

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

Case # 2013-40-V

Motion by: Mr. James Hochberg

Second by: Mr. Robert Gillman

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 September 17, 2013 and October 22, 2013, the following findings of fact and conclusions are made:

1. The applicant is Alexandru Gigiu.
2. The property is commonly known as 15 South Cedar Parkway and is taxed as Block 4002, Lot 7. 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 was represented by Jeffrey Dollinger, Esq.
5. The applicant purchased the single family residence in 1991 and prior thereto the garage had been converted into livings space.
6. Violations of Livingston Zoning Ordinances:
 - (a) Section 170-87I2 that requires all single family residences to have at least one garage. Variance requested
7. The following persons testified at the hearing: The applicant,.
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 current configuration of the residence was a better planning result than conformity to the Ordinance. The Board found that adding a garage to the already large and long residence would make the residence out of character with the neighborhood and inappropriate for the lot which was shallow.

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:

Variance from requirement to have not less than one garage 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 October 22, 2013 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:



ALAN OZAROW

Dated: December 10, 2013

Prepared by: HERBERT S. FORD, ESQ.