

**TOWNSHIP OF WYCKOFF  
BERGEN COUNTY, NEW JERSEY**

**APPLICATION IS HEREBY MADE FOR:**

- ( ) Appeal from Building Officer based on or made in the enforcement of the Zoning Ordinance. N.J.S.A. 40:55D-70a
- ( ) Zoning map interpretation N.J.S.A. 40:55D-70b
- (  ) Hardship variance N.J.S.A. 40:55-70c-1
- ( ) Flexible variance N.J.S.A. 40:55-70c-2
- ( ) Variance for use or principal structure N.J.S.A. 40:55D-70d-1
- ( ) Expansion of a nonconforming use N.J.S.A. 40:55D-70d-2
- ( ) Deviation from standard of conditional use N.J.S.A. 40:55-70d-3

**EMAIL ADDRESS OF PERSON  
WHO COMPLETED APPLICATION**  
mcwhitlaw@optonline.net

**PROPERTY HISTORY:**

A. Owner: 94 Midland Avenue LLC  
Address: 94 Midland Avenue, Wyckoff, NJ  
Telephone: 551-223-7018  
Applicant name (if other than owner): Same as Owner  
Address: \_\_\_\_\_  
Telephone: \_\_\_\_\_

B. Property Description:  
Location: 94 Midland Avenue, Wyckoff, NJ  
Zoning district: RA-25 Block: 304 Lot: 1  
Existing use of building or premises: Single family dwelling unit

C. Type of variance requested: See Addendum attached

D. The variance requested is for the purpose of: Addition to existing dwelling unit

E. Does the attached survey reflect the property as it presently exists? Yes  No \_\_\_\_\_  
If no, explain \_\_\_\_\_

F. Is the property sewerred or septic? Sewered Locate on survey.

G. Is this request connected with the simultaneous approval of another application before a Township board?  
Yes \_\_\_\_\_ No   
If yes, explain \_\_\_\_\_

H. Have there been any previous applications before a Township board involving the premises: Yes \_\_\_ No   
If yes, state the date and disposition: \_\_\_\_\_

I. If this application is for an appeal of a decision of the Building Officer or a zoning map interpretation, explain the appeal or question:  
N/A

Revised  
RECEIVED

MAY 27 2022

ALL APPLICANTS COMPLETE SECTION J

PLANNING/ZONING

J. ZONING DISTRICT - RA-25 (Corner Lot)

		DIMENSIONS			
		Zoning Requirement	Present Layout	Proposed Layout	**See Note
1.	LOT SIZE (sq. ft.)	25,000 min.	11,250	11,250	(X)
	Frontage	125 min.	225	225	( )
	Depth	150 min.	150	150	( )
2.	SETBACKS				
	Principal Building				
	Front Yard (#1) (ft.) MIDLAND	40 min.	14.2	14.7	(X)
	Front Yard (#2) (ft.) HURLEY	40 min.	15.6	15.6	(X)
	Rear Yard (ft.)	40 min.	93.8	68.2	(X)
	Side Yard (ft.)	20 min.	35.8	14.9	(X)
	* Accessory Structure(s) (deck, garage, shed, pool, etc.)		(Attach a separate sheet if necessary)		
	Rear Yard (ft.)	20 min.	DECK 82.6 GARAGE 68.1	DECK 53.1	( )
	Side Yard (ft.)	15 min.	44.4 5.5	24.5	( )
*ALL ACCESSORY STRUCTURE SETBACKS SHALL BE INDICATED ON SURVEY					
3.	GROSS BUILDING AREA (GBA) per 186.65**		709	3,572	( )
	Over 3,700 (sq. ft.) Side yard setbacks increase	25 min.	N/A	N/A	( )
	Garage faces side yard setback increases to	27 min.	N/A	N/A	( )
4.	BUILDING AREAS (footprint)				
	Principal Building (sq. ft.)		734	1,876	
	Accessory Structures (sq. ft.)				
	LIST				
	DECK		223	346	
	GARAGE		337	-	
5.	LOT COVERAGE				
	A. Principal Building (%)	15 max.	6.5	16.7	(X)
	B. Total Access. Structures (%)	5 max.	5.0	3.1	( )
	C. Total (%) (A & B)	20 max.	11.5	19.8	( )
6.	DWELLING AREA (Total sq. ft.)	1,200 min.	709	3,120	( )
	First Floor			1,381	
	Second Floor			1,739	
7.	BUILDING HEIGHT (ft.)				
	Number of stories	35 max.	UNKNOWN	34.83	( )
		2 1/2 max.		2 1/2	( )
8.	IMPERVIOUS COVERAGE (Calculation)				
For lots over 25,000 sq. ft., the maximum allowable impervious coverage shall be 28.5% of the lot area. For lots between 10,000 and 25,000 sq. ft., the maximum allowable impervious coverage shall be equal to 45 divided by the square root of the lot area. Lots less than 10,000 sq. ft., the maximum allowable impervious coverage shall be 45% of the lot area.					
	Structures/Buildings	Sq. ft.	2,222	Space reserved for calculation 3,325/11,250	
	Driveways (paved or gravel)	Sq. ft.	1,042		
	Patios and/or paved areas	Sq. ft.			
	Walkways and brick pavers	Sq. ft.	61		
	Tennis Court	Sq. ft.			
	Swimming Pool Water Surface	Sq. ft.			
	Decks w/o free drainage	Sq. ft.			
	TOTAL IMPERVIOUS COVERAGE:	Sq. ft.	3,325	Calculated % = 29.6	(X)

\*\*GROSS BUILDING AREA - is defined as the gross building floor area of the buildings on the property. The gross building area shall include all enclosed floor areas on all floors for residences, accessory buildings and garages. The gross building area shall not include open porches, unfinished attics, basements, decks or patios.

\*\*NOTE: MARK (X) WHERE NOT IN CONFORMANCE WITH ZONING

K. OTHER REQUIREMENTS N/A

1. PARKING: Spaces required \_\_\_\_\_ provided \_\_\_\_\_  
Actual area to be utilized (each floor): \_\_\_\_\_

Comments: \_\_\_\_\_  
\_\_\_\_\_

Buffer required \_\_\_\_\_  
Buffer provided \_\_\_\_\_  
Comments: \_\_\_\_\_

2. SIGN: (Also fill out separate Application for Sign Construction Permit)  
Dimensions: \_\_\_\_\_  
Height: \_\_\_\_\_  
Location: \_\_\_\_\_  
Lighting: \_\_\_\_\_  
Setbacks: \_\_\_\_\_

3. FENCE:  
Height: \_\_\_\_\_  
Style: \_\_\_\_\_  
Location: \_\_\_\_\_

**IF APPLICATION IS FOR A HARDSHIP OR FLEXIBLE VARIANCE, COMPLETE SECTION L**

L. 1. How will the benefits of the proposed application outweigh any detriments? See Addendum attached  
\_\_\_\_\_  
\_\_\_\_\_

2. What are the exceptional circumstances or conditions applicable to the property involved or to the intended use of development of the property that do not apply generally to other properties in the same zone or neighborhood?  
See Addendum attached  
\_\_\_\_\_  
\_\_\_\_\_

3. Explain what efforts have been made by the applicant to acquire adjoining lands so as to reduce the extent of the variances or eliminate such?  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

4 State how the proposed variance:  
a. Will not cause substantial detriment to the public good See Addendum attached  
\_\_\_\_\_  
\_\_\_\_\_  
b. Will not substantially impair the intent and purpose of the zoning plan and ordinance See Addendum attached  
\_\_\_\_\_  
\_\_\_\_\_

IF APPLICATION IS FOR A USE VARIANCE, COMPLETE SECTION M. Not Applicable

M. 1. Explain how the proposed use can be granted without substantial detriment to the public good or how the proposed use would tend to minimize the discordant effect of the use, be less harmful to adjacent properties or tend to bring the use into closer conformity with the zoning ordinance.

\_\_\_\_\_

2. Explain how the proposed use can be granted without substantially impairing the intent and purpose of the zoning plan and the zoning ordinance.

\_\_\_\_\_

3. List any "special reasons" related to the request.

\_\_\_\_\_

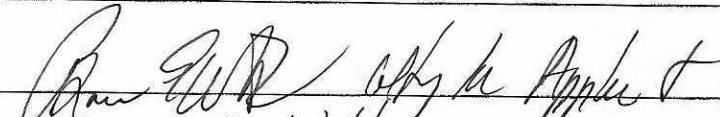
\_\_\_\_\_

4. List any "hardship" related to the nature of the land and/or the neighborhood which presents reasonable utilization of the property for any permitted use.

\_\_\_\_\_

N. Itemize material accompanying application:

<u>Item</u>	<u>Number submitted</u>
1. <u>Architectural Plan prepared by Christopher Blake, AIA</u>	_____
2. <u>Survey prepared by Schmidt Surveying</u>	_____
3. <u>Layout, Grading, Soil Erosion Plan prepared by Houser Engineering</u>	_____
4. <u>Landscape Plan Prepared by Cipriano Landscape Design</u>	_____
5. _____	_____

Signature of Applicant: 

Signature of Owner(s): Bruce E White

Date of Application: 5/8/22

## ADDENDUM TO APPLICATION

94 Midland Avenue LLC (hereinafter referred to as the "Applicant") is the owner of 94 Midland Avenue, Wyckoff, New Jersey which is shown on the Tax Map of the Township of Wyckoff as Block 304 Lot 1 (hereinafter referred to as the "Property"). The Property is located in the RA-25 Zone. The Property is a corner lot fronting on both Midland Avenue and Hurley Court. The building has a front orientation towards Midland Avenue.

The Property has the following nonconformities:

1. The lot area is 11,250 s.f. where 25,000 s.f. is required;
2. The lot width is 75 feet where 125 feet is required;
3. The front yard setback of the current home is 17.20 feet to Midland Avenue where 40 feet is required;
4. The front yard setback is 15.60 feet to Hurley Court where 40 feet is required.

There is an existing single family home on the Property with a detached garage that is in a state of deterioration. The single family home currently consists of a kitchen, dining room, living room, foyer and one bedroom with bath. The Applicant is proposing to add a second floor addition to the existing dwelling unit and to construct an addition to the easterly side and southerly side of the building. The addition will include an expanded kitchen, family room, two car garage and mud room on the first floor and bedrooms and bathrooms on the second floor.

The Applicant will maintain the nonconforming lot area, lot width as well as the front yard setbacks to Hurley Court. The front yard setback to Midland Avenue will have a de minimis modification with a setback of 17.40 feet versus 17.20 feet that currently exists. Based upon the narrowness of the lot, the front yard setback on Hurley Court for the rear extension of the building is now at 16.70 feet which is greater than the 15.60 feet that currently exists but is still less than the 40 feet that is required. The Applicant seeks variance relief to permit side yard setback to 14.90 feet on the easterly side of the

lot where 20 feet is required. The Applicant seeks lot coverage variance of 16.7% where 15% is the maximum permitted. It is understood that the detached garage has now been demolished so there is no accessory structure and therefore the overall lot coverage on the Property is 19.8% which is conforming.

The Applicant seeks variance relief under NJSA 40:55D-70(C)(1) and (C)(2). The lot has two nonconformities as it pertains to lot area and lot width. It has only 45% of the lot area required. The lot width is only 60% of the lot width that is required. In conformity to a side yard setback and front yard setback in this instance where the lot is 75 feet would result in a building envelope that would only be 15 feet in width. The house that is proposed is a modest house with a sufficient width to provide an appropriate streetscape. The front yard setback deficiency on what is basically the side of the house is not being exacerbated but just being extended. The overage in lot coverage is de minimis in nature. Conformity in this instance to the Zoning Ordinances would create a hardship. In addition, the height of the structure is only 32.5 feet where 35 feet is permitted so the structure does not have the look of a massive 2 story structure on a lot with deficient lot area and lot width.

It is submitted the variance relief is also appropriate under NJSA 40:55D-70(C)(2). There is a substantial benefit in what the Applicant is proposing that far outweighs any detriment as it pertains to seeking a deficiency regarding the variance relief being sought. Aesthetics and upgrades to a property can be a consideration as to substantial benefit which is documented in pertinent Case Law. In this instance the overall upgrade of the structure, creation of a two car functional garage, elimination of a detached structure that is a state of deterioration, installation of appropriate landscaping that provides a better streetscape and creating a more architectural and aesthetically appropriate single family dwelling unit that will be similar to others within the vicinity provides a benefit that far outweighs the detriment.

It is the Applicant's position that the variance relief being sought can be granted without substantial detriment to the Zone Plan or Zoning Element of the Township of Wyckoff. The building as

proposed does not overburden the lot. There is a positive aspect in this particular instance in view of the fact that the dwelling unit that is proposed will upgrade and create a better streetscape than what currently exists. The dwelling itself will fit better within the character of the overall neighborhood.

For the foregoing reasons, it is respectfully requested that variance relief be granted as proposed.