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April 20, 2020

FED EX OVERNIGHT MAIL

#7702 7215 4139

Maureen Mitchell, Secretary, Zoning Board of
Adjustment of the Township of Wyckoff
Memorial Town Hall
Scott Plaza
340 Franklin Avenue
Wyckoff, New Jersey 07481

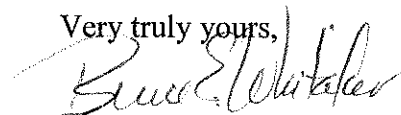
Re: Canzani
177 VanHouten Avenue
Wyckoff, New Jersey
Block 292, Lot 9

Dear Ms. Mitchell:

Based upon the revisions to the Plan, and Schedule J that was submitted by Kiersten Osterkorn, PE by her letter of April 16, 2020, I have revised the Application, and I am submitting two copies as a substitution for the prior Application made. The basic modifications pertain to Schedule J, and the Addendum to the Application.

Thank you.

Very truly yours,



Bruce E. Whitaker

Encls.

Cc: Mr. and Mrs. Robert Canzani (Via Email)
Kiersten Osterkorn, PE (Via Email)
Christopher Canzani, AIA (Via Email)
Thomas Canzani, AIA (Via Email)

BEW:cbp

Over 30 Years of Service

**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
(X) 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

PROPERTY HISTORY:

A. Owner: Robert and Anne Canzani

Address: 177 Van Houten Avenue, Wyckoff, New Jersey

Telephone: 201-694-3179

Applicant name (if other than owner): _____

Address: _____

Telephone: _____

B. Property Description:

Location: 177 VanHouten Avenue

Zoning district: RA-25 Block: 292 Lot: 9

Existing use of building or premises: Single family home

C. Type of variance requested: bulk variances for front yard setback and side yard setback

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 X No _____

If no, explain _____

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

G. Is this request connected with the simultaneous approval of another application before a Township board?

Yes _____ No X

If yes, explain _____

H. Have there been any previous applications before a Township board involving the premises: Yes _____ No X

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:

No

ALL APPLICANTS COMPLETE SECTION J

J. ZONING DISTRICT – RA-26

		DIMENSIONS			
	Zoning Requirement	Present Layout	Proposed Layout	**See Note	
1. LOT SIZE (sq. ft.)	25,000 min.	16,500	16,500	(X)	
Frontage	125 min.	110	110	(X)	
Depth	150 min.	150	150	()	
2. SETBACKS					
Principal Building					
Front Yard (ft.)	40 min.	40.3	32.3	(X)	
Rear Yard (#2) (ft.)	40 min.	75.5	46.5	()	
Side Yard (#1) (ft.)	20 min.	21.8	11.1	(X)	
Side Yard (#2) (ft.)	20 min.	29.6	29.6	()	
* Accessory Structure(s) (deck, garage, shed, pool, etc.)		(Attach a separate sheet if necessary)			
Rear Yard (ft.)	20 min.	59.2'	53.6'	()	
Side Yard (ft.)	15 min.	30.3'	49'	()	
*ALL ACCESSORY STRUCTURE SETBACKS SHALL BE INDICATED ON SURVEY					
3. GROSS BUILDING AREA (GBA) per 186.65**		2,106 SF	4,496 SF	()	
Over 3,700 (sq. ft.) Side yard setbacks increase	25 min.	21.8	11.1	(X)	
Garage faces side yard setback increases to	27 min.	N/A		()	
4. BUILDING AREAS (footprint)					
Principal Building (sq. ft.)	*****	1,460	2,652		
Accessory Structures (sq. ft.)	LIST				
Deck	*****	389	385		

5. LOT COVERAGE					
A. Principal Building (%)	15 max.	8.8	16.1	(X)	
B. Total Access. Structures (%)	5 max.	2.4	2.3	()	
C. Total (%) (A & B)	20 max.	11.2	18.4	()	
6. DWELLING AREA (Total sq. ft.)	1,200 min.	1,825	3,986	()	
First Floor	*****	1,142	2,029		
Second Floor	*****	683	1,957		
7. BUILDING HEIGHT (ft.)	35 max.	< 35	32	()	
Number of stories	2 ½ max.	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.	2,652	<u>Space reserved for calculation</u>		
Driveways (paved or gravel)	Sq. ft.	939			
Patios and/or paved areas	Sq. ft.	345			
Walkways and brick pavers	Sq. ft.				
Tennis Court	Sq. ft.				
Swimming Pool Water Surface	Sq. ft.				
Decks w/o free drainage	Sq. ft.	385			
TOTAL IMPERVIOUS COVERAGE:	Sq. ft.	4,321	Calculated %	()	
			= 26.2		

****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 - Not Applicable

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.

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.

See Addendum Attached

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

See Addendum Attached

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

See Addendum Attached

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.

See Addendum Attached

N. Itemize material accompanying application:

<u>Item</u>	<u>Number submitted</u>
1. Plot Plan prepared by Omland & Osterkorn, Inc	2 Initially
2. dated 1/21/20	
3. Architectural Plan of Canzani Architects 8/1/19	2 Initially
4.	
5.	

Signature of Applicant: _____

Signature of Owner(s): _____

Date of Application: _____

Robert Canzani
Applicant Robert Canzani

3/4/2020

ADDENDUM TO APPLICATION

Robert and Anne Canzani (hereinafter referred to as the “Applicant”) are the owners of 177 Van Houten Avenue, Wyckoff, New Jersey which is shown on the Tax Map of the Township of Wyckoff as Block 292 Lot 9 (hereinafter referred to as the “Property”). The Property is located in the RA-25 Rural Residence District.

The Property is deficient in lot area being 16,500 square feet where 25,000 square feet is required. It has deficient lot width and frontage of 110 feet where 125 feet is required.

The Applicant is proposing to construct an addition to the 1½ story single family dwelling unit that currently exists on the Property. The Applicant is proposing to add a second full story, create a small covered porch for the front door entry, add a garage and construct a family room with an outdoor deck to the rear of the existing dwelling unit. The new structure will have a building area of 4,496 square feet which requires an enhanced side yard setback of 25 feet on each side. The Applicant is proposing a side yard setback on the westerly side which would be 11.1 feet at the closest point of the garage addition and which later is extended to 20 feet to the rear by the family room. The easterly side yard is proposed to remain at 29.6 feet and is conforming.

The current front yard setback is 40.3 feet where 40 feet is required. The Applicant is proposing an infringement in the front yard setback to be 32.3 feet measured to the covered porch for the front door entry. This is an open structure and provides an appropriate ingress and egress from the front of the existing structure.

The Applicant is requesting maximum lot coverage to be 16.1% where 15% is the maximum permitted.

The Applicant seeks variance relief under NJSA 40:55D-70(C)(1) and (C)(2). The lot has 2 non-conformities namely lot area and lot width. The lot only has 66% of the required lot area. It is submitted that with a disparity in the required lot area, the Applicant's proposal is de minimis in nature as it pertains to it being 1.1% over the 15% maximum. It is recognized that creation of garages constitutes a positive planning element and in this instance, the creation of a garage area for 2 cars fits within that planning criteria and should be encouraged. It must also be recognized that the total building coverage is 17.8% where 20% is permitted so overall the coverage on a lot that is 2/3 of what is required fits within the maximum lot coverage by a principal and accessory building based upon the unusual condition of having a deficient lot area. Conformity in this instance to the principal building coverage requirement would constitute a hardship and variance relief is appropriate under NJSA 40:55D-70(C)(1). Recognizing that creation of garage space is to be encouraged and constitutes good planning in the design of a single family home, the benefits of having the garage for the storage of motor vehicles constitutes a substantial benefit from a streetscape perspective and on that basis, variance relief is appropriate under NJSA 40:55D-70(C)(2).

The Applicant is proposing a front portico being 8 feet in width and 5 feet in depth. This is the only part of the building that infringes in the front yard setback. It is an open area with a roof above. It creates an appropriate architectural element to the building and most importantly serves as a benefit since it provides safety from the elements in entering and exiting the dwelling unit. This small infringement of 7.7 feet for an 8 foot width is appropriate and constitutes an infringement of approximately 7% in regards to the entire width of the Property. Variance relief is appropriate under NJSA 40:55D70(C)(2). It is recognized that safety factors are to be

considered in granting variance relief and is one of the purposes under the Municipal Land Use Law.

Recognizing that it is appropriate to have a 2 car garage for a single family home, and recognizing one garage currently exists on the westerly side of the dwelling, the Applicant has created a 2nd garage with a stepped back second floor over it. The step back is 1' 4". The first floor of this building has a side yard setback of 11.1 feet for a distance of approximately 23 feet on a lot that has a depth of 150 feet. The infringement therefore at its closest point constitutes approximately 15% of the overall depth of the lot. It faces a property line that has a significant amount of landscaping that properly buffers it from the neighboring property. From there a modest family room is proposed to the rear of the building which is 20 feet off of the side yard where 25 feet is required based upon the enhanced side yard setback that is required where the gross building area is greater than 3700 square feet. The placement of the family room at that location is necessitated by virtue of the fact that the septic system and disposal field is centered in the rear of the lot so that there is an unusual condition created as it pertains to being able to construct this family room off of the rear of the lawfully existing dwelling and to be Code compliant with the septic. Variance relief is warranted under NJSA 40:55D-(C)(1).

It is submitted that variance relief 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 aspect in this particular instance in that the dwelling unit that is proposed to be renovated will upgrade and create a better streetscape than what currently exists. The creation of additional garage space constitutes a positive planning element. The dwelling itself fits within the character of the overall neighborhood.

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

Name: Robert & Anne Canzani
Address: 177 Van Houten Avenue, Wyckoff, NJ
Block 292 Lot 9 Date: _____

B
FOR USE
WITH ALL
APPLICATIONS

SECTION 46-40 COMPLETENESS OF APPLICATIONS

SECTION 1 – Section 46-40. Completeness of Applications.

B. DEVELOPMENT APPLICATION REVIEW CHECKLISTS.

(1) General requirements. No application for development shall be deemed complete unless the following items, information and documentation, where applicable, are submitted to the Administrative Officer.

- | Yes | No | |
|---|------------------------------|---|
| (<input checked="" type="checkbox"/>) | (<input type="checkbox"/>) | (a) Application form properly completed [sixteen (16) copies]. |
| (<input checked="" type="checkbox"/>) | (<input type="checkbox"/>) | (b) Correct filing fee and escrow deposits. |
| (<input type="checkbox"/>) | (<input type="checkbox"/>) | (c) Filing for soil erosion and sediment control. <i>N/A</i> |
| (<input checked="" type="checkbox"/>) | (<input type="checkbox"/>) | (d) Required variance or conditional use application. |
| (<input checked="" type="checkbox"/>) | (<input type="checkbox"/>) | (e) Certification that property tax payments and assessments are current. |
| (<input type="checkbox"/>) | (<input type="checkbox"/>) | (f) Proof that proper notice and publication of the application pursuant to N.J.S.A. 40:55D-12 has been made. <i>To be provided</i> |
| (<input type="checkbox"/>) | (<input type="checkbox"/>) | (g) Ownership disclosure statement, where required by law. <i>N/A</i> |
| (<input checked="" type="checkbox"/>) | (<input type="checkbox"/>) | (h) Appropriate number of plat maps submitted. |
| (<input type="checkbox"/>) | (<input type="checkbox"/>) | (i) Flood-fringe application, where required. <i>N/A</i> |
| (<input type="checkbox"/>) | (<input type="checkbox"/>) | (j) Landscaping Plan including the location and description of existing and proposed landscaping. Information on proposed landscaping shall include the numbers and type of any trees or plants existing on the property that are being removed as well as the common and botanical names, number of trees and/or plants, planted size and root specifications of all trees and plants to be added to the property. The plan shall include the method by which existing trees shall be protected during construction. |

<p>B – ALL APPLICATIONS</p>
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Yes No

- (☒) () (k) A statement from the property owner granting permission for the Board and any of its experts to enter the subject premises for purposes of inspection in relation to a development application.
- () () (l) A copy of any protective covenants or deed restrictions, if any, affecting the property in question, provided that if none exist, an affidavit from the owner certifying that no such covenants or restrictions exist shall be submitted. *N/r*
- () () (m) Details of all proposed retaining walls over two (2) feet in height, signed and sealed by a licensed professional engineer. *N/r*
- (☒) () (n) Any additional information deemed necessary by the municipal agency.
- () () (o) A grading plan prepared by a professional engineer, which indicates topography, an ingress egress stone pad adjacent to the roadway consisting of, at a minimum of 10 feet wide by 30 feet long six (6) inch deep of two (2) and one half inch crushed stone, silt fenced located adjacent to all areas of new construction or renovation, elevations, draining patterns and all proposed seepage pits and/or dry wells. In addition, the application shall include a written certification from a professional engineer certifying that there will be a zero increase in storm water runoff as a result of the project. *N/r*
- (☒) () (p) Detailed drawings depicting all existing structures and proposed structures on the site. The drawings must include all portions of existing structures which the applicant proposes to remove.

Name: Robert & Anne Canzani
Address: 177 Van Houten Avenue, Wyckoff, NJ
Block 292 Lot 9 Date: _____

E
VARIANCE
REVIEW

SECTION 46-40. COMPLETENESS OF APPLICATIONS

SECTION 1 – Section 46-40. Completeness of Applications.

E. NO APPLICATION FOR VARIANCE APPROVAL SHALL BE DEEMED COMPLETE UNLESS THE FOLLOWING ITEMS, INFORMATION AND DOCUMENTATION, WHERE APPLICABLE, ARE SUBMITTED TO THE ADMINISTRATIVE OFFICER:

Yes No

- (☒) (☐) (1) Sixteen (16) copies of accurate survey showing the property and the location of all buildings existing and proposed, and their setbacks from property lines.
- (☒) (☐) (2) Sixteen (16) copies of site plans submission details, where required by the Board of Adjustment or by ordinance.
- (☒) (☐) (3) Sixteen (16) copies of the complete building exterior and elevation drawings of the proposed structures or buildings.
- (☒) (☐) (4) Sixteen (16) copies of drawings of interior floor plan layout for proposed structure or buildings and adjoining rooms.
- (☒) (☐) (5) Sixteen (16) copies of photographs of existing structures, topographical features and structures on adjoining properties.
- (☒) (☐) (6) Sixteen (16) copies of distances from existing and proposed buildings on the property to buildings and structures on adjacent lots.