

**RESOLUTION  
ZONING BOARD OF ADJUSTMENT  
TOWNSHIP OF LIVINGSTON  
NEW JERSEY**

Case # 2010-9-V

Motion by: Mr. James Hochberg

Second by: Mr. Jack Gilman

**FINDINGS AND CONCLUSIONS**

The Zoning Board of Adjustment of the Township of Livingston, having considered the Application and plans filed in this matter, and the testimony and evidence presented at the hearing on November 11, 2014, the following findings of fact and conclusions are made:

1. The applicant is Sonal and Vineet Batra.
2. The property is commonly known as 10 Brayton Road and is taxed as Block 7300 Lot 32. The property is in the R-1 Zone.
3. The applicant has satisfied the statutory procedural requirements of service and publication of notice, and there are no taxes or assessments due or in arrearages.
4. The applicant received variances to construct a new single family residence on the property in 2010 and has not started construction.
5. The approvals have not expired due to the New Jersey Permit Extension Act which extends approvals and permits through December 31, 2014 and in some cases to June 30, 2015.
6. The applicant has requested a two year extension of the approvals to December 31, 2016 based on the uncertainty of the jobs of the residence and the costs of the work.
7. The following persons testified at the hearing: Sonal Batra, the applicant.
8. The following persons objected to or expressed interest in the application at the hearing: none.
9. The applicant has satisfied the requirements for the relief sought by demonstrating that an undue or exceptional hardship would be imposed upon the applicant by a denial and the Board agreed to extend the approvals to December 31, 2015

Based upon the above findings, there will be no detriment resulting to the public good, nor will there be an impairment of the zoning plan or municipal zoning ordinance. Now, therefore, be it **RESOLVED** by the **ZONING BOARD OF ADJUSTMENT** of the Township of Livingston that the application herein submitted is granted the following variance from the Ordinance:

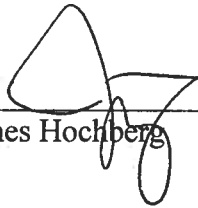
The following approvals were extended to December 31, 2015:

Rear Yard Setback variance of sixty feet (17.91');  
Habitable Floor Area variance of two hundred eighty five (285) square feet; and  
Habitable Floor Ratio variance of two and fifty five one hundreds percent (2.55%) are  
granted.

This approval is subject to all other requirements of the Township ordinances, building code, and the right of appeal by any interested party. Applicant must obtain a Lot Surface Drainage Permit prior to construction and the must comply with the Sump Pump Discharge Control Ordinance.

The Resolution is a memorialization of the action of the Board of Adjustment of the Township of Livingston taken on November 11, 2014 in which Board voted unanimously with more than five votes cast in favor to approve the application in accordance with and subject to the conditions and terms set forth herein on the record.

CHAIRMAN:

  
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James Hochberg

Dated: December 9, 2010

Prepared by: Herbert S. Ford, Esq.