



BOROUGH OF OAKLAND, NEW JERSEY

TO: Planning Board

FROM: Glen Turi

This is to advise you that on January 5, 2023 a denial was issued to the resident Robert and Samantha Acevedo
for the location 43 Powder Mill Lane, Oakland, NJ 07436

Block: 4501 Lot: 10

Zoning District: RA-3

For: Construction of an addition and patio

For the following reasons:

- 1) Side Yard: 6.2 feet proposed, 15 feet required
- 2) Side Yard: 6.2 feet proposed, 15 feet required
- 3) Front Yard: 30.8 feet proposed, 40 feet required

The Ordinances pertaining to this application are:

Chapter 59

Attachment 5

Fee: \$50.00 Paid by: #214 LOD: #Z-0105001

An appeal to the Board of Adjustment of the determination must be made within twenty (20) days of the date of this determination.


Glen Turi
Zoning Official

**BOROUGH OF OAKLAND
BERGEN COUNTY, NEW JERSEY**

**APPLICATION FOR RESIDENTIAL VARIANCE FROM
LOT AREA AND SETBACK REQUIREMENTS**

Date _____

**NOTE: APPLICATION SETS MUST BE COLLATED AND
SUBMITTED IN PACKET FORM FOR PROCESSING.**

Date Received _____

Fee Submitted _____

Jurisdiction Date _____

Complete Date _____

Date by _____

Board Action _____

FOR OFFICIAL USE ONLY

Check nature of the application:

- ☐ Appeal interpretation of Building Inspector. (Type A)
☐ Bulk variance, requesting relief from dimensional zoning code requirement (Type C).
☒ Use variance from zoning code permitted uses. (Type D)

The undersigned, as Applicant/Owner of the subject property listed below hereby makes application to the Borough of Oakland Board of Adjustment for relief from residential zone requirements relating to lot area or setback requirements of the Borough Zoning Ordinance pursuant to N.J.S.A. 40:55D-70 C (1) or C (2) and applicable laws of the Borough of Oakland in order to: (briefly describe proposal)

OWNER WOULD LIKE TO EXPAND FOOTPRINT OF CURRENT HOME BY
BUILDING ON TOP OF EXISTING LAYOUT.

I. APPLICANT INFORMATION

- a. Name: Robert Acevedo & SAMANTHA ACEVEDO
- b. Address: 43 Powdermill Lane
- c. Telephone & Email address (include fax number if desired):
973-356-9042 robacevedo@optimum.net
- d. Applicant is a: (check applicable status)
☐ Corporation ☐ Partnership ☐ LLC ☒ Individual(s)
- e. If applicant is a corporation or a partnership, please list the names and addresses of persons having a 10 % interest or more in the corporation or partnership on a separate sheet and attach to this application.
- f. Relationship of applicant to property (check applicable status):
☒ Owner ☐ Purchaser under contract ☐ Lessee
☐ Other (please specify): _____

g. If applicant is represented by an attorney:

Name: _____

Address: _____

Telephone: _____ Fax: _____

2. PROPERTY INFORMATION

a. Street address 43 Powdermill Lane

b. Tax Map Block(s) 4501 Lot(s) 10

c. Zone District _____

d. Lot Area 20,291 SQ. FT. Lot Dimensions 60 FT (W) x 336.9 FT (L)

e. Has present or previous owner or applicant held title to or held any interest in

Adjoining property at any time? Yes _____ No X If yes, explain nature of interest. _____

f. Lot length & width: 60 FT (W) 336.9 FT (L) Interior of corner lot? _____

g. Number of Streets the lot has frontage on: 1 Lot square foot area: 20291.8 SQ. FT.

h. Property is located (check applicable status):

____ Within 200 feet of another municipality

____ Adjacent to a State Highway

____ Adjacent to an Existing or proposed County road

____ Adjacent to other County land

Note: If any category is checked, notification concerning this application to the appropriate agency is required.

i. Property is sewer _____

Septic system X

j. Current number of bedrooms 3

Proposed number of bedrooms 4

k. Current number of bathrooms 1

Proposed number of bathrooms 2.5

l. Height of building: Existing Stories 1.5

Feet 17

Proposed Stories 2.5

Feet 28.6

m. Percentage of lot occupied by building:

Now: 5.9 %

With proposed addition: 8.1 %

n. Setback from property lines:

	Front	Rear	Right Side	Left Side
a. Existing:	<u>30.8</u>	<u>243.1</u>	<u>6.2</u>	<u>6.2</u>

b. Proposed: 30.8 232.4 6.2 6.2

o. Please list prior applications or municipal actions regarding this property:

VARIANCE APPROVED IN 2019 FOR OVERHANG OVER FRONT STAIRS.

3. NATURE OF APPLICATION: This is an application for a variance from the strict application of the Borough of Oakland Zoning Ordinance for a use permitted in the Zone in which the property is located. The proposed construction is contrary to the following provisions of the Zoning Code of the Borough (the Zoning Officer should be consulted to determine the appropriate sections) You may attach additional sheets if needed.

Relief Requested:

<u>Section</u>	<u>Required</u>	<u>Proposed</u>
<u>59-47</u>		
<u>FRONT YARD</u>	<u>40 FT</u>	<u>30.8 FT (EXISTING NON-CONFORMING)</u>
<u>SIDE YARD</u>	<u>15 FT</u>	<u>6.2 FT (LEFT & RIGHT, EXISTING NON-CONFORMING)</u>
<u>LOT WIDTH</u>	<u>100 FT</u>	<u>60 FT (LEFT & RIGHT, EXISTING NON-CONFORMING)</u>

4. REASONS FOR REQUEST IN SUPPORT OF THIS APPLICATION

This variance is sought because of (check applicable):

- (a) ☒ Exceptional narrowness of property. (b) ☐ Exceptional shallowness of property.
(c) ☒ Shape of property. (d) ☐ Exceptional topographic or physical features of the site.
(e) ☐ Other extraordinary or exceptional situation.

Describe property features or situation if items (d) or (e) are checked. You may attach additional information if desired to support your application.

THIS LOT IS 60 FT WIDE OUT OF THE 100 FT REQUIRED. THIS CREATES A HANDSHIP WITH CONFORMING WITH THE SIDE YARD SETBACK. THE EXISTING FOOTPRINT SITS WITHIN THE FRONT YARD SETBACK. WE ARE NOT EXPANDING THE FOOTPRINT TOWARDS THE FRONT, JUST BUILDING ON TOP OF EXISTING.

5. OTHER REQUIRED INFORMATION

Attach certification of payment of taxes from Tax Collector.

Attach completed checklist.

Attach current survey showing existing & proposed improvements and septic system if applicable. Refer to item #3 on checklist.

6. VERIFICATION AND AUTHORIZATION

Applicant's Statement: I hereby certify that the above statements made by me and the statements and information contained in the papers submitted in connection with this application are, to the best of my knowledge, true and accurate.

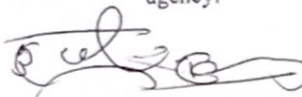

Applicant's Signature

2/19/2023
Date

Lamatha Acevedo
Applicant's Signature

2/19/2023
Date

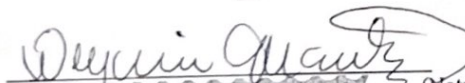
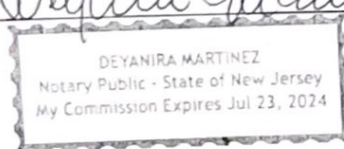
Owner's Statement: I, the undersigned, being the owner of the property described in this application, hereby consent to the making of this application and the approval of the plans submitted. I further consent to the inspection of this property in connection with this application as deemed necessary by the municipal agency.

 Lamatha Acevedo
Owner's Signature

2/19/2023
Date

Subscriber and sworn to before me this

19th day of February, 2023 (Year)


Notary


ZONING TABLE

This **MUST** be completely filled out in order for your application to be deemed complete
 ZONE OF SUBJECT PROPERTY: _____

	REQUIRED	EXISTING	PROPOSED
Lot Area	_____ sf min	<u>20,291</u> sf	<u>20,291</u> sf
Lot Width	<u>100'</u> ft min	<u>60</u> ft	<u>60</u> ft
Lot Depth	<u>140</u> ft min	<u>336.9</u> ft	<u>336.9</u> ft
Building Coverage* (calculated: total building footprint square footage divided by lot area x 100%)	<u>20</u> % max	<u>5.9</u> %	<u>8.1</u> %
Impervious Coverage** (calculated: total impervious footprint square footage divided by lot area x 100%)	_____ % max	<u>10.6</u> %	<u>13.3</u> %
Front Setback	<u>40</u> ft min	<u>30.8</u> ft	<u>30.8</u> ft
Side Setback	<u>15</u> ft min	<u>6.2</u> ft (Left) <u>6.2</u> ft (Right)	<u>6.2</u> ft (Left) <u>6.2</u> ft (Right)
Rear Setback	_____ ft min	<u>243.1</u> ft	<u>232.4</u> ft
Building Height	_____ ft max _____ stories max	<u>17</u> ft <u>1.5</u> stories	<u>28.6</u> ft <u>2.5</u> stories

*Building Coverage: that percentage of a lot covered by the roof(s) of all principal and accessory building(s), including roofed over porches and similar extensions of a building such as roofed decks.

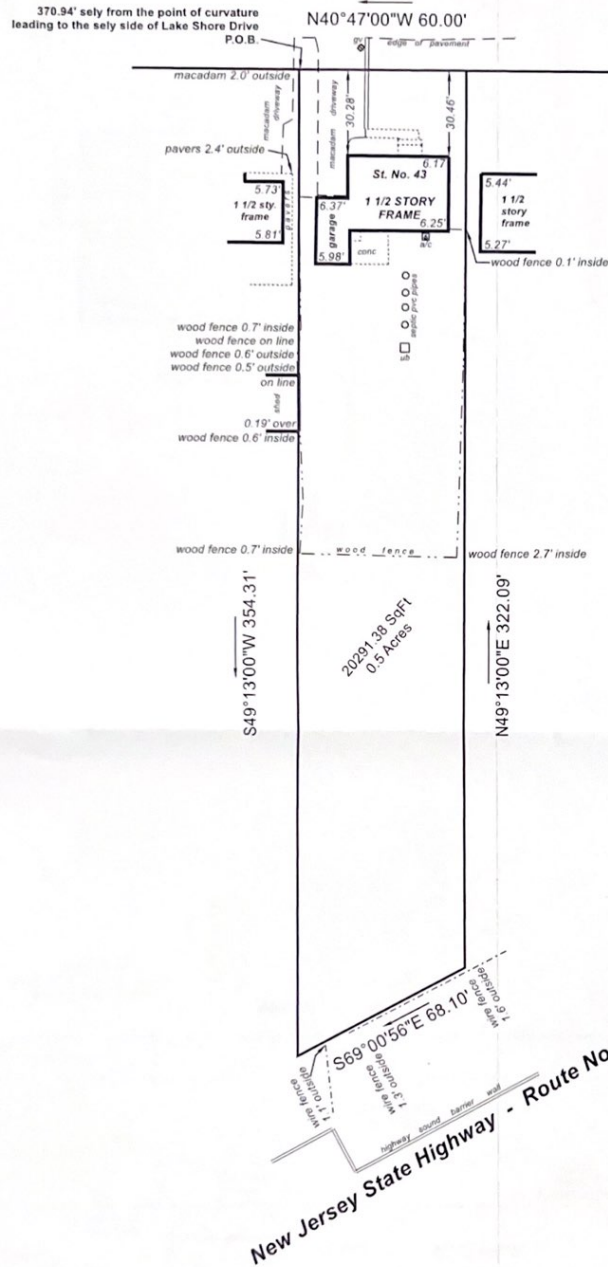
**Impervious Surfaces: surfaces covered by roofs, pavement, walks, patios, and other materials so that underlying soils are highly resistant to infiltration of water. This includes all buildings, porous paving, paver blocks, gravel, crushed stone, decks, patios, elevated structures, and other similar structures, surfaces, or improvements.

This certification is made only to the extent possible for purchase and/or mortgage of herein delineated property by the
 name of purchaser. No responsibility or liability is assumed by Surveyor for use of survey for any other purpose including
 but not limited to, use of survey for survey of land, roads or property, or to any other person not named in certification,
 either directly or indirectly.

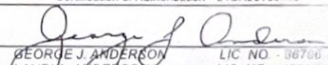
This is a location survey. Property corners were not staked by contractual agreement.

POWDER MILL LANE

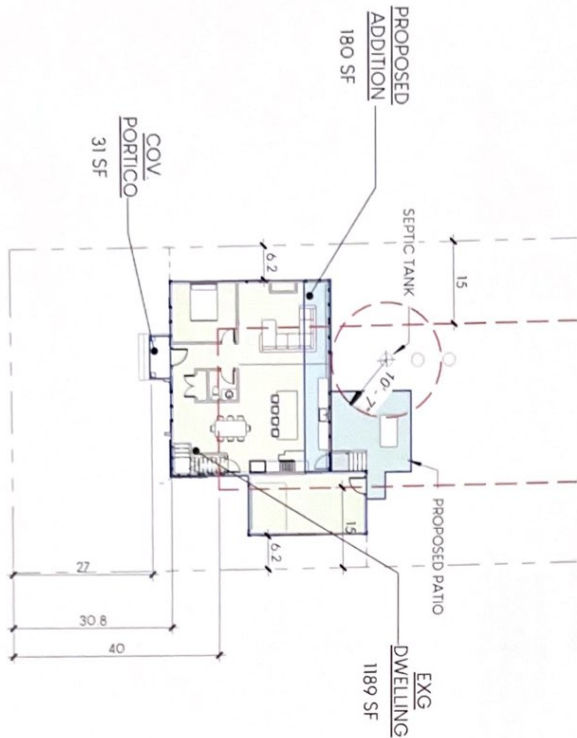
(50.0' R.O.W.)



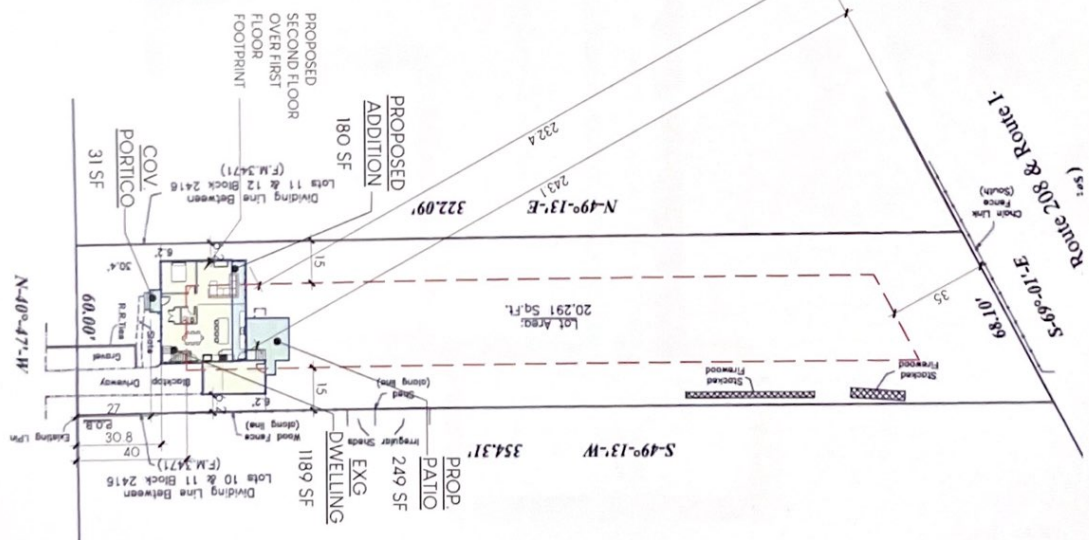
New Jersey State Highway - Route No. 287

PROPERTY ADDRESS: 43 POWDERMILL LANE, TOWNSHIP OF OAKLAND, BERGEN COUNTY, NEW JERSEY			
BLOCK 4501	LOT(S) 10	TAX MAPS	SURVEY NO. - G23-0033
FILED MAP: Also known as Lot No. 11 in Block 2416 on a map entitled "Ramapo Mountain Lakes, Addition to Section Number One, situated in the Borough of Oakland, Bergen County, NJ. Owned and Developed by National House & Farm Assn., Inc." filed at the Bergen County Clerk's Office on August 15, 1946 as Map No. 3471.		DESCRIPTION	SCALE - 1" = 40.0'
THIS SURVEY IS CERTIFIED TO:		DR/CK	DATE
Robert and Samantha Acevedo		Location survey w/o corners	1aa/gja 02/03/2023
		GEORGE J. ANDERSON, L.L.C.	
		PROFESSIONAL LAND SURVEYORS	
		P.O. BOX 1348 - LITTLE FALLS, NJ 07424	
		TEL (973) 837-8159	
		EMAIL: GJALIC@GMAIL.COM	
		Certification of Authorization - 24GA28180100	
		 GEORGE J. ANDERSON LIC NO. - 06766 LAURIA ANDERSON LIC NO. - 43129	

ZONING DATA	REQUIRED	EXISTING	PROPOSED
ZONE:	RA-3		
MIN. LOT REQUIREMENT			
AREA	15,000 SF	20,291 SF	20,291 SF
LOT WIDTH	100 FT	60 FT (EN)	60 FT (EN)
DEPTH	140 FT	336.9 FT	336.9 FT
MIN. YARD REQUIREMENT			
FRONT	40 FT	30.8 FT (EN)	30.8 FT (V)
SIDE	15 FT	L = 6.2 FT (EN) R = 6.2 FT (EN)	L = 6.2 (V) FT, R = 6.2 (V) FT
REAR	35 FT	243.1 FT	232.4 FT
MAX. BUILDING COVERAGE	20% / 3,000 SF	5.9% / 1,189 SF	8.1% / 1,649 SF
MAX. BUILDING HEIGHT	35 FT / 2 1/2 STORY	17 FT / 1 STORY	28.6 FT / 2.5 STORY
(E.N.C.) = EXISTING NON CONFORMING (V) = VARIANCE			



2 PARTIAL PLAN - SEPTIC TANK LOCATIONS
3/64" = 1'-0"



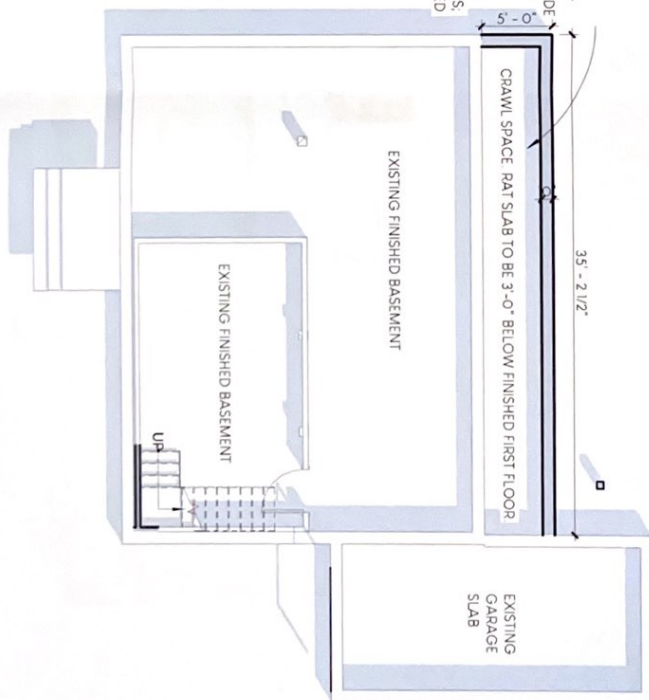
1 SURVEY
1" = 40'-0"

CEGAR F. PADILLA, R.A. 875 ALEXANDRIA COURT RAMSEY • NEW JERSEY 07446 PHONE • 862-881-7708 EMAIL • cfpadilla@aol.com		SEAL CESAR F. PADILLA LIC# 13091							
time DESIGN illinedesign.com 973.800.7634									
PROJECT: ACEVEDO RESIDENCE 43 POWDERMILL LANE OAKLAND, NJ									
REVISIONS <table border="1"> <tr> <th>#</th> <th>DESCRIPTION</th> <th>DATE</th> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> </table>				#	DESCRIPTION	DATE			
#	DESCRIPTION	DATE							
PROJECT # 22-0525									
TITLE SITE PLAN									
DATE: 11/15/22 SCALE: As indicated DRAWING #									
SD-00									

3" CONC RAT SLAB W/ 6X6 10-10 W/M OVER 6 MIL VAPOR BARRIER

2" RIGID INSULATION FOAM TO EXTEND 2'-0" MIN HORIZONTALLY BEANEATH SLAB AND FULL HEIGHT VERTICALLY OF CRAWL SPACE; SECURED TO WALL

CONDITIONED CRAWL SPACE
CONDITIONED AIR SUPPLY SIZED TO DELIVER AT A RATE OF 1 CUBIC FOOT PER MINUTE FOR EACH 50 SF. INCLUDE A RETURN AIR PATHWAY TO THE COMMON AREA.
IF CRAWL SPACE INTENDED FOR STORAGE OR FUEL FIRED APPLIANCES, 1/2" GYPSUM BOARD TO BE INSTALLED TO BOTTOM OF JOIST FLANGE.



1 FOUNDATION
1/8" = 1'-0"

CESAR F. PADILLA, R.A.

875 ALEXANDIRA COURT
RAMSEY • NEW JERSEY 07446

PHONE • 862-881-7708
EMAIL • cfpadilla@aol.com

SEAL

CESAR F. PADILLA
LIC# 13091

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PROJECT:
ACEVEDO
RESIDENCE
43 POWDERMILL LANE
OAKLAND, NJ

REVISIONS

#	DESCRIPTION	DATE

PROJECT # 22-0525

TITLE
BASEMENT PLAN

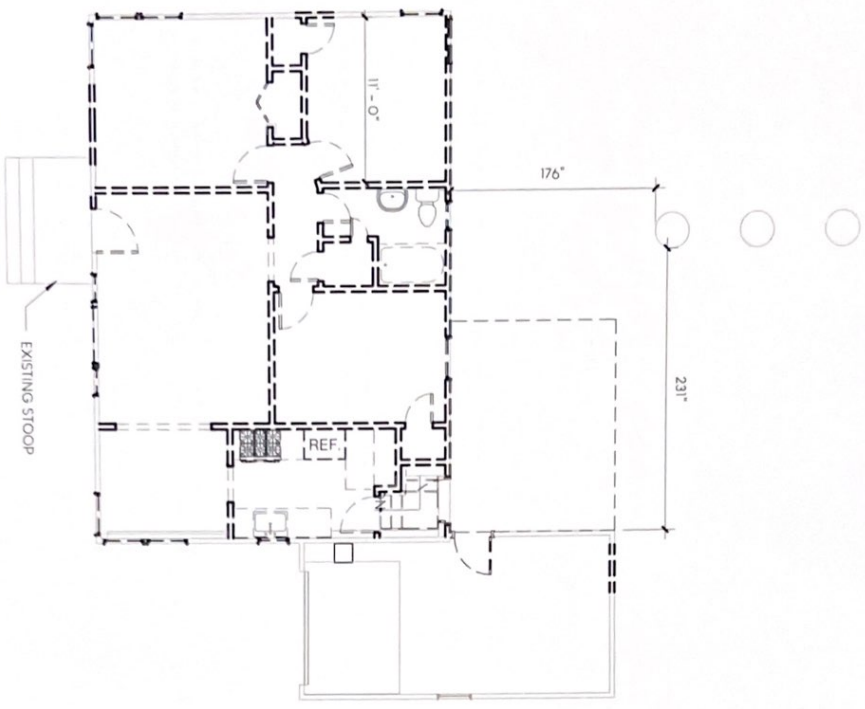
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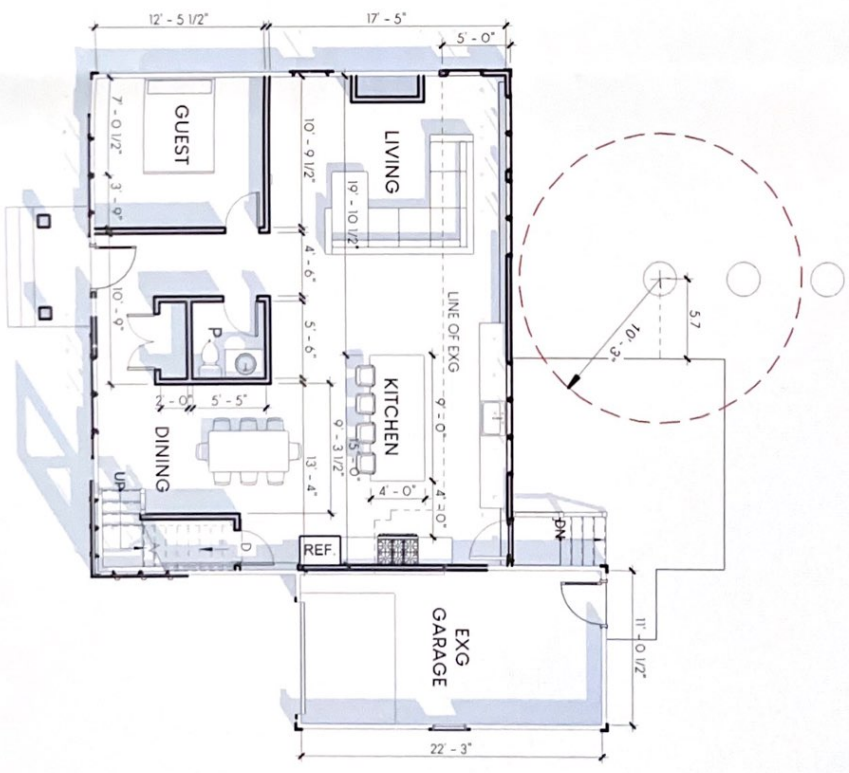
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SD-01

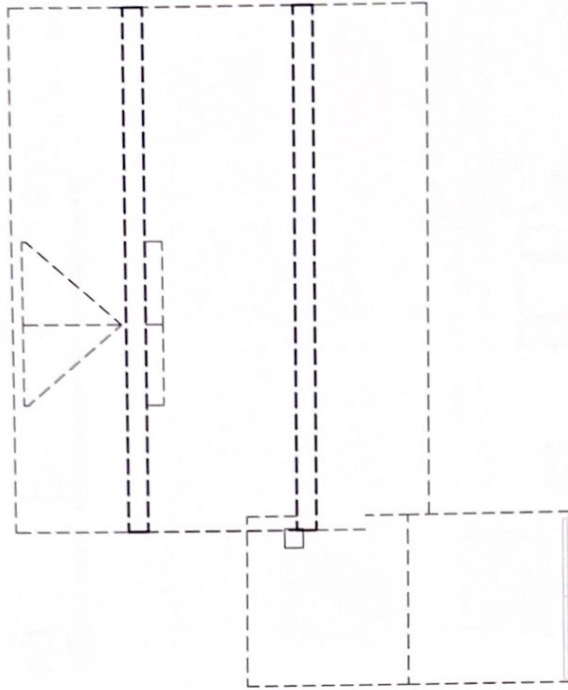
2 FIRST FLOOR PLAN EXISTING
1/8" = 1'-0"



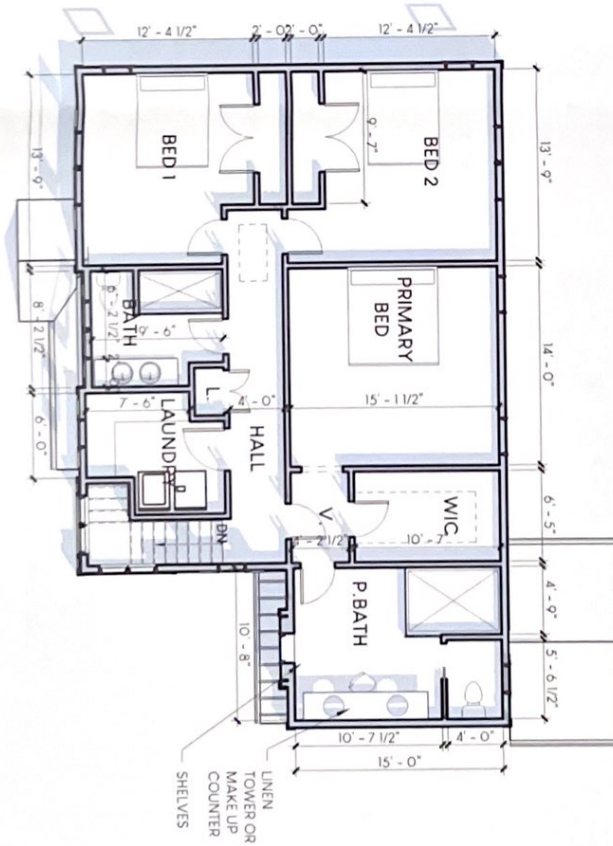
1 FIRST FLOOR PLAN
1/8" = 1'-0"




<div>CESAR F. PADILLA, R.A. 875 ALEXANDRIA COURT RAMSEY * NEW JERSEY 07446 PHONE * 862-881-7708 EMAIL * cfpadilla@aol.com</div>			<div>SEAL  CESAR F. PADILLA LIC# 13091</div>		<div> linedesign.com 973.800.7634</div>		<div>PROJECT: ACEVEDO RESIDENCE 43 POWDERMILL LANE OAKLAND, NJ</div>		<div>REVISIONS <table><tr><th>#</th><th>DESCRIPTION</th><th>DATE</th></tr><tr><td> </td><td> </td><td> </td></tr></table></div>		#	DESCRIPTION	DATE				<div>PROJECT # 22-0525 TITLE FIRST FLOOR</div>		<div>DATE: 11/5/22 SCALE: 1/8" = 1'-0" DRAWING # SD-02</div>	
#	DESCRIPTION	DATE																		

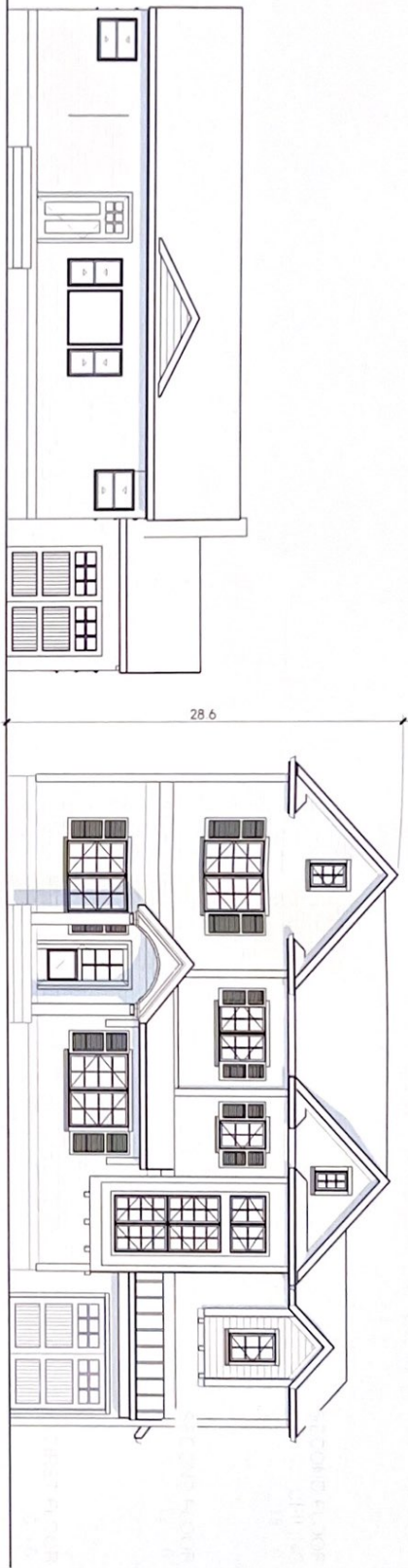


2 EXG ATTIC
1/8" = 1'-0"



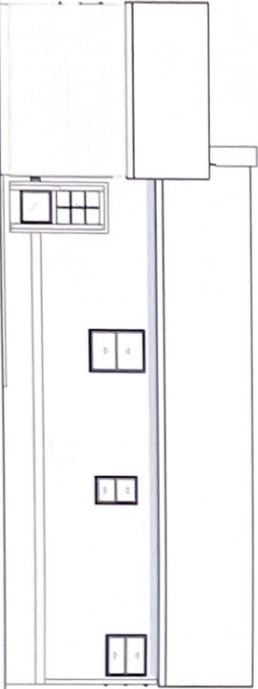
1 PROP. SECOND FLOOR
1/8" = 1'-0"

<div>CEGAR F. PADILLA, R.A.</div> <div>875 ALEXANDRIA COURT RAMSEY • NEW JERSEY 07446</div> <div>PHONE • 862-881-7708 EMAIL • cfpadilla@aol.com</div>			<div>SEAL:</div> <div></div> <div>CEGAR F. PADILLA LIC# 13091</div>			<div><div>line DESIGN</div><div>line@design.com 973.800.7634</div></div> <div>PROJECT: ACEVEDO RESIDENCE 43 POWDERMILL LANE OAKLAND, NJ</div>			<div>REVISIONS:</div> <table><thead><tr><th>#</th><th>DESCRIPTION</th><th>DATE</th></tr></thead><tbody><tr><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td></tr></tbody></table>			#	DESCRIPTION	DATE							<div>PROJECT # 22-0525</div>		
#	DESCRIPTION	DATE																					
<div>TITLE SECOND FLOOR</div>			<div>DATE: 11/15/22 SCALE 1/8" = 1'-0"</div> <div>DRAWING # SD-03</div>																				



3 EXG FRONT ELEVATION
1/8" = 1'-0"

1 FRONT ELEVATION
1/8" = 1'-0"



4 EXG REAR ELEVATION
1/8" = 1'-0"

2 REAR ELEVATION
1/8" = 1'-0"



SD-04

DRAWING #

SCALE: 1/8" = 1'-0"

DATE: 11/15/22

TITLE
FRONT AND REAR
ELEVATIONS

PROJECT # 22-0525

REVISIONS
DESCRIPTION DATE

PROJECT
ACEVEDO
RESIDENCE
43 POWDERMILL LANE
OAKLAND, NJ

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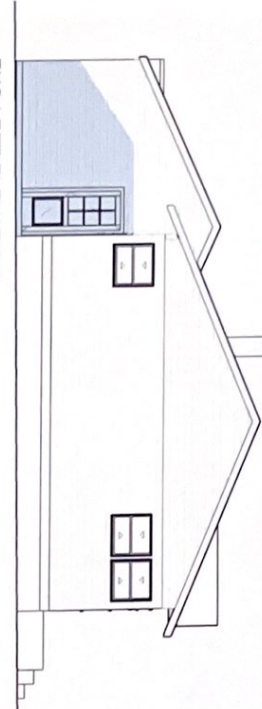
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LIC# 13091

CESAR F. PADILLA, R.A.

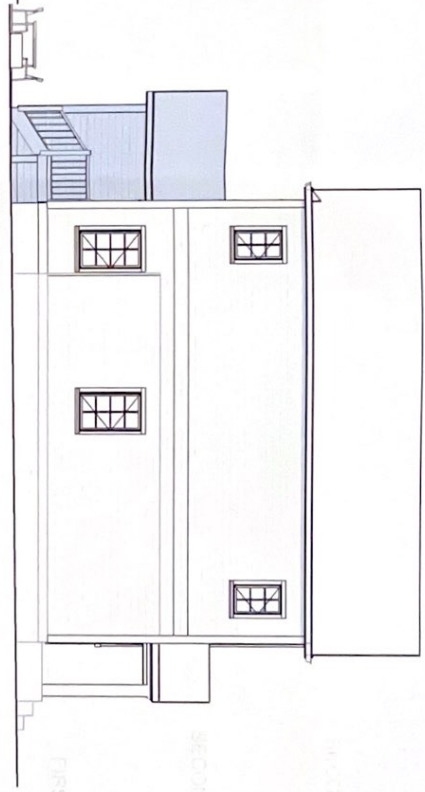
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EMAIL: cfpadilla@aol.com

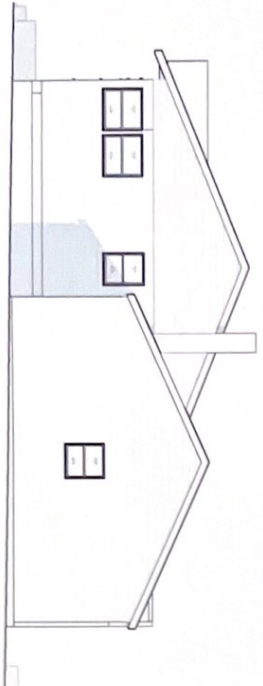
3 EXG LEFT ELEVATION
1/8" = 1'-0"



1 LEFT ELEVATION
1/8" = 1'-0"



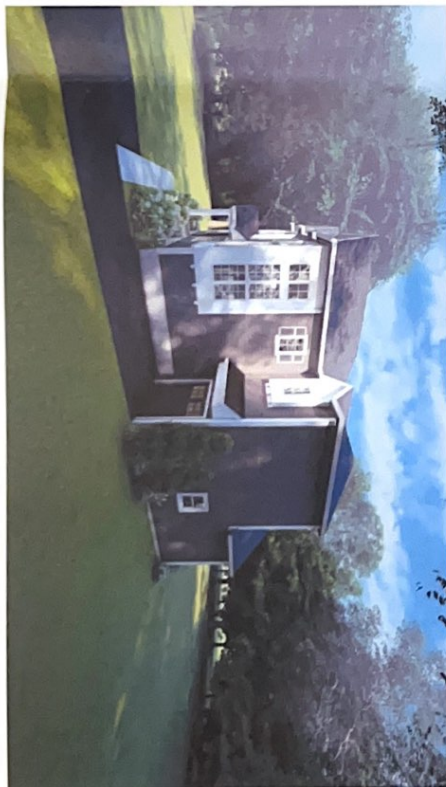
4 EXG RIGHT ELEVATION
1/8" = 1'-0"



2 RIGHT ELEVATION
1/8" = 1'-0"



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#	DESCRIPTION	DATE							
TITLE LEFT AND RIGHT ELEVATIONS									
PROJECT # 22-0525									
DATE 11/15/22 SCALE 1/8" = 1'-0"									
DRAWING # SD-05									



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PROJECT:

ACEVEDO
RESIDENCE
43 POWDERMILL LANE
OAKLAND, NJ

REVISIONS

#	DESCRIPTION	DATE

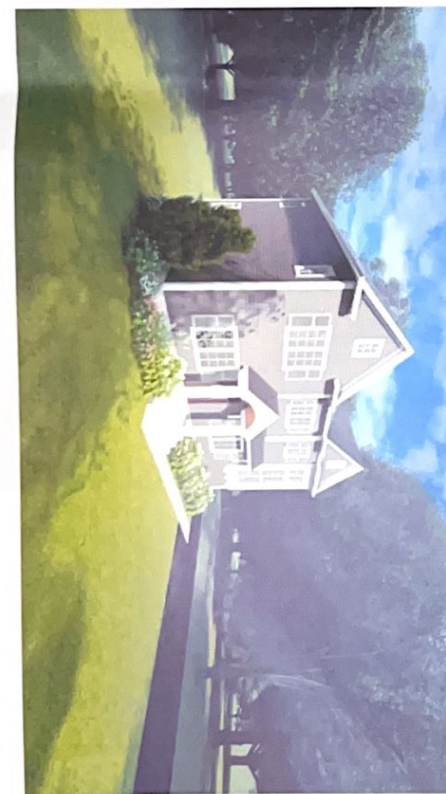
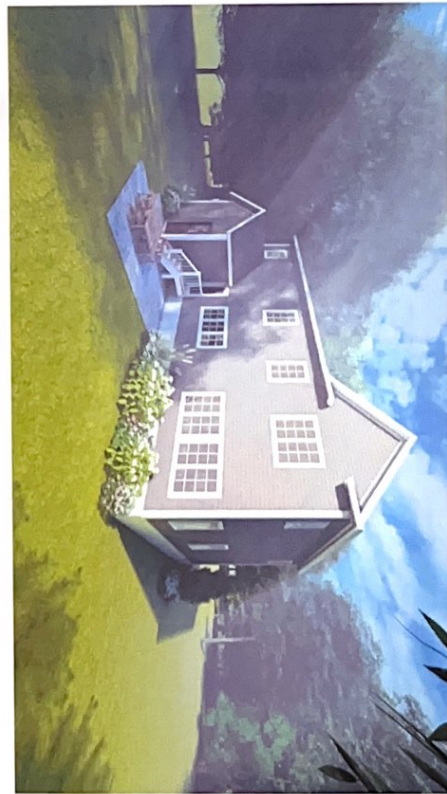
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TITLE:
RENDERINGS

DATE: 11/15/22
SCALE:

DRAWING #:

SD-06



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PROJECT

ACEVEDO
RESIDENCE
43 POWDERMILL LANE
OAKLAND, NJ

REVISIONS

#	DESCRIPTION	DATE

PROJECT # 22-0525

TITLE
RENDERINGS

DATE: 11/15/22
SCALE

DRAWING #

SD-07



EXG LEFT VIEW



EXG FRONT VIEW



EXG GARAGE VIEW



EXG REAR VIEW



EXG RIGHT VIEW

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PROJECT:
ACEVEDO
RESIDENCE
43 POWDERMILL LANE
OAKLAND, NJ

REVISIONS

#	DESCRIPTION	DATE

PROJECT # 22-0525

TITLE
EXG PHOTOS

DATE: 11/15/22

SCALE:

DRAWING #

SD-08