RESOLUTION TOWNSHIP OF WASHINGTON

ZONING BOARD OF ADJUSTMENT ZBA-20-6

Introduced by:

Callandrillo, Grimaldi, Hanna, LaGratta, Moore, Mahoney, Werfel, Toro, Goetz (Chairman)

Seconded by:

Callandrillo, Grimaldi, Hanna, LaGratta, Moore, Mahoney, Werfel, Toro, Goetz (Chairman)

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WHEREAS, GERARD MURPHY and JANET MURPHY (the "Applicant") has 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 and renovations of an existing 2 story single family residential dwelling including a new attached one (1) story, (1) car garage which will replace an existing carport. The property is known as 540 Ridgewood Road and designated as Lot 1, Block 4410 on the Tax and Assessment Map of the Township of Washington. The subject property is classified as a "corner lot" and is situated in the "Class B" Zoning District and is located at the northwest quadrant formed by the intersection of Fern Street and Ridgewood Road. The property exhibits a frontage of 78.56 feet (Ridgewood Road), 115.39 feet (Fern Street) with a total lot area of 9,530.60. The front yard setback is 19.23 on Fern Street where a minimum of 20.00 feet is required and is a pre-existing non-conforming condition related to the principal structure. The Applicant seeks variance approval for a garage area of 308 square feet where a minimum of 500 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, Gerard Murphy, and evidence presented by the Applicants and their professionals and Board discussion and comments during the general public

hearing held on August 18, 2020 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, Catherine Russo, including an Affidavit of Service, dated June 8, 2020 and consisting of eleven (11) double sided sheets;

b. The report of the Township Engineer, Paul Azzolina, PE, CME, Azzolina & Feury Engineering, Inc. dated May 26, 2020 and consisting of two (2) double-sided sheets;

c. Survey prepared by Gluckler & Den Bleyker Professional Land Surveyors, dated January 28, 2020 and consisting of one (1) sheet and marked into evidence as Exhibit A-2;

d. Plot/Foundation/Floor plans and Exterior Elevations prepared by Axis Architectural Group, Steven B. Lazarus, A.I.A., dated March 20, 2020 and consisting of three (3) sheets and marked into evidenced as Exhibit A-1;

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 1, Block 4410 currently has an existing 2 story single family residential dwelling and is located in the "ClassB" residential zone and is classified as a "Corner 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 August 18, 2020 the Applicant, Gerard Murphy, was sworn in and testified that he wishes to replace an existing carport with a new 14.0 foot x 22.00 foot, one (1) story, one (1) car garage situated along the west elevation of the existing dwelling. He testified that he will take down the existing carport and install a new 3.0 foot x 7.0 foot, 6.0 inch thick concrete pad situated at the northeasterly exit door location.

3. The Board's Engineer, Paul Azzolina, advised the Board that Applicants proposed garage area is 308 square feet and requires variance approval as the minimum garage area required 500 square feet. He also advised the Board that the proposed garage will accommodate one (1) car. He further testified that the Applicant has a pre-existing non-conforming front yard set-back on Fern Street, however, there will not be any change to the setback. He also advised the garage addition proposes a de minimis increase in the impervious coverage while maintain compliance with maximum building coverage standard and no stormwater management facilities are required.

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 that the variance would be needed to build the proposed garage.

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 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 15th day of September, 2020 that based upon the findings of fact, testimony presented and documents submitted for review as previously set forth, the application of Gerard Murphy and Janet Murphy is hereby granted to allow a new one (1) story, one (1) car, 308 square foot garage.;

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: September 15, 2020

BY:_____

Frederic Goetz, 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, September 15, 2020.

Barbara J. Coleman
, Secretary

	Ayes	Nays	Abstain	Absent
Moore	✓			
Grimaldi	✓			
Hanna	✓			
LaGratta	✓			
Mahoney	✓			
Callandrillo	✓			
Werfel	✓			
Toro	✓			
Goetz	✓			