

**RESOLUTION TOWNSHIP OF WASHINGTON**  
**ZONING BOARD OF ADJUSTMENT**

Introduced by:

Grimaldi, Hanna, LaGratta, Moore, Ozment, Plantamura, Werfel, Toro, Goetz (Chairman)

Seconded by:

Grimaldi, Hanna, LaGratta, Moore, Ozment, Plantamura, Werfel, Toro, Goetz (Chairman)

WHEREAS, SIGNATUREHOUSES, LLC (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 a variance for minimum garage floor area and to construct certain additions and renovations to an existing one (1) story single family residential dwelling. The property is known as 560 Walnut Street and designated as Lots 33, 34, 35, and Block 4206 on the Tax and Assessment Map of the Township of Washington. The subject property is classified as a "interior lot" and is located within the "Class B" Zoning District. The property is rectangular shaped and has a total frontage of 75.00 feet with a lot depth of 100.00 feet for a total lot area of 7,500.00 square feet which is in conformance with the zoning requirements of the "Class B" Zone. The Applicant seeks approval for a minimum garage floor area of 360.82 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 carefully considered the testimony of the Applicant, Signaturehouses, LLC and Applicant's Architect, Anthony Guzzo, R.A., and evidence presented by the Applicants and their professionals and Board discussion and comments during the general public hearings held on October 15, 2019 and;

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

following:

- a. Township of Washington Application for Variance by applicant, Signaturehouses, LLC, dated September 19, 2019 and consisting of eighteen (18) sheets;
- b. The report of the Township Engineer, Paul Azzolina, PE, CME, Azzolina & Feury Engineering, Inc. dated August 28, 2019 and consisting of five (5) sheets;
- c. Site/Floor/Elevation plans, prepared by Guzzo & Guzzo Architects, LLC, dated June 14, 2019 and consisting of five (5) sheets;
- d. Survey prepared by Manno Surveying, Inc., dated August 4, 2019 and consisting of one (1) sheet;
- e. Affidavit of Service prepared by Constantine Stamos, Esq., dated September 30, 2019 and consisting of twelve (12) double sided sheets.

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 Lots 33,34 & 35, and Block 4206 is presently used as a residential dwelling and is located in the "Class B" residential zone. The Applicant's proposed use of the property is a permitted use in the "Class B" Zone;
2. At the public hearing held on October 15, 2019 the Applicant, Signaturehouses, LLC was represented by counsel, Constantine Stamos, Esq. Mr. Stamos submitted an Affidavit of Service to the Board Secretary. Mr. Stamos advised the Board that the property is located in the "Class B" Zone and the Applicant is making renovations to the existing dwelling and only requires one (1) variance for minimum garage floor area.

3. The Applicant's Architect, Anthony Guzzo, R.A, was sworn in and accepted by the Board as an expert witness. Mr. Guzzo testified that the Applicant is expanding a one (1) story ranch style dwelling by adding a second floor to the existing dwelling and covered a porch at the front entrance of the dwelling. He testified that the proposed garage floor area will be 360.82 square feet where a minimum of 500.0 square feet is required. However, Mr. Guzzo testified that this is the only variance requested by the Applicant and in order to comply with the Borough Ordinance for the garage the Applicant may trigger other variances and would take away from the Applicant's living space. Mr. Guzzo testified that 360.82 square feet is a sufficient amount of space for a garage and currently there is no garage.

4. It should also be noted in the report from the Township Engineer, Paul Azzolina, PE, CME, Azzolina & Feury Engineering, Inc. dated August 28, 2019 that the Applicant proposes removing the existing shed and abutting concrete pad and the application proposes a de minimis increase in impervious surface coverage due primarily to the increased rooftop area associated with the second floor cantilevers. In his report Mr. Azzolina advised that the surface water runoff from the additional roof will not adversely affect the neighboring properties or the public storm drainage system. Accordingly, in his report Mr. Azzolina advised that supplemental stormwater management facilities shall not be required in connection with the subject application for Zoning/Engineering Approval. It should also be noted that there were no questions or objections from the Public in attendance at the meeting.

5. Pursuant to N.J.S.A 40:55D—70c(1), and N.J.S.A 40:55D—70c(2) the Applicant seeks a variance for a proposed garage floor area of 360.82 square feet where a minimum of 500.0 square feet is required. The Applicant's proposed is a permitted use in the "Class B" Zone.

6. The application complies in all other respects as to all other setbacks, height coverage,

etc.;

WHEREAS, the Zoning Board of Adjustment of the Township of Washington has determined that the Applicant has satisfied the criteria for granting a garage floor area variance and has accepted the testimony of the Applicant and their Architect that the variance can be granted as the proposed garage provides adequate space, there is currently no garage and other variances may be triggered in order to comply with the Borough Ordinance.

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 renovation and 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 19<sup>th</sup> day of November, 2019 that based upon the findings of fact, testimony presented and documents submitted for review as previously set forth, the application of Signaturehouses, LLC is hereby granted to allow a garage floor area of 360.82 square feet in conformity with the plans submitted to this Board and as amended at the hearing.;

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: November 19, 2019

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, November 19, 2019.

Barbara Coleman  
, Secretary

	<b>Ayes</b>	<b>Nays</b>	<b>Abstain</b>	<b>Absent</b>
<b>Moore</b>	<u>✓</u>	<u>      </u>	<u>      </u>	<u>      </u>
<b>Grimaldi</b>	<u>✓</u>	<u>      </u>	<u>      </u>	<u>      </u>
<b>Hanna</b>	<u>✓</u>	<u>      </u>	<u>      </u>	<u>      </u>
<b>LaGratta</b>	<u>✓</u>	<u>      </u>	<u>      </u>	<u>      </u>
<b>Ozment _</b>	<u>✓</u>	<u>      </u>	<u>      </u>	<u>      </u>
<b>Plantamura</b>	<u>      </u>	<u>      </u>	<u>      </u>	<u>✓</u>
<b>Werfel</b>	<u>      </u>	<u>      </u>	<u>      </u>	<u>✓</u>
<b>Toro</b>	<u>      </u>	<u>      </u>	<u>      </u>	<u>✓</u>
<b>Goetz</b>	<u>✓</u>	<u>      </u>	<u>      </u>	<u>      </u>