

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

Case # 2014-31 -V

Motion by: Mr. Jared Resnick

Second by: Mr. Christopher Bardi

**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 May 27, 2014, the following findings of fact and conclusions are made:

1. The applicant is Ira Sonet.
2. The property is commonly known as 2 Marberne Terrace and is taxed as Block 2501, Lot 13. The property is in the R-3 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 arrears.
4. The applicant proposes to construct a shed in the rear yard of a single-family residence.
5. Violation of Livingston Zoning Ordinances:
  - (a) Section 170-87E(1)(c) Accessory Building Side Yard Setback on Corner Lot – 40' required, 27' proposed; 13' variance requested.
6. The following persons testified at the hearing: The applicant.
7. The following persons objected to or expressed interest the application at the hearing: none.
8. The applicant has satisfied the statutory requirements of N.J.S.A. 49:55D-70 (c)(1) for the relief sought by demonstrating that there is a hardship due to the narrowness of the lot and shallowness of the Lot. The lot is also a corner lot. Due to the topography of the lot, there is no level place to put this shed except this location.

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:

Accessory Structure Side Yard Setback Variance for a Corner Lot of thirteen (13) feet is 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 May 27, 2014 in which Board voted to six 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:



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JAMES HOCHBERG

Dated: June 24, 2014

Prepared by: Herbert S. Ford, Esq.