

10/2/2024

ZONING BOARD OF ADJUSTMENT
"C" VARIANCE APPLICATION
FLORHAM PARK, NEW JERSEY

Application #: BOA 24-10 Date Filed: 9/10/24

Applicant Name: Mr. and Mrs. Melvin

Property Address: 36 Elmwood Rd. Florham Park Borough, NJ 07932

Block: 4004 Lot: 19 Zone: R-7

Type of Variance (please check one): C-1 C-2

Please Note:

- All originals of the application and appropriate forms and copies must be given to the Board Secretary in order to determine the completeness of the application. The application and hearing date shall be assigned by the Board Secretary and no publication of service will be made until all required information has been furnished to the Secretary. **Important:** Application packages must be fully collated and assembled prior to submission.
- Certified Proof of Publication and Proof of Service must be supplied to the Board Secretary prior to the hearing date.
- Building and total Improved lot coverage: If an increase in building or total improved lot coverage is applied for, the applicant must have a New Jersey licensed land surveyor certify the percentage of increase of coverage on the plot plan and supply it to the Board Secretary when filing the application. **Important:** Please note that overhangs are considered part of building coverage and measurements must be taken from edge of the overhang.

Application Requirements:

The following are items that are required to be submitted to the Board Secretary at the time of the application filing in order for the application to be deemed complete and scheduled for a Public Hearing.

- ✓ **11 copies of the following:**
 1. Completed application that includes a building plan with proposed conditions. A zoning table must be on the plans. All overhangs must be clearly depicted and included in the building coverage.
 2. Form A – Refusal of Building Permit
 3. Form B – Permission for Board Members to Enter the Property
- ✓ **1 copy of each of the following:**
 4. Form C – Certification that Taxes on subject property are paid
 5. List of property owners within 200 feet
 6. Official Tax Map of the Subject Property
 7. Proof of Publication/Proof of Service (after submission)
 8. Sealed survey depicting current condition of property
 9. Optional - Pictures of current conditions of property
- ✓ **Application Fee and Initial Escrow Deposit:**
 - Residential Application: \$300 application fee PER VARIANCE, \$1000 initial escrow deposit
 - Non-Residential Application: \$300 application fee PER VARIANCE, \$1000 initial escrow deposit

Applicant Information:

Applicant(s) Name Michael & Lisa Melvin Phone No: 201-647-6182

Location/Address: 36 Elmwood Rd. Florham Park Borough, NJ 07932

Email Address: michaelalan.melvin@gmail.com

If other than property owner:

Applicant(s) Name.: _____ Phone No: _____

Address: _____

Property Information:

The premises are situated on the north, south, east, west (please circle one) side of Elmwood Rd.

_____ and is approximately 100' feet from the intersection of

Beechwood Rd.. The premises are located in the R-7 Zone on

Block 4004 Lot 19. The property has the following

structures: Single Family Home

Principle structure on the premise is 2 story(ies) and is of wood framed (type of construction)

Brief description of work to be done:

Proposed deck with access door and patio to rear of house.

CHAPTER 250-9

ZONING REQUIREMENTS

FRONT YARD SETBACK 40'

SIDE YARD SETBACK L: 10'
R: 10'

REAR YARD SETBACK 30'

BUILDING HEIGHT 2 Story / 35'

BUILDING COVERAGE %* 20%

IMPROVED LOT COVERAGE %* 35%

EXISTING CONDITIONS

FRONT YARD SETBACK 38.3' (ENC)

SIDE YARD SETBACK L: 9.9'
R: 11.3'

REAR YARD SETBACK House: 43'

BUILDING HEIGHT 2 Story / +/-26'-8"

BUILDING COVERAGE %* 21.3%

IMPROVED LOT COVERAGE %* 32.6%

PROPOSED CONDITIONS

FRONT YARD SETBACK 38.3'

SIDE YARD SETBACK L: 10.35'
R: 11.6'

REAR YARD SETBACK House: 43'
Deck: 30'

BUILDING HEIGHT No change

BUILDING COVERAGE %* 21.3%
(No Change)

IMPROVED LOT COVERAGE %* 39.6% (V) w/o gravel
42.3% w/ gravel

*TOTAL (Building coverage must include overhangs)

The reasons and factual basis asserted by the applicant to grant the relief requested are as follows: If a hardship is asserted (NJSA 40:55D-70C(1) indicate the exceptional conditions relative to your property that you want the Board to consider. If you are asserting that the benefit of granting the variance outweighs the detriment to the zone plan of the Zoning Ordinance, please indicate what purposes of zoning would be advanced by your proposal.

As our family grows so does the need for some functional exterior space. The proposed work at the rear of our home will give up the exterior space for us to enjoy during the months of nice weather. This proposal for the rear yard work we believe does not pose a detriment to the zoning plan and / or hinder the fabric of the neighborhood.

A. The specific facts that will show that the relief sought can be granted without substantial detriment to the public good and will not substantially impair the intent and purpose of the Zone Plan are as follows (NJSA 40:55D-70).

The specific facts for this application is that we are only asking relief for 1 variance (Improved Coverage) while conforming to the others I.E. setbacks etc.

This application does not pose a detriment to the public good and does not substantially impair the intent of the zoning plan.

Has there been a previous application involving these premises? X
Yes No

If yes, please provide the application number and date of application:

Previous Owner - Mr. & Mrs. Macaluso - Application # 16-5 - Date: July 6, 2016

AFFIRMATION OF OWNER AND APPLICANT

The Owner consents to this application:

Owner(s) Signature:  Date: 9/7/24

Applicant(s) Signature _____ Date: _____
(if different from owner)

FORM "B"

**BOROUGH OF FLORHAM PARK
ZONING BOARD OF ADJUSTMENT**

PERMISSION FOR BOARD MEMBERS TO ENTER THE PROPERTY

I Michael & Lisa Melvin, hereby give permission to the members of the Zoning Board of Adjustment of the Borough of Florham Park and its authorized representatives and experts to enter onto the premises of the subject property located at:

36 Elmwood Rd.

(address of subject property)

for the purpose of evaluation of the variance application that is presently pending before the Board of Adjustment.



Signature of Applicant

Signature of Owner
(if other than applicant)

“FORM A”

**Borough of Florham Park
Zoning Board of Adjustment**

REFUSAL OF A BUILDING PERMIT

(This form must be completed by the Florham Park Zoning Officer)

To: Michael Melvin Date: 9/6/2024

Your application for a building permit to construct a 309 sqft patio and 217 sqft deck

On the property located at 36 Elmwood Road

Known as Block 4004, Lot 19 on the Tax Map of the Borough of Florham Park is hereby denied for non-compliance with the provisions of Section (s) 250-9 Schedule of Area, Yard... of the Municipal Zoning Ordinance for the following reason(s):

Applicant is seeking to exceed the 35% allowable lot coverage with a proposed coverage of 42.2%.

A previous variance was issued BOA 16-5 for a 22% building coverage and 33% improved lot area.

Patio and gravel area installed without approvals after 2016 permit closure.

The new homeowner recently installed storm water management system

Signed: KK
Kayla Kaplan, Zoning Officer

Information regarding procedures for an appeal of this decision can be obtained from the Board Secretary or Construction Office.