

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

Application #: 2016-22-V
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: Alexander Peckel.
2. The property is commonly known as 26 Washington Court and is taxed as Block 1303, Lot 68. 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 Ordinance(s):
 - (a) Section 170-99C (2) Front Yard Setback – 40 feet required, 34'4" proposed; a 5'8" variance is requested.
 - (b) Section 170-99C (3) Side Yard Setback – 10' required; 9'6" proposed; a 6" variance is requested.
 - (c) Section 170-87L(1)(d) – Corner Lot Side Street Setback – 35' required, 19'8" proposed, a 15'4" variance is requested.
 - (d) Section 170-99C (4) – Rear Yard Setback – 35 feet required, 33 feet proposed, a 2 foot variance is requested.
6. The following persons testified at the hearing: The Applicant and the Applicant's architect, Christine Miseo.
7. The following persons objected to or expressed interest the application at the hearing: none.
8. The Applicant has satisfied the statutory requirements of N.J.S.A. 40:55D-70(c) (1) for the relief sought by demonstrating that the applicant has a hardship due to the size of the lot and the location of the house on the lot. The Board also found that in granting the variances 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. 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) A Front Yard Setback variance of five feet eight inches (5'8") is granted;
- (b) A Corner Lot Side Street Setback variance of fifteen feet four inches (15'4") is granted; and
- (c) A Rear Yard Setback variance of two feet (2') 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 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, Mr. Vieira, Ms. Hwang, Ms. Tabak Fass, 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.