

**Borough of Cresskill
Zoning Board of Adjustment
Minutes May 25, 2017**

1301 Charlie Franke 110 Roosevelt St Block 116 Lot 37				
Description	Required	Existing	Proposed	Variance
Front Yard Set Back	25 ft	13.4 ft	10.73 ft 18.85 ft	14.27 ft 6.15 ft
Side Yard Abutting/Lot	15 ft	8.4 ft	8.4 ft	6.6 ft
Combined Side Yards	35 ft			
Rear Yard Set Back	30'	55.28'		
Max. Livable Fl.Area FAR	(variable) 39%			
Lot Frontage	100 ft	100 ft		
Lot Depth	100 ft	116 ft		
Bldg Coverage %	20%	12.06%	12.82%	
Impervious Coverage	(variable) 35%	29.01%	29.76%	
Height	28 ft			
Lot Area.	10,000 sq.ft	11,600 sq.ft		

The applicant proposes to construct two additions to the front and side of the above address.

Mr. Franke was sworn in.

Mr. Franke testified that he was applying for a variance for a small addition to the front of his house, which includes a small porch area in the proximity of the road.

Ms. Furio said so your house is currently less than 25' set back.

Mr. Franke said correct.

Ms. Furio asked what is it that you are adding ?

Mr. Franke said in the front its going to be a small porch with a roof, and then on the south end of the house it will come out squaring it off.

Ms. Furio said currently its 13.4' and you are looking to go 10.73'. How wide is that porch at the narrow point ?

Mr. Franke said the narrowest width to the street is about 3'

Ms. Furio asked if anyone on the board had any questions.

Ms Batistic asked is there a 2nd sheet to this plan, we only have one sheet of the basement area .There is no architectural that shows the façade and what that porch is going to look like.

Mr. Franke said I was told that only one was needed, the 1st page. There are 3 pages.

Ms Furio asked you only submitted the 1st page.

Mr. Franke said that was what I was told. I have a stamped copy to give to the Zoning Board tonight.

Mr. Van Horne said mark them A-1, A-2, A-3 plus the date.

Ms. Furio and members of the board discussed the plans with Mr. Franke.

Mr. Kassis said you have a foyer in that house now.

Mr. Franke said correct.

Mr. Kassis said that is an existing foyer, it is not a new foyer.

Mr. Franke said correct.

Mr. Kassis said you are putting a porch in front of the existing entrance.

Mr. Franke agreed.

Ms Westerfeld asked for the location of the new steps.

Mr. Kassis asked about the garage.

**Borough of Cresskill
Zoning Board of Adjustment
Minutes May 25, 2017**

Page 3 of 6

1301 Charlie Franke 110 Roosevelt St Block 116 Lot 37 cont.

Mr. Franke said that there was no garage on the property. I have a storage room on the ground level at the back of the house.

Mr. Kassis asked about the indentation.

Mr. Franke said that was the driveway.

Mr. Kassis said basically you are 13.4' to the property line but the curb line extends further out.

Ms. Furio asked is anyone in the audience for or against this application ?

Mr. Kassis said there are 2 variances that we are concerned with. How important is the porch to the rest of the project ? On a scale of 1 to 10.

Mr. Franke said to my wife 9 ½ .

The board discussed the plans among themselves

Mr. Kassis said that there were parameters in the Zoning board that allows for encroachment of the front porch.

Ms. Batistic it was 4' by 6'.

Mr. Kassis said that my personal opinion, if we were to stick with the current variance, we could create a porch up front that would not be so expansive, and be within the guidelines of the current variance with the cover, with the 2 columns. It would not be covering that reset area to the right, roughly 8'. It would shrink it down significantly, and its 6' allowed would not need the variance. You would be able to have a 6' wide...

Ms. Batistic said the existing is already in violation. We don't have 25' set back.

Mr. Kassis said that my reading is that there is a waiver for the 4' no matter where the encroachment is. As long as its 4' by 6' it can be encroached further than the 25' . 25' minus 4' is 21' . So it can be closer than 21' to the street as long as its 4' by 6' . That's my understanding. So if this application were modified to have a 6' peak porch over the front door for aesthetic purposes, the variance would stand at ...

The board discussed the porch size and variance among themselves.

Ms. Batistic said I have concerns over the front porch, because the structure is already too close to the street, and I don't see any hardship. There is no topography, or shape of the lot. The lot is a little bit on an angle, but however. The squaring off, I don't have a problem with.

Ms Furio asked would you consider changing the size of the porch ? The 4' by 6' would go across the front door with the peak, and the columns and the stone, that's not the issue. But the added piece that comes around the current foyer is the concerning part.

Mr. Franke said I understand that. So what would be the next process ?

Mr. Van Horne said you can amend the application tonight.

Mr. Franke said that I cannot do that by myself.

Ms. Furio said we can carry it and you can come back next month, and everything would remain the same and we could look at it again.

Mr. Van Horne asked do you want one of the board members describe what might be acceptable if you amend your application ?

Mr. Franke said I don't want to trim it down to 6', so I have to come back.

Mr. Corona said you understand that if you make it a 4' by 6' porch, then, pretty much, you are guaranteed to get it.

Ms. Furio said not guaranteed, it is still a variance.

Mr. Franke said that he will consult with his wife and the architect. He was told that this was not going to be a problem...

Mr. Van Horne said we will carry this to the June meeting. You will not have to re-notice.

**Borough of Cresskill
Zoning Board of Adjustment
Minutes May 25, 2017**

1302 Sun Jun Park	46 Florence Ave	Block 125 Lot 27.01		
Description	Required	Existing	Proposed	Variance
Front Yard Set Back	25 ft	23.7 ft	23.7 ft	1.3 ft
Side Yard Abutting/Lot	15 ft	9.7'	9.7 ft	5.3 ft
Combined Side Yards	35 ft	25.5'	25.5 ft	9.5 ft
Rear Yard Set Back	30'			
Max. Livable Fl.Area FAR	(variable) 39%	22.9%	38.35%	
Lot Frontage	100 ft	50'		
Lot Depth	100 ft	136.52'		
Bldg Coverage %	20%	20.5%	18.76%	
Impervious Coverage	(variable) 35%	36.9%	34.92%	
Height	28 ft	28.3 ft	28.3 ft	0.3 ft
Lot Area.	10,000 sq.ft			

The applicant proposes to construct an addition to the rear of the above address.

Mr Martin Santini, FAIA , architect and planner, was sworn in.

Mr. Santini testified this was an application for 46 Florence Ave Lot 27.01, Block 125.

It is 95' east of Elm St. which is the border with Dumont.

I have a photographic exhibit, and I have these 2 plans that were submitted to the board. There is a site plan sheet with elevations and Zoning data and the floor plan sheet. These are marked A-1, A-2, A-3 (floor plans). The photographic exhibit, that I prepared, with photos taken in mid April, illustrates the subject property in its existing condition on Florence Ave., 95' east of Elm St. which has an existing large single family house currently under construction. Adjacent to the family house is another single family house on a 50' by 136' lot that has also expanded to the rear. The 2 front photographs are along Florence avenue. The rear photograph illustrates the existing residence that is going to be upgraded and improved, as well as the existing single family house, that's adjacent to the subject property, and has an addition to the rear. The house to the right of the subject property is a large house on the corner of Florence and Elm that has recently and still undergoing currently construction an addition that has been approved by the municipality. The 2nd drawing is actually an existing survey illustrating the existing conditions of the subject property. It is 50' wide by 136.52' deep so its in excess of the 5000 sq.ft in this particular R-10 zone. The subject property has basically a shed on the property and has some landscaping elements and a deck to the rear of the house. What we see by this addition, an improvement , is a rear expansion to the back part of the house, and a small front addition to the 2nd floor of the house. Currently the front yard set back is 23.7'. The 2nd floor addition will be 25' 2", so it will not require a variance. The Zoning data that's required for the R-10 requirements:

The minimum lot area is 10,000 sq.ft and this is an existing non-conformity- the existing site is 6826 sq.ft.

The minimum lot frontage is 100', this is 50'- another existing non-conformity.

The minimum lot depth is 100' and this property has 136.52'

The minimum front yard is 25' – the existing structure is 23.7', that is an existing non-conformity. But it's important to note that the 2nd floor addition will be in conformance with the 25' set-back.

The minimum side yard required is 15'- the westerly side yard is only 9.7'- that is an existing non-conformity.

The minimum side yard for both yards in the zone requires 35', and there currently exists 25.5' -- that is an existing non-conformity.

The additions both in the front and in the back will be within the required set-back.

The minimum rear yard is 30' and will be 56.6'

The maximum height is 28'. This was measured out at 28.3'. So apparently it was built 4" higher than what was required by the zone' so that's an existing non-conformity and will remain.

**Borough of Cresskill
Zoning Board of Adjustment
Minutes May 25, 2017**

Page 5 of 6

1302 Sun Jun Park 46 Florence Ave Block 125 Lot 27.01 cont.

The maximum Building Coverage is 20%. The existing property is 20.5% and with the additions and renovations, will be reduced down to 18.76%., No variance required.

The maximum FAR is 39%, currently it is 22.9%, and once the additions are approved it will be a maximum of 38.35% which will not require any variance.

The maximum Impervious Coverage is requires 35%, the existing is 36.9% and the proposed is 34.92%, and will not require a variance.

On this sheet is the front and rear elevation that has been illustrated to show that the owner is intending to put new siding, new windows, new roofing and make it a little bit more traditional in architectural character. That is a 'gambol' roof form, which will be more complimentary in the area.

The information on the site plan also included the information of the building area'

Also on this diagram is a key map illustrating the location of the property, where it sits on Florence Ave in relationship to Elm St and the property line.

Exhibit A-3 is a diagram that I modified to illustrate very clearly what we are seeking. Currently this is the property line in red. The existing structure is set back 9.7' from the westerly property line, and that line is being continued. In the rear we are setting the addition back 15.3' so it will be in compliance with the ordinance.

So both the east and west side part of the addition will be in compliance with the set-back.

The current set-back right now is 15.8' on the easterly side of the property. So there is no variance on the part where the driveway is .

The total area that we are adding on the first floor is 373sq.ft., and then on the same foot print, up above, there will be 723 sq.ft added. That is because we are adding the space above the front porch. Now, the front porch encroaches, currently, at 23.7'. However the new construction will be at 25.2'. So that addition in the front on the 2nd floor will be in compliance. So there is no rear yard set-back, there is no other variances that are required.

Its the actual continuation of this existing non-conformance that is in the property- built into the structure.

Mr. McCord asked what variance are you actually looking for ?

Mr. Santini said its an existing non-conforming structure where the use is an approved use. However this line (*pointed to the plan*) on the right hand side of the house is an existing non-conforming dimension, and we are not exacerbating that. So on the first and second floor we are keeping it within the required set-back of the 15' both sides. So the proposed additions on the 1st and 2nd floor will be in compliance. And including the front portion of it on the 2nd floor. Right now, 23.7' existing to the property line on the front to the existing porch and we are setting the 2nd floor back to eliminate the potential of any kind of variance.

Ms Batistic said you said that the additions are complying with side yard set-back.

Mr. Santini said correct.

Ms. Batistic said each, but combined they are still..... because you would have to make it another 10' in.

Mr. Santini said of course. That is why this is the continuation of an existing conformance, that is what we are requesting.

Mr. Kassis requested to see the photo A-1. The current porch that is shown is indented.

Mr. Santini said yes.

Mr. Kassis said significantly more than is being proposed.

Mr. Santini said its 16', yes. That portion is 16.7', its indented by a foot or so.

Mr. Kassis said you are encroaching with that addition . Currently that closed in porch is compliant. The proposed porch and the entire west side of the house is compliant.

Mr. Santini explained using the plan- however we are setting back the 2nd floor.

Mr. Kassis said I am talking about the 1st floor. The closed in porch , seemed to be an open porch, is now currently non-conforming

Mr. Santini said yes by a foot 4 inches.

Mr. Kassis said so we are extending a non-conforming porch on the ground floor.

Mr. Santini said we are not extending it. We are not widening it. We are doing nothing to the porch on the ground floor.

There was a discussion between the board members and Mr. Santini- the photo of the back porch had been confused with the front porch.

Mr. Merzel asked the 2nd floor is 25.2'

**Borough of Cresskill
Zoning Board of Adjustment
Minutes May 25, 2017**

1302 Sun Jun Park 46 Florence Ave Block 125 Lot 27.01 cont.

Mr. Santini said more than 25.2’.

Mr. Kassis asked about a garage.

Mr. Santini said that there was no garage on the property. The shed in the back and all those other landscape elements will be removed.

Ms Batistic asked are you expanding the driveway in the front.

Mr. McCord said you are shortening the driveway.

Mr. Santini said yes, we are reducing it from the back to be more compliant with the Coverage requirement.

Ms. Furio asked if there was anyone in the audience for or against the application.

Mr. Kassis made the motion to approve

Ms. Batistic seconded .

The application was granted.

1268 Care One at Dunroven 221 County Rd Block 71 Lot 13-14

The applicants are applying for a one-year extension of its approvals from the June 30, 2017 expiration date to June 30, 2018.

The application was carried to the June ZBOA meeting at the request of the applicant.

Memorializations

1299 Harry McCormick 46 Heatherhill Rd Block 1.04 Lot 5

Description	Required	Existing	Proposed	Variance
Front Yard Set Back	25 ft			
Side Yard Abutting/Lot	15 ft		12.5’ 10.5’	2.5’ 4.5’
Combined Side Yards	35 ft		23’	12’
Rear Yard Set Back	30’			
Max. Livable Fl.Area FAR	(variable) 34.32%	28.5%	36.33%	2.01%
Lot Frontage	100 ft	75’		Tech.
Lot Depth	100 ft			
Bldg Coverage %	20%			
Impervious Coverage	(variable) 32.4%		28.89	
Height	28 ft			
Lot Area.	10,000 sq.ft	7,500 sq.ft		Tech.

The applicant proposed to construct an addition to the above referenced residence.