

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

Application #: 2015-55-V  
Decided: November 10, 2015  
Memorialized: December 8, 2015

**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 10, 2015 the following findings of fact and conclusions are made:

1. The applicant is Jason and Arielle Sharenow.
2. The property is commonly known as 29 Baker Road and is taxed as Block 6001, Lot 116. The property is in the R-2 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 deck in the rear yard of a single-family residence.
5. The Applicant requires variances as follows:
  - (a) Section 170-97C(3) Side Yard Setback – 15’ required, 10.4’ proposed; 4.6’ variance requested; and
  - (b) Section 170-97C(4) Rear Yard Setback – 50’ required, 35’ proposed; 15’ variance requested.
6. The following persons testified at the hearing: The Applicant.
7. The following persons objected to or expressed interest in the application at the hearing: none.
8. The Board found that 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 and shallowness of the lot, and the pre-existing location of the house on the lot. The applicant has further satisfied the requirements for the relief sought by demonstrating that the addition will fit within the streetscape and that the property can accommodate the residence.
9. The Board found that 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:

A Side Yard Setback variance of Front Yard Setback variance of four and six-tenths feet (4.6'); and

A Rear Yard Setback of fifteen feet (15') 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 November 10, 2015 in which Board voted 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

I hereby certify this to be a true and accurate copy of the Resolution adopted by the Zoning Board of Adjustment of the Township of Livingston on November 10, 2015 by the affirmative votes of Mr. Resnick, Mr. Nardone, Ms. Hwang, Ms. Tabak Fass, Mr. Bier and Mr. Gillman; they being all of the Members present and eligible to vote.

PLANNING ADMINISTRATOR:

  
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JACKIE COOMBS-HOLLIS

Prepared by: Alan Ozarow, Esq.