

RESOLUTION 2021-06

IN THE MATTER OF THE APPLICATION

OF

MARCO & AMANDA ZARFINO

**BOARD OF ADJUSTMENT
TOWNSHIP OF VERONA
ESSEX COUNTY, NEW JERSEY**

WHEREAS, Marco and Amanda Zarfino (collectively the "Applicant") are the owners of property located at 79 Franklin Street, Verona, New Jersey, said property also being known as Block 1001, Lot 11 (the "Property"), which is located in an R-50B (Medium High Density Single Family) Residential Zone;

WHEREAS, the Applicant filed an application with the Verona Zoning Board of Adjustment (the "Board") requesting the approval of a bulk variance pursuant to N.J.S.A. 40:55D-70(e) to construct a new 608 square foot two story addition as well as a second story addition over the existing one story portion of the dwelling at the Property;

WHEREAS, the Applicant requested a bulk variance for maximum permitted lot coverage where a maximum lot coverage of 25% is permitted pursuant to Verona Chapter 150-17.4.D.3 and a lot coverage of 29% is proposed; and

WHEREAS, the Board, after carefully considering the evidence presented by the Applicant at a public hearing conducted on February 11, 2021 and giving due consideration to any questions and/or comments having been raised by residents who were properly notified, and having made the following factual and general findings:

- (1) The subject property is located in an R-50B (Medium High Density Single Family) Residential Zone;
- (2) The Applicant seeks to construct a new 608 square foot two story addition as well as a second story addition over the existing one story portion of the dwelling at the Property prompting the need for bulk variance relief;
- (3) Chapter 150-17.4.D.3 of the Township of Verona Zoning Ordinances permits a maximum lot coverage of 25% in the R-50B Zone and a lot coverage of 29% is proposed requiring variance relief of 4%;
- (4) Architect Julie Anne Cecere was sworn, accepted as an expert witness in the field of architecture and began to present testimony in support of the application;
- (5) Architect Julie Anne Cecere began her testimony by explaining that the Applicant was before the Board seeking a bulk variance for exceeding the

maximum permitted lot coverage and explaining that the maximum permitted lot coverage in the R-50B Zone was 25% and that with the proposed new two story addition the lot coverage would be going up from 25% existing coverage to 29%;

- (6) Architect Julie Anne Cecere provided the necessary justification for the variance relief being requested first under the c(1) criteria due to the subject property being smaller than required in the zone at 5,487 square feet where a minimum 7,500 square feet is required and next under the c(2) criteria due to the benefits of allowing the proposed addition outweighing the detriments;
- (7) Architect Julie Anne Cecere then described the proposed addition in detail beginning with the floor plans of the existing dwelling and then what was being proposed with the concept of bringing the dwelling up to the current standard of living;
- (8) Architect Julie Anne Cecere stated that the footprint of the proposed addition would remain within the required setbacks and the design of the front would fit in with the neighboring properties;
- (9) Architect Julie Anne Cecere testified that the roof leaders would be tied into the municipal stormwater system and that this would mitigate any impacts to the neighboring properties from the additional coverage. In addition a patio in the rear will be removed and replaced by the addition which will also mitigate any stormwater related concerns; and
- (10) In response to a question from Board Member Paul Mathewson regarding any wetlands on the Property and how that would affect the proposed addition Architect Julie Anne Cecere responded that the Applicant had an engineer review the situation and determined that they were not within the 100 year flood plain but some of the property was in a wetlands transition area but could be developed as intended.

AND WHEREAS, the Board having made the following legal and general conclusions:

- (1) The proposal to construct a new 608 square foot two story addition as well as a second story addition over the existing one story portion of the dwelling at the Property will be an appropriate improvement to the subject property;
- (2) The proposal to construct a new 608 square foot two story addition as well as a second story addition over the existing one story portion of the dwelling at the Property will advance the purposes of the Municipal Land Use Law in that it will enable the Applicant to enhance the use of the

subject property and will improve the aesthetics of the same, thereby promoting the general welfare of the Township and its residents;

- (3) The undersized nature of the Property within the R-50B Zone would result in a hardship for the Applicant were the provisions of the zoning ordinance strictly enforced;
- (4) The benefits of allowing the applicant to construct a new 608 square foot two story addition as well as a second story addition over the existing one story portion of the dwelling at the Property outweigh any detriments;
- (5) The proposal to construct a new 608 square foot two story addition as well as a second story addition over the existing one story portion of the dwelling at the Property will be an upgrade of the property that will not adversely affect the intent or purpose of the zone plan; and
- (6) The proposal to construct a new 608 square foot two story addition as well as a second story addition over the existing one story portion of the dwelling at the Property will not cause a substantial detriment to the public good.

NOW THEREFORE, be it unanimously resolved by the Board of Adjustment of the Township of Verona that the Applicant's proposal to construct a new 608 square foot two story addition as well as a second story addition over the existing one story portion of the dwelling at the Property and for the approval of a bulk variance pursuant to N.J.S.A. 40:55D-70(c) for maximum permitted lot coverage where a maximum lot coverage of 25% is permitted pursuant to Verona Chapter 150-17.4.D.3 and a lot coverage of 29% is proposed with regard to the property located at 79 Franklin Street, Block 1001, Lot 11, based upon the testimony taken on February 11, 2021, be granted, subject to the following conditions:

- (1) The Applicant shall be bound by the content of his testimony as if this testimony was incorporated herein;
- (2) All construction shall be completed in accordance with the plans submitted and/or the testimony of the Applicant; and
- (3) The approvals granted herein shall expire unless construction is begun within two years of the date of the memorializing resolution.

IN THE MATTER OF THE APPLICATION OF
MARCO AND AMANDA ZARFINO
79 FRANKLIN STREET
BLOCK 1001 LOT 11

VOTE : TO GRANT

AYES

DANIEL McGINLEY, CHAIRMAN
SCOTT WESTON, VICE CHAIRMAN
CHRISTY DIBARTOLO
PAT LISKA
LARRY LUNDY
PAUL MATHEWSON, ALT#2

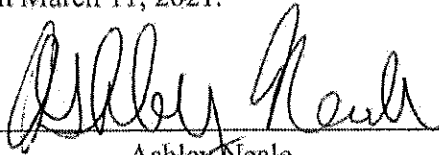
NAYS

ABSTENTIONS



Dan McGinley
CHAIRMAN

The foregoing is a true copy of a resolution adopted by the Board of Adjustment at their meeting on February 11, 2021 and memorialized on March 11, 2021.



Ashley Neale
Board of Adjustment Secretary