

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

FLORHAM PARK

OCT 31 2024

PLANNING & ZONING
BOARD OFFICE

Application #: BOA 24-11 Date Filed: _____
Applicant Name: KERRYLYNN KONECNY & NIMA KONECNY
Property Address: 9 INDIAN LANE
Block: 2101 Lot: 15 Zone: R-44
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 KERRY LYNN KONECNY & NIMA MOAYER Phone No: 201-686-4000

Location/Address: 9 INDIAN CAVE FLORENCE PARK NJ 07932

Email Address: NIMAMOAYER@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 PASSAIC RIVER

_____ and is approximately 300 feet from the intersection of

Overlook Dr. & INDIAN LN. The premises are located in the R-44 Zone on

Block 2101 Lot 15. The property has the following

structures: SINGLE FAMILY RESIDENCE

Principle structure on the premise is 2 story(ies) and is of 5B (VB) (type of construction)

Brief description of work to be done:

PROPOSED IN THE FRONT FOR A 2 CAR GARAGE, 2ND FLOOR ADDITION IN REAR + 2ND FLOOR DECK

CHAPTER 250-9

ZONING REQUIREMENTS

EXISTING CONDITIONS

PROPOSED CONDITIONS

FRONT YARD SETBACK	<u>50 FT</u>	FRONT YARD SETBACK	<u>10.3 FT</u>	FRONT YARD SETBACK	<u>10.8 FT</u>
SIDE YARD SETBACK	<u>20 FT / 28% of lot</u>	SIDE YARD SETBACK	<u>24.7 FT / 46.4%</u>	SIDE YARD SETBACK	<u>10.1 FT / 39.33%</u>
REAR YARD SETBACK	<u>50 FT</u>	REAR YARD SETBACK	<u>126.7 FT</u>	REAR YARD SETBACK	<u>NO CHANGE</u>
BUILDING HEIGHT	<u>35 FT</u>	BUILDING HEIGHT	<u>30.66 FT</u>	BUILDING HEIGHT	<u>NO CHANGE</u>
BUILDING COVERAGE %*	<u>10%</u>	BUILDING COVERAGE %*	<u>7.5% (1,232.5 SF)</u>	BUILDING COVERAGE %*	<u>11.9% (1,939.6 SF)</u>
IMPROVED LOT COVERAGE %*	<u>25%</u>	IMPROVED LOT COVERAGE %*	<u>21.3% (3,480.5 SF)</u>	IMPROVED LOT COVERAGE %*	<u>NO INCREASE</u>

*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.

THE EXCEPTIONAL TOPOGRAPHY OF THIS PROPERTY FORCES US TO SEEK A VARIANCE AS WE ARE EXPANDING UPON AN EXISTING NON-CONFORMITY & ARE UNABLE TO AVOID IT DUE TO ITS NATURAL TOPOGRAPHY

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 EXPANSION IS LIMITED TO AN AREA OVER THE EXISTING COVERAGE & FOOTPRINT FAR FROM THE PASSAIC RIVER FLOOD HAZARDOUS AREA. IT IS ALSO KEPT FROM DISTURBING THE STEEP NATURAL TOPOGRAPHY OF THE LAND.

Has there been a previous application involving these premises? _____

Yes

X
No

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

AFFIRMATION OF OWNER AND APPLICANT

The Owner consents to this application:

→ Owner(s) Signature: *N.R. King* Date: 10/20/24 10/20/24

→ Applicant(s) Signature *N.R. King* Date: 10/20/24 10/20/24
(if different from owner)

“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: Kerrylynn Konecny and Nima Moayer Date: September 6, 2024

Your application for a building permit to construct a 2-car garage, second floor rear addition, second floor deck.

On the property located at 9 Indian Lane

Known as Block 2101, Lot 15 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):

Proposed additions will result in building coverage of 11.9% where 10% is allowed.

Proposed garage roof overhang encroaches 39.2' into the front setback and 9.9' into the north side setback.

The adjacent lot to the north is also owned by the applicant. A covered patio, stone wall and walkway span both lots.

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.

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

PERMISSION FOR BOARD MEMBERS TO ENTER THE PROPERTY


I NIMA MOYER, 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:

9 INDIAN LANE FLORHAM PARK NJ
(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)