

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

Application #: 2015-58-V
Decided: December 8, 2015
Memorialized: January 26, 2016

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 December 8, 2015 the following findings of fact and conclusions are made:

1. The Applicant is Rena Cohen-Hausman.
2. The property is commonly known as 12 Edgemere Road and is taxed as Block 3900, Lot 35. 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 in arrears.
4. The applicant proposes to construct an addition to a single-family residence.
5. Violations of Livingston Zoning Ordinances:
 - (a) Section 170-99C(3) Side Yard Setback – 10’ required, 5.38’ proposed; 4.62’ variance requested;
6. The following persons testified at the hearing: The applicant, Rena Cohen-Hausman.
7. The following persons objected to or expressed interest in 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 pre-existing location of the house on the lot. The Board found that a side yard setback of 5.38’ was a pre-existing nonconforming condition, and that the proposed construction involved no change to the current footprint of the house.

The Board found that granting the proposed variances will not result in any substantial detriment to the public good, nor will there be any 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 four and sixty-two hundredths feet (4.62') 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.

This Resolution is a memorialization of the action of the Board of Adjustment of the Township of Livingston taken on December 8, 2015 in which Board voted 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

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 December 8, 2015 by the affirmative votes of Mr. Nardone, Ms. Tabak Fass, Ms. Hwang, Mr. Resnick, Mr. Vieira, 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.

Motion by Mr. Nardone

Seconded by Ms. Fass