

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

Case # 2014-15-V

Motion by: Mr. Jack Gillman

Second by: Mr. Michael Vieira

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 June 24, 2014, the following findings of fact and conclusions are made:

1. The applicant is Sunset Ridge Developers LLC.
2. The property is commonly known as 50 Lafayette Drive and is taxed as Block 2104, Lot 12.01. The property is in the R-2 Cluster Zone.
3. The applicant was represented by Stephen A. Geffner, Esq. of the firm of Schenk Price Smith & King, LLP.
4. The applicant has satisfied the statutory procedural requirements of service and publication of notice, and there are no taxes or assessments due or in arrears.
5. The applicant proposes to construct a driveway entrance piers and decorative free standing walls in the front of a single-family residence.
6. Violations of Livingston Zoning Ordinances:
 - (a) Section 170-91B(17) Height of Columns/Piers – 3' allowed, 7' proposed; 4' variance requested;
 - (b) Section 170-91B(17) Height of Columns/Piers – 3' allowed, 4.5' proposed; 1.5' variance requested;
 - (c) Section 170-91B(17) Horizontal Plane Dimensions for Columns/Piers – 24"x24" allowed, 28"x28" proposed; 4" variance requested
7. The following persons testified at the hearing: Paul W. Anderson, PP and PE.
8. The following persons objected to or expressed interest the application at the hearing: none.
9. The applicant has satisfied the statutory requirements of N.J.S.A. 49:55D-70 (c)(2) for the relief sought by demonstrating that the granting of the variance will result in a better planning result than denial of the variance in that the proposed piers and columns fit within the scope of the front yard improvements.

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 variances from the Ordinance:

Height of columns /piers variances of four and five tenths feet (4.5');
Height of columns /piers variances of one and five tenths feet (1.5') and
Horizontal Plane dimension for columns/piers variance of four inches (4") 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. Also, as required by Livingston Ordinance 170-27(A), construction must be commenced within one year of the date hereof or the variance shall expire.

Copies of the Applicant's survey showing the proposed improvements and architectural plans are attached hereto as an exhibit to indicate the final version thereof.

The Resolution is a memorialization of the action of the Board of Adjustment of the Township of Livingston taken on June 24, 2014 in which Board voted to seven in favor and none opposed to approve the application in accordance with and subject to the conditions and terms set forth herein on the record.

CHAIRMAN:



JAMES HOCHBERG

Dated: July 22, 2014

Prepared by: Herbert S. Ford, Esq.