

BOARD OF ADJUSTMENT
MINUTES OF THE MEETING

JULY 2, 2015

CALL TO ORDER: This is a regularly scheduled meeting of the Board of Adjustment of the Borough of Franklin Lakes. In compliance with the Open Public Meetings Law, Notification of this Meeting has been sent to our Official Newspapers and Notice has been posted on the bulletin board at the Borough Hall. I direct that this announcement be entered into the Minutes of the meeting.

ROLL CALL:

Present: Mr. DiFlora, Mrs. Gerber, Mr. Messaros, Mr. Bavagnoli, Mr. Badenhausen,
 Mr. Frankel, Board Attorney Davies, Board Engineer Tiberi
Absent: Mr. Khoury, DeLorenzo, Saracino

ORAL COMMUNICATIONS

There were no oral communications this evening.

NEW BUSINESS

Cal.#2015-5 Application of Bielen, 521 Connie Avenue, Block 1421, Lot 20, Dimensional Variances which are in violation of the following Sections of the Ordinance:

TYPE	REQUIRED	EXISTING	PROPOSED	VARIANCE	CODE
Side Yard Setback Existing Home & Proposed Addition	25'	20.4'	20.4'	4.6'	300-102
Front Yard Setback Existing Home	50'	39.7'	35.2'	14.8'	300-102
Front Yard Setback Steps	50'	35'	33'	17'	300-102
Total Coverage	20%	29.17%	29.43%	9.43%	300-102
Side Yard Setback Existing Shed	25'	23.9'	23.9'	1.1'	300-102
Driveway Beyond Front Yard Setback	15'	0.5'	0.5'	14.5'	300-71.D.(4)(j)
Driveway @ Front Yard Setback	10'	0.6'	0.6'	9.4'	300-71.D.(4)(j)

DATE DEEMED COMPLETE: June 12, 2015

DETERMINATION DATE: 10-10-15

Kevin Bielen, 521 Connie Avenue, Franklin Lakes, N.J., and Mark Palus, Map Engineering, 170 Kinnelon Road, Kinnelon, N.J., were sworn by Mr. Davies. Mr. Bielen said that he would like to expand the dwelling and remedy the safety issues that exist in the house at this time.

Mr. Palus, the engineer on the project, stated that the property contains a single family, one and a half story home. The applicant is hoping to construct a second floor on the home. The home was originally built in the 1950s and many of the current zoning requirements were not in place when the house was originally built. The existing structure deviates from some existing standards including the front and side yard setback. Other than the second story addition, there is a small covered porch proposed in the front. The second story addition will be built outside

ZONING BOARD OF ADJUSTMENT MEETING

7-2-15

PAGE 2

of areas currently outside of the building setback. The building height will be increased to 33.3 feet which is acceptable. The property is 17,852 square feet which is consistent with other properties in the neighborhood but is undersized in the A-22.5 zone. As a result of being undersized, the property is deficient in lot width at 125 feet where 150 feet is required. There is an existing side yard setback of 20.4 feet where 25 feet is required which will be maintained; however, there will be an increase in the building height. The principle structure is 39.7 feet from the front right-of-way line which will be maintained; however, a covered porch that will be 35.2 feet to the front property line is proposed. The bottom of the existing stairs is 34.7 feet from the front yard setback where 50 feet is required. The proposed bottom of stairs would be 33.1 feet from the front property line. Mr. Palus stated that coverage is required at 20% in the A-22.5 zone and in this case the existing coverage is 29.17%. The wider walkway and covered porch will increase total coverage by 38 square feet or to 29.43%.

Mr. Palus stated that the lot is deficient in lot width and area. The current home does not meet side and front yard setback requirements. A second story is proposed which will not increase total coverage. Mr. Palus said this is a reasonable improvement to an existing dwelling and several homes in the neighborhood have gone through similar renovations. These improvements will result in a home that is more usable and will be an asset to the community.

Upon questioning by Mr. Davies, Mr. Palus confirmed that "Variance Plan Block 1421, Lot 20, 521 Connie Avenue for Kevin and Meredith Bielen, Borough of Franklin Lakes, Bergen County, N.J., dated June 2, 2015, prepared by Map Engineering" should be marked as Exhibit A-1. Marisa Tiberi, Board Engineer, stated that the engineering review letter contained minimal concerns. The plan does not show air conditioning units and Mr. Palus stated that the applicant would like to place the units on the southern side of the home on a 4 foot x 4 foot pad approximately one foot from the house. A variance would be needed since the units would be approximately 15 feet from the side yard setback where 25 feet is required and the total coverage would increase to 29.47%. After some discussion, Mr. Palus said that the air conditioning units would be located at the rear of the house and will be within the 25 foot setback. The existing shed will be relocated to a conforming location on the plan.

Mr. Badenhausem made a motion to open the public portion of the meeting, seconded by Mr. Frankel, all ayes. No one from the public came forward and the public portion of the meeting was unanimously closed.

Mr. Davies noted the following conditions:

- Applicant will indicate a 4 foot by 4 foot pad behind the building line on the south side of the home on revised plans.
- Maximum 29.5% total coverage will be permitted.
- Applicant will revise plans to show that the shed has been removed and indicate a future shed to be placed in a conforming location.

Mr. Messaros made a motion to approve the variance request with conditions recited by Mr. Davies. The motion was seconded by Mr. Bavagnoli.

Roll Call Vote

Ayes: Mr. DiFlora, Mrs. Gerber, Mr. Badenhausem, Mr. Messaros, Mr. Bavagnoli, Mr. Frankel

Nays: None

MINUTES

The minutes of May 7, 2015 were presented for approval. Mr. Frankel made a motion to approve the minutes, as presented, seconded by Mr. Messaros.

ZONING BOARD OF ADJUSTMENT MEETING

7-2-15

PAGE 3

Roll Call Vote

Ayes: Mr. DiFlora, Mrs. Gerber, Mr. Badenhausen, Mr. Bavagnoli, Mr. Frankel

Nays: None

The meeting was adjourned at 8:26 P.M. on a motion by Mr. Bavagnoli, seconded by Mr. Frankel, all ayes.