

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

Application #: 2013-17-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 Fanny Na-Chung & Michael Chung;
2. The Property is commonly known as 8 Demarest Road, and is taxed as Block 4501 Lot 2. The Property is in the R-4 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 arrearages.
4. The Applicant previously filed an application for variances to construct an addition to a single family residence in an R-4 Zone, and the variances were granted at a meeting of the Livingston Zoning Board of Adjustment on May 28, 2013 (referred to hereinafter as “the Approval”).
5. The Approval is about to expire, but the Applicant has been unable to proceed with construction due to financial considerations. The Applicant requests a two (2) year extension of the variances.
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. At the May 28, 2013 meeting of the Livingston Zoning Board of Adjustment the Applicant satisfied the statutory requirements of N.J.S.A. 49:55D-70(c) (1) for the relief sought by demonstrating that an undue hardship would be imposed upon the Applicant by a denial of the requested variances because the lot is narrow for the

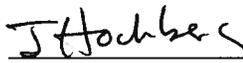
zone. Also, the location of the house is non-conforming with respect to the front yard with the proposed addition coming no more into the front yard than the existing house.

9. Based on the foregoing, after weighing the equities of the matter and considering the various factors referred to herein, the Board determined that the extension of the Approval will not be a substantial detriment to the public good and there will not be an impairment of the zoning plan or municipal zoning ordinance.

Now, therefore, be it **RESOLVED** for the reasons set forth above and on the record of testimony by the members of the **ZONING BOARD OF ADJUSTMENT** of the Township of Livingston, that the Approval of the variances be and hereby is extended for two (2) years until November 10, 2017 subject to the terms and conditions set forth in the original Resolution granting the variances.

This 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.

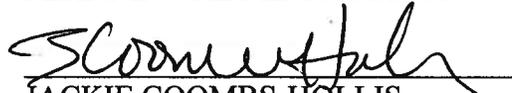
CHAIRMAN:

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. Nardone, Ms. Tabak Fass, Ms. Hwang, Mr. Resnick, Mr. Bier and Mr. Gillman; they being all of the Members present and eligible to vote.

PLANNING ADMINISTRATOR:



JACKIE COOMBS-HOLLIS

Prepared by: Alan Ozarow, Esq.