

RESOLUTION 2023 - 13

IN THE MATTER OF THE APPLICATION

OF

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

SABINA ANDERBERG and PAR ANDERBERG

WHEREAS, Sabina Anderberg and Par Anderberg (the "Applicants") are the owners of property located at 64 Hillside Avenue, Verona, New Jersey, said property also being known as Block 1901, Lot 60 (the "Property"), which is located in an R-50 (High Density Single-Family) Residential Zone;

WHEREAS, the Applicants filed an application with the Verona Zoning Board of Adjustment (the "Board") requesting the approval of bulk variances pursuant to N.J.S.A. 40:55D-70(c) to construct an addition, portico and new deck at the Property;

WHEREAS, the Applicants requested three (3) bulk variances for maximum improved lot coverage (40% allowed), minimum front yard setback of 30 feet and minimum rear yard setback of 30 feet required pursuant to Verona Chapter 150-5.3(3)- Yard regulations pertaining to Corner lot, frontage upon two streets, Verona Chapter 150-17.5 D.(4) that allows a maximum improved lot coverage of 40% (41.54% proposed), Verona Chapter 150—17.5E(1) that requires a minimum front yard setback of 30 feet (17.83 feet proposed), and Verona Chapter 150-17.5E(5) that requires a minimum rear yard setback of 30 feet (18.5 feet proposed); and

WHEREAS, the Board, after carefully considering the evidence presented by the Applicants Sabina and Par Anderberg, at a public hearing conducted on September 14, 2023, and giving due consideration to any questions and/or comments having been raised by residents who were properly notified (There being no persons presenting any questions or opposition present), and having made the following factual and general findings:

- (1) The subject property is located in an R-50 (High Density) Single Family Residential Zone;
- (2) The Applicant seeks to construct an addition, a new deck and portico at the Property as shown on the plans dated May 26, 2023, by Lawrence Pranzo, AIA, P.E.;
- (3) Chapter 150-5.3 of the Township of Verona Zoning Ordinances provides that a corner lot having frontage upon two improved streets shall have two front yards, one side yard and one rear yard. The rear yard shall be located opposite the more narrow frontage. The minimum side yard setback for

- such lot shall be 1.5 times the minimum yard requirement. In the event the two lot widths are equal, the lot shall contain two front yards and two rear yards;
- (4) Chapter 150-17.5D(4) of the Township of Verona Zoning Ordinances provides that maximum improved lot coverage is 40%, (The proposed maximum improved lot coverage is 41.54%);
 - (5) Chapter 150-17.5E(1) of the Township of Verona Zoning Ordinances provides that minimum front yard setback of 30 feet is required, (The proposed front yard setback is 17.83 feet);
 - (6) Chapter 150-17.5E(5) of the Township of Verona Zoning Ordinances provides that minimum rear yard setback is 30 feet, (The proposed rear yard setback is 18.5 feet);
 - (7) Applicants Sabina Anderberg and Par Anderberg were sworn and presented testimony in support of the application;
 - (8) The Applicants testified that the property is a corner lot and they wanted to build a small addition to add to their kitchen and create a small foyer.
 - (9) The Applicants also testified that the proposed addition is lower than the existing house at 19.3 feet high;
 - (10) The existing lot is substandard for the zone and if the lot was a standard lot the lot coverage would be within the zone requirements;
 - (11) The proposed deck is close to the neighboring property but there is significant landscaping between the properties to screen and provide privacy;
 - (12) All of the proposed finishes will match the existing house;
 - (13) No trees in the area will be removed due to the addition;
 - (14) The lot size is 4,532 square feet;

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

- (1) The proposal to construct an addition, a new deck and portico at the Property will be an appropriate improvement to the subject property;
- (2) The proposal to an addition, a new deck and portico at the Property will

advance the purposes of the Municipal Land Use Law in that it will enable the Applicants to enhance the use of the subject property, thereby promoting the general welfare of the Township and its residents;

- (3) The benefits of allowing the Applicants to construct an addition, a new deck and portico at the Property outweigh any detriments;
- (4) The proposal to an addition, a new deck and portico at the Property will be an upgrade of the property that will not adversely affect the intent or purpose of the zone plan; and
- (5) The proposal to an addition, a new deck and portico at the Property will not cause a substantial detriment to the public good.

NOW THEREFORE, be it resolved by the Board of Adjustment of the Township of Verona that the Applicants' proposal to an addition, a new deck and portico as per the plans dated May 26, 2023 by Lawrence Pranzo, AIA, P.E., with regard to the property located at 64 Hillside Avenue, Block 1901, Lot 60, based upon the testimony taken on September 14, 2023, 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;
- (3) All siding and finishes will match existing siding finishes.
- (4) 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:

SABINA ANDERBERG & PAR ANDERBERG
64 Hillside Avenue
BLOCK 1901 LOT 60

VOTE: TO GRANT

{00452271}

AYES Chairman McGinley, Mr. Ryan

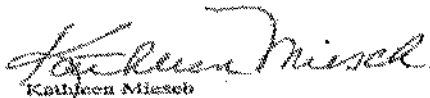
NAYS

ABSTENTIONS: Mrs. DiBartolo; Vice Chair Weston

ABSENT: Mr. Russo, Mr. Mathewson, Mr. Liska, Mrs. Murphy-Bradacs

Dan McGinley, CHAIRMAN

The foregoing is a true copy of a resolution adopted by the Board of Adjustment at their meeting on September 14, 2023 and memorialized on October 12, 2023.



Kathleen Miesch

Kathleen Miesch
Board of Adjustment Secretary

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