

**TOWNSHIP OF EWING
LAND DEVELOPMENT APPLICATION**

PLANNING BOARD []
ZONING BOARD

APPLICATION NO. ZBA-20-004
DATE OF SUBMISSION 6/26/20 via email

Filing Fee \$ 600.00 Receipt or Check NO. 104 Received By: ICB

DO NOT WRITE ABOVE THIS LINE

1. **TYPE OF APPLICATION:** (Check as many boxes as applicable)
- | | | |
|--------------------------|--|--|
| 1. Minor Subdivision [] | 4. Site plan Prelim. [<input checked="" type="checkbox"/>] | 7. C.40:55D-70A [] |
| 2. Major Sub-Prelim. [] | 5. Site Plan Final [<input checked="" type="checkbox"/>] | 8. C.40:55D-70B [] |
| 3. Major Sub-Final [] | 6. Conditional Use [<input checked="" type="checkbox"/>] | 9. C.40:55D-70C [] |
| | | 10. C.40:55D-70D [<input checked="" type="checkbox"/>] (4) |
2. **APPLICANT'S NAME:** 1628 6th Street LLC c/o Cory Bussey
STREET ADDRESS: 880 Mountain Ave. **TELEPHONE:** (732) 740-8800
CITY & STATE: Berkeley Heights, New Jersey **ZIP CODE:** 07922
3. **OWNER'S NAME:** 1628 6th Street LLC c/o Cory Bussey
STREET ADDRESS: 880 Mountain Ave. **TELEPHONE:** (732) 740-8800
CITY & STATE: Berkeley Heights, New Jersey **ZIP CODE:** 07922
4. **LOCATION:**
STREET ADDRESS: 1628 6th Street
SECTION NO. 47 **LOT NO.** 187 **TAX MAP** **ZONE DIST.** R-2
5. **DESCRIPTION OF PROPOSED USE:**
 Brief Description of Application SEE ATTACHED

6. **ZONE REQUIREMENTS:**

	Lot #	Lot #	Lot #	Lot #	Required	Variance Requested
Front	15.5				15.5 (dominant set back)	
One Side	5'				5' is required	
Both Sides	10' 1"				10' is required	
Rear	69'				35'	
Other - Side	5' & 5'				5' each	
Height	29.4'				35'	
Bldg. Coverage	16.7%				20%	
Total Coverage	26%				26%	
Parking	2				2	
Other	4 bedroom				3 bedroom	Yes
Other - F.A.R.	1540 sq ft				1200 sq ft	Yes
Other						

7. **DEED RESTRICTIONS OR COVENANTS:**
 NO [] YES [] Attach copy if yes. ARE TAXES PAID TO DATE: YES [] NO []
8. **ARGUMENTS FOR VARIANCES (IF REQUESTED) TO BE COMPLETED BY APPLICANT:**
 Undue Hardship Consideration: SEE ATTACHED

9. **SPECIAL REASONS AND NEGATIVE CRITERIA: (To be completed for "D" variances):**
 SEE ATTACHED
10. **REQUESTS FOR WAIVERS: (Reasons)**
 SEE ATTACHED
11. **PREVIOUS APPEALS OR ACTIVITY:**
 NO [x] YES [] If yes, Date: _____ Type: _____ Zoning Board [] Approved []
 Planning Board [] Disapproved []
12. **LIST OF INDIVIDUALS WHO PREPARED PLANS:**
 Engineer: _____ Phone: () _____
 Address: _____
 Architect Planner: Hampton Hill Architecture Phone: (201) 918-6842
 Address: 87 Williams Ave, Jersey City, NJ 07304
 Lawyer: Law Offices of Michael P. Balint Phone: (309) 750-9700
 Address: 1300 Kuser Rd, Fl 2, Hamilton, NJ 08619
13. **LIST OF MAPS, REPORTS, TAX AFFIDAVITS AND OTHER MATERIAL ACCOMPANYING APPLICATION**
Plan Title- 1628 Sixth Street, Ewing, NJ 08638-Proposed New 2 1/2 Story 1-Family Dwelling
Name of Firm-Hampton Hill Architecture / Prepared by Min W. Kil / Dated 1/12/19 / Registered Architect
Proof of payment of taxes to be provided
14. **ADDITIONAL INFORMATION:**

IMPORTANT NOTICE TO APPLICANT

Before filing this application or serving notices, inquiry should be made as to the next meeting of the Board. This application must be filed at least 10 days prior to the date set for hearing. At least 10 days prior to the time set for said hearing, applicant shall give personal notice to all owners of property situate within or without the municipality, as shown by the most recent tax lists of the municipality or municipalities whose property or properties shown by said lists are located within 200 feet of the said property to be affected by said appeal. Such notice shall be given by sending written notice thereof by registered or certified mail to the last known address of the property owner of owners, as shown by the most recent tax lists of said municipality or by hand delivering a copy thereof to the said property owners.

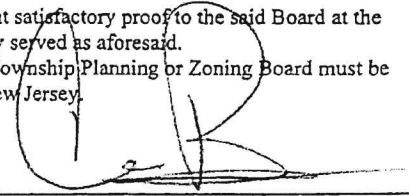
Where the owners are partnerships, service upon any partner as above outlined shall be sufficient, and where the owners are corporations, service upon any officer, as above set forth, shall be sufficient.

Applicant agrees to pay all costs related to review and processing of this application. A set of drawings to scale showing all details, adjoining properties affected, and all features involved in the appeal should accompany application of appeal.

Applicant must provide satisfactory evidence of payment of taxes on the property under consideration.

Said applicant shall by AFFIDAVIT present satisfactory proof to the said Board at the time of the hearing that said notices have been duly served as aforesaid.

Corporations appearing before the Ewing Township Planning or Zoning Board must be represented by an attorney at law of the State of New Jersey.


 Applicant's Signature

Township of Ewing
LAND DEVELOPMENT APPLICATION
1628 6th Street, LLC

INSERTS FOR APPLICATION

5. Description of Proposed Use:

The applicant proposes to demolish an existing 1 ½ story residence on an undersized 5,000 sq. ft. lot in the R-2 Zone district and replace it with a 2 ½ story four bedroom 1,540 sq. ft. residence with an attached garage. In addition to the variance for lot size as 10,000 square feet is the minimum lot size in the zone district; applicant seeks a “d (4) floor area ratio variance to allow the 1,540 sq. ft. residence whereas 1,200 sq. ft. is the maximum permitted.

Variance relief is also requested to permit the residence to have the four bedrooms whereas three bedrooms are the maximum allowed by ordinance. A paved driveway to the garage is also proposed.

Variances for pre-existing conditions are also requested in addition to the lot size variance for lot width whereas 80 feet is required and 40 feet exists; and for lot frontage whereas 80 feet is required and 40 feet is proposed.

All drainage from the new residential structure will be diverted to the rear yard of the property by roof drains.

Applicant requests any additional design waivers or variance relief that may be determined to be necessary during the application review process or during the hearing process by Township Staff of the Zoning Board itself.

8. Arguments for Variances:

Three of the requested variances are for existing conditions which are for lot size, as the property consists of 5,000 square feet; lot width which is 40 feet; and lot frontage which is 40 feet. The variances are required due to the fact that the section of 6th Street and the immediately adjacent area wherein the property is located is a fully developed residential neighborhood. There is no land available for acquisition that would be available for the applicant to acquire to eliminate or mitigate the need for these variances.

The variance for floor area ratio relief pursuant to N.J.S.A. 40:55D-70(d) 4 is requested due to the limited lot size and the applicant’s intent to construct a replacement residence on the property in lieu of the outdated 1,540 square foot house that exists that would be consistent with current standards and not be inconsistent with existing homes in the area.

9. Special Reasons and Negative Criteria:

The FAR variance is requested for the reasons stated in section 8 of the application but as it is a "d(4)" the standard of review is based on a determination that the site can accommodate the proposed request to construct the house which is 340 square feet larger than the permitted maximum which would be 1200 square feet.

The on-site parking would meet the required standards and the drainage will be handled on-site so there are no negative impacts on the adjoining properties or immediate neighborhood that would result from the construction of the proposed 1,540 square foot house on the subject property.

10. Requests for Waivers:

A variance/waiver is requested from the design standards to permit a fourth bedroom in the proposed house whereas three bedrooms are the maximum allowed.