouliot, dated April 3, 2018 and consisting of seventeen (17) double-sided sheets;
- b. The report of the Township Engineer, Paul Azzolina, PE, CME, Azzolina & Feury Engineering, Inc. dated April 6, 2018 and consisting of two (2) double-sided sheets;
- c. A proposed Floor Plan, Foundation Plan, Site Plan and Elevations, prepared by Inglese Architecture and Engineering, consisting of three (3) sheets;
- d. A Site Plan prepared by Bright View Engineering, LLC, dated November 30, 2017, and consisting of one (1) sheet;

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 13, Block 3117 is presently being used as a 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 permitted in the B Zone;

2. At the public hearing held on April 17, 2018, Christina Hazen-Pouliot and Sacha HazenPouliot were sworn in and testified before the Board. Christina Hazen-Pouliot testified that she is married to the Applicant and they both own the property which they purchased four (4) years ago. She further testified that as her family grew the house became too small to accommodate them, their children and their parents who sometimes sleep over in order to provide additional child care to their children Mrs. Hazen-Pouliot testified that they would like to construct a two (2) and one-half (1/2) story addition to the rear of the property. She further testified that the current height of the dwelling is 27.78 feet and the proposed height with the addition will be 27.0 feet. However, she testified that the maximum building height permitted is 25.0 feet and she is requesting the Board grant the variance

due to the need for additional space and the fact that the height will be slightly lower than what it is now.

She testified that the original plans had a proposed deck but she confirmed that the deck will be removed from the plans and no longer be part of the Application.

3. Pursuant to N.J.S.A. 40:55D-70c (l), the applicant seeks variance relief due to hardship for a new a two (2) and one-half (1/2) story addition, with a 27.0 foot building height where the maximum building height permitted is two (2) and one-half (1/2) stories and 25.0 feet.

4. The Board advised the Applicant that as per the Site Plan the Applicant's garage encroached a few feet over the Applicant's property line and onto the neighbor's property. The Applicant testified to the Board that the garage is a pre-existing non-conforming structure and was in this location when they purchased the property. The Applicant further testified that they were aware of the fact that the garage was partially located on the neighbor's property at the time they purchased the property.

WHEREAS, the Zoning Board of Adjustment of the Township of Washington has detennined that the requested variance for the building height for the addition are justified under C1 of the statute, in light of the fact that they the height will actually be closer to compliance with Borough Ordinance than it is now, However, the Board Approves the Application under the following conditions:

a) The Applicant must provide the Board with a letter with the notanzed signature of the neighbor who owns the property adjacent to the Applicants property, on the northeast side, where the garage encroaches a few feet onto their property. The letter shall confirm that the neighbor is aware of the encroachment and aware of the Applicant's application for a height variance and has no objection to how the height variance relates to the encroachment of the garage.

MOAEREAS, 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 renovation of applicants' house. 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 19 day of May 2018 that based upon the findings of fact and documents submitted for review as previously set forth, the application of Sacha Hazen-Pouliot is hereby granted to allow the Applicant to construct a two (2) and one-half(1/2) story addition to the rear of the dwelling, with a height of 27.0 feet, to the existing residential dwelling in conformity with the plans submitted to this Board as amended at the hearing and in compliance with the requirements outlined in the A p r i l 6 , 2018 reports of the Township of Washington Engineer, Paul Azzolina, P.E., C.M.E., Azzolina & Fuery Engineering Inc.;

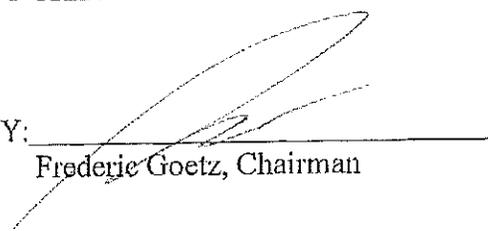
BE IT FURTHER RESOLVED that the Applicant shall comply with all of the stipulations made during the hearing on this Application as set forth herein and on the record before the Board.

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 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

BY: 

Frederic Goetz, Chairman

Dated: May 15, 2018

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, May 15, 2018.



, Secretary