

RESOLUTION

APPLICATION OF RALPH J. POCARO FOR A VARIANCE AND SITE PLAN APPROVAL TO PERMIT THE CONSTRUCTION OF TWO TWIN HOUSES ON PROPERTY LOCATED ON LOT 3, BLOCK 3, SPRINGFIELD AVENUE, SUMMIT, NEW JERSEY, LOCATED IN THE R-5 ZONE

This matter was heard by the Board of Adjustment of the City of Summit on February 2, 1987, was discussed at an Executive Session at a public meeting and granted conditionally on February 2, 1987, and the following resolution is being memorialized at the April 6, 1987 meeting.

FINDINGS OF FACT:

1. This matter is brought pursuant to N.J.S.A. 40:55D-70c.
- 2.. The applicant is the contract purchaser of Lot 3, Block 3, Springfield Avenue, which is located in a R-5 residential zone.
3. Applicant has submitted plans in which it purposes to construct two twin houses on a court yard.
4. Applicant's property complies with the zoning ordinance as to area, side yard, front yard, and rear yard requirements.
5. Applicant has shown a need for affordable housing in Summit and the granting of the variance will improve the neighborhood in the elimination of the contractors yard on the site.
6. Applicant presented sufficient testimony and evidence to demonstrate that the property is uniquely suited for the proposed use and the shape of the lot and the exceptional topographic conditions are conducive to the proposed use.

CONDITIONS:

1. The applicant shall return to the Board to submit site plan for its approval.

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2. Applicant shall obtain a building permit within one year of final site plan approval.

3. Applicant shall obtain approvals from the Union County Planning Board for ingress and egress to the property.

CONCLUSIONS OF LAW:

1. The relief sought by petitioner may be granted without substantial detriment to the public good and will not substantially impair the intent and purpose of the zoning plan and Zoning Ordinance of the City of Summit.

2. The granting of the variance herein will not essentially change the character of the neighborhood.

3. A strict enforcement of the Zoning Ordinance would impose undue hardship upon the applicant by reason of the facts and circumstances herein.

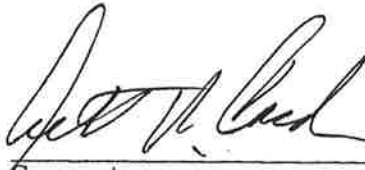
NOW, THEREFORE, BE IT RESOLVED by the Board of Adjustment of the City of Summit that the variance applied for be approved, subject to site plan approval hereinafter.

VOTE ON ROLL CALL

For: Callaghan, Munson, Burgmeyer and Mackin.

Against:

Chairman



Secretary

Dated: April 6, 1987

RESOLUTION

APPLICATION OF RALPH J. POCARO FOR SITE PLAN APPROVAL
FOR PROPERTY AT 54 SPRINGFIELD AVENUE, LOT 3A, BLOCK 4

MAR 5 1990

RALPH J. POCARO

This matter was heard by the Board of Adjustment of The City of Summit on September 11, 1989, was discussed in Executive Session on October 16, 1989, and the following Resolution of Memorialization is being rendered at the December 18, 1989 meeting.

FINDINGS OF FACT

1. This matter was brought pursuant to the Development Regulations Ordinance of The City of Summit as controlled by the New Municipal Land Use Act adopted by The City of Summit in its Development Regulations Ordinance.
2. The applicant was granted variance approval to construct two 2-family dwellings as per plans submitted to the Board in connection therewith.
3. Applicant presented the testimony of his engineer in support of the approval for the site plan. As herein conditioned, the Board is satisfied that the applicant presented adequate testimony in support of the application for approval of the site plan in compliance with the DRO of The City of Summit.

CONDITIONS

1. Drainage requirements as per the DRO of The City of Summit shall be met.
2. Runoff from the property will be directed to the proposed storm sewer.
3. The Plans S1 and S5 show the site plan improvements and construction shall be done in accordance with said plans.
4. No building permit shall issue until the County of Union, State of New Jersey and Union Somerset Soil Conservation approve the site plans.

5. During the course of construction, applicant shall take adequate steps to prevent construction vehicles from littering soil and the like off-site.

6. The floor plans shall conform to those as submitted in the original application.

CONCLUSIONS OF LAW

1. The granting of the approval of the site plan will not be detrimental to the public good and complies with site plan review and environmental impact sections of the Development Regulations Ordinance of The City of Summit.

2. The grant of the variance can likewise be granted without substantial detriment to the public good and will not substantially impair the intent of the Zone Plan or the Development Regulations Ordinance of The City of Summit.

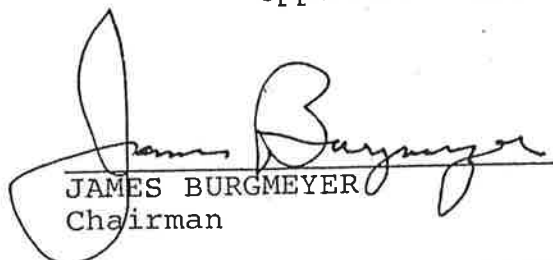
3. Applicant has likewise demonstrated sufficient special reasons and has satisfied the negative criteria with respect to the application.

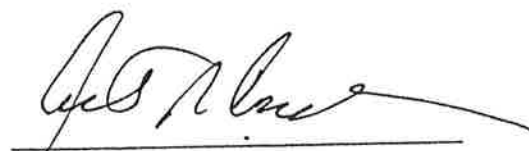
NOW, THEREFORE, BE IT RESOLVED that the application for a variance for a revised Storm Sewer System on the site plan be granted subject to the conditions aforesaid.

VOTE ON ROLL CALL

In Favor: Messrs. Burgmeyer, Munson, Schult,
Ms. Mackin, Ms. Snedeker, Ms. Tulloch

Opposed: None


JAMES BURGMEYER
Chairman


ARTHUR P. CONDON
Secretary

Dated: December 18, 1989