

**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**

\_\_\_\_\_

**PROPERTY HISTORY:**

A. Owner: Mark DeVincentis

Address: 470 Fairfield Road, Wyckoff, New Jersey 07481

Telephone: 917-617-0376

Applicant name (if other than owner): Same

Address: \_\_\_\_\_

Telephone: \_\_\_\_\_

B. Property Description:

Location: 470 Fairfield Road, Wyckoff, New Jersey

Zoning district: RA-25

Block: 313

Lot: 3

Existing use of building or premises: Single Family Residential

C. Type of variance requested: N.J.S.A. 40:55D-70 (C)(1) - building coverage proposed 16.21%; maximum permitted 15%; variance relief requested for coverage of 1.621% No landscaping is being modified and a waiver is requested to eliminate the submission of a landscape plan.

D. The variance requested is for the purpose of: Raising an existing ground level patio to create an outdoor patio with a roof that will be attached to the dwelling unit

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

F. Is the property sewer or septic?  septic 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: No knowledge

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

**470 FAIRFIELD RD.  
COVERED PATIO ADDITION  
ALL APPLICANTS COMPLETE SECTION J**

GBA 1ST 2645  
2ND 3041  
GARAGE 735  

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6421

J. ZONING DISTRICT - RA-25

**DIMENSIONS**

	Zoning Requirement	Present Layout	Proposed Layout	**See Note
1. LOT SIZE (sq. ft.)	25,000 min.	<u>25,395</u>	<u>25,395</u>	( )
Frontage	125 min.	<u>130.0</u>	<u>130.0</u>	( )
Depth	150 min.	<u>195.3</u>	<u>195.3</u>	( )
2. SETBACKS				
Principal Building				
Front Yard (ft.)	40 min.	<u>45.8</u>	<u>45.8</u>	( )
Rear Yard (#2) (ft.)	40 min.	<u>92.2</u>	<u>76.5</u>	( )
Side Yard (#1) (ft.)	28 min.	<u>20.9</u>	<u>20.9</u>	( )
Side Yard (#2) (ft.)	20 min.	<u>32.7</u>	<u>32.7</u>	<del>( )</del>
<i>25' 125' 1d enhanced</i>				
* Accessory Structure(s) (deck, garage, shed, pool, etc.)		(Attach a separate sheet if necessary)		
Rear Yard (ft.)	20 min.	<u>38.4</u>	<u>38.4</u>	( )
Side Yard (ft.)	15 min.	<u>19.1</u>	<u>19.1</u>	( )
<b>*ALL ACCESSORY STRUCTURE SETBACKS SHALL BE INDICATED ON SURVEY</b>				
3. GROSS BUILDING AREA (GBA) per 186.65**		<u>6421</u>	<u>6421</u>	( )
Over 3,700 (sq. ft.) Side yard setbacks increase	25 min.			( )
Garage faces side yard setback increases to	27 min.			( )
4. BUILDING AREAS (footprint)				
Principal Building (sq. ft.)		<u>3665</u>	<u>4116</u>	
Accessory Structures (sq. ft.)	LIST			
prop. cov'd patio				
ex. pool / spa water		<u>607</u>		
5. LOT COVERAGE				
A. Principal Building (%)	15 max.	<u>14.43</u>	<u>16.21</u>	<del>( )</del>
B. Total Access. Structures (%)	5 max.	<u>2.39</u>	<u>2.39</u>	( )
C. Total (%) (A & B)	20 max.	<u>16.82</u>	<u>18.60</u>	( )
6. DWELLING AREA (Total sq. ft.)	1,200 min.			
First Floor		<u>3665</u>		( )
Second Floor				
7. BUILDING HEIGHT (ft.)				
Number of stories	35 max. 2 1/2 max.	<u>31.2'</u> <u>2 1/2</u>	<u>31.2' ex. 14.7' prop. cov. patio</u> <u>2 1/2</u>	( ) ( )
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.	<u>4116</u>	<u>Space reserved for calculation</u>	
Driveways (paved or gravel)	Sq. ft.	<u>2282</u>		
Patios and/or paved areas	Sq. ft.			
Walkways and brick pavers	Sq. ft.	<u>191</u>		
Tennis Court	Sq. ft.			
Swimming Pool Water Surface	Sq. ft.			
Decks w/o free drainage	Sq. ft.			
TOTAL IMPERVIOUS COVERAGE:	Sq. ft.	<u>6,589</u>	Calculated % <u>= 25.95</u>	( )

\*\*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) **N/A**

Dimensions: \_\_\_\_\_

Height: \_\_\_\_\_

Location: \_\_\_\_\_

Lighting: \_\_\_\_\_

Setbacks: \_\_\_\_\_

3. FENCE: **N/A**

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?  
**See Addendum Attached**

4. State how the proposed variance: **See Addendum Attached**

a. Will not cause substantial detriment to the public good \_\_\_\_\_

b. Will not substantially impair the intent and purpose of the zoning plan and ordinance \_\_\_\_\_

IF APPLICATION IS FOR A USE VARIANCE, COMPLETE SECTION M. N/A

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>Plan entitled: "SESC and Grading Plan, Proposed Patio, Block 313, Lot 3, #470</u>      |                         |
| 2. <u>Fairfield Road, Township of Wyckoff, Bergen County, New Jersey", dated 4/6/21,</u>     |                         |
| 3. <u>prepared by Thomas W. Skrable, PE;</u>   |                         |
| 4. <u>Architectural Plan entitled: "DeVincenti's Residence, 470 Fairfield Road, Wyckoff,</u> |                         |
| 5. <u>NJ 07481", dated 1/11/21 last revised 2/8/21, prepared by Mark M. Braithwaite, AIA</u> |                         |

Signature of Applicant:

  
Bruce E. Whitaker, Esq., Attorney for Applicant

Signature of Owner(s):

Date of Application: July 9, 2021

## ADDENDUM

Mark DeVincentis (hereinafter referred to as the "Applicant") is the Owner of 470 Fairfield Road, Wyckoff, New Jersey which is shown on the Tax Map of the Township of Wyckoff as Block 313, Lot 3 (hereinafter referred to as the "Property"). The Property is located in the RA-25 Rural Residence District.

There currently is a single-family dwelling unit on the Property with a patio area and a swimming pool. The lot has 25,395 square feet, where 25,000 sq. ft is the minimum required. The property meets all of the bulk standards.

There is currently a ground level patio of 346 square feet. The Applicant is proposing to raise that area and create an outdoor patio with a roof that will be attached to the dwelling unit. The overall square footage is 451 square feet which is an additional 105 square feet over what currently exists. In addition, there would be an area with a raised landing/grill of 191 square feet.

Once this roof and patio are attached to the dwelling unit, it is factored into the principal building coverage. The current principal building coverage is 14.4%, where 15% is the maximum permitted. On the basis of the Applicant's proposal, the building coverage is increased to 16.21%, and variance relief is requested for the overage of 1.621%.

It is important to note that with Applicant's proposal, the overall maximum improved lot coverage will be 25.95%, where 28.5% is permitted. All other bulk standards are met.

The Applicant requests this variance relief with the following stipulations:

- A. The outdoor covered patio will not be enclosed;
- B. No additional accessory structure will be located on the Property thereby keeping overall improved lot coverage below the maximum permitted.

It is submitted that variance relief is appropriate under N.J.S.A. 40:55D-70(C)(1). There is a lawfully existing structure on the Property with a patio. The raising of the patio with a roof above it prompts the variance relief. Raising the patio provides appropriate access from the ground floor of the dwelling unit out to the patio. If the raised patio were a separate structure, it would be permitted. It is an open structure with just a fireplace at one end. It will always remain open. It is in the most appropriate location. The overage for principal building coverage that is proposed is de minimus and with the stipulations set forth by the Applicant, can easily be accommodated on the lot. This type of patio together with the grill area is a very common improvement for a single-family dwelling unit.

It is submitted that variance relief can be granted in this instance without any detriment to the Zone Plan and Zoning Ordinances of the Township of Wyckoff. The raised patio will compliment the area of the existing structure, will have no adverse impact on the surrounding properties, and will not create any adverse drainage conditions.

Applicant respectfully requests variance relief as set forth herein.