

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

Application #: 2006-101-PFSPV
Decided: June 28, 2016
Memorialized: July 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 June 28, 2016, the following findings of fact and conclusions are made:

1. The applicant is: St. Mary's Armenian Church.
2. The property is commonly known as 200 West Mount Pleasant Avenue and is taxed as Block 700, Lot 38. The property is in the R-2 and R-4 Zones.
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 eliminate a previously imposed condition of approval regarding the limited use of a portion of the Church referred to as "Fellowship Hall". The condition listed as #6 in the Resolution of the Zoning Board of Adjustment dated May 26, 2011 states:

"The use of the fellowship Hall will be limited to church evens, community events, religious community events, lifecycle events of members and non-members who wish to use the Church."
5. The Applicant was represented by James T. McCarthy, Esq. The following persons testified at the hearing: The Applicant by Leon Ariyan, Sean Moronski, the Applicant's Planner.
6. The following persons objected to or expressed interest the application at the hearing: none.
7. The May 11, 2011 Resolution of the Livingston Zoning Board of Adjustment was reviewed in light of the Applicant's needs. The Board found that Condition # 6 contained in the Resolution was an unnecessary limitation on the Applicant's ability to find a suitable Tenant.

The Board found that there will be no substantial detriment resulting to the public good, nor will there be any impairment of the zoning plan or municipal zoning ordinance by granting the Applicant's request. Now, therefore, be it **RESOLVED** by the ZONING BOARD OF ADJUSTMENT of the Township of Livingston that the application herein submitted is granted,

and condition #6 of the May 26, 2011 Resolution of the Livingston Zoning Board of Adjustment is hereby deleted. This Resolution is not an approval of any specific use of the Property. The intent is solely to facilitate the Applicant's ability to find a suitable tenant for Fellowship Hall.

This approval is subject to all other requirements of the Township ordinances, building code, and the right of appeal by any interested party.

This Resolution is a memorialization of the action of the Board of Adjustment of the Township of Livingston taken on June 28, 2016 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 June 28, 2016 by the affirmative votes of Mr. Hochberg, Ms. Tabak Fass, Ms. Hwang, Mr. Vieira, Mr. Bier and Mr. Dunec; they being all of the Members present and eligible to vote.

PLANNING ADMINISTRATOR:

JACKIE COOMBS-HOLLIS

Prepared by: Alan Ozarow, Esq.