



## BOROUGH OF OAKLAND, NEW JERSEY

TO: Board of Adjustment

FROM: Glen Turi

This is to advise you that on May 10, 2021 a denial was issued to the resident Anthony Adamo for the location 49 Iroquois Avenue, Oakland, NJ 07436

Block: 5202 Lot: 21

Zoning District: RA-3 For: Construction of a Deck

For the following reasons:

- 1) Minimum lot size 12,000 square foot proposed, 15,000 square feet required
- 2) Side Yard: less than 6.5' ft. proposed, 15 ft. minimum required

The Ordinances pertaining to this application are:

Chapter 59

Attachment 6

Fee: \$50.00 Paid by: # 9643 LOD: #Z-05210001

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 May 13<sup>th</sup>, 2021

**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**

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)

New  
Rebuilding / Construction of previously existing  
deck in the same location it previously existed.

**1. APPLICANT INFORMATION**

- a. Name: Anthony Adams
- b. Address: 49 Iroquois Avenue
- c. Telephone (include fax number if desired): 732-677-9700
- d. Applicant is a: (check applicable status)  
☐ Corporation ☐ Partnership ☒ 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 491 Maple Avenue
- b. Tax Map Block(s) 5202 Lot(s) 21
- c. Zone District RA-3
- d. Lot Area 12,000 SF Lot Dimensions 60' W X 200' D
- e. 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.

- f. Property is sewered ☐ Septic system ☒
- g. Current number of bedrooms 3 Proposed number of bedrooms
- h. Current number of bathrooms 3 Proposed number of bathrooms
- i. Height of building: Existing Stories 2 Feet
- Proposed Stories          Feet
- j. Percentage of lot occupied by building:
- Now: 17 1/2 % With proposed addition: 17 1/2 %

k. Setback from property lines:

|              | Front       | Rear         | Right Side  | Left Side       |
|--------------|-------------|--------------|-------------|-----------------|
| a. Existing: | <u>40ft</u> | <u>145ft</u> | <u>6'3"</u> | <u>6 1/2 ft</u> |
| b. Proposed: | <u>40ft</u> | <u>145ft</u> | <u>6'3"</u> | <u>6 1/2 ft</u> |

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

\_\_\_\_\_

\_\_\_\_\_

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>LOT SIZE</u>  | <u>15,000 SF</u> | <u>12,000 S.F</u> |
| <u>SIDE YARD</u> | <u>15'</u>       | <u>6.5'</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.

Seeking to replace a rotted deck with the exact  
same measurements as the deck that was previously  
existing (as shown on survey, 21 feet long x 12 feet wide). Fifteen  
feet is the required set back from property line, whereas our house and  
existing deck have a set back of 6 1/2 feet.

5. **OTHER REQUIRED INFORMATION**

- a. Attach certification of payment of taxes from Tax Collector.  
 b. Attach completed checklist.  
 c. Attach current survey showing existing & proposed improvements and septic system if applicable.

6. VERIFICATION AND AUTHORIZATION

- a. 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.

Ashley Adams  
Applicant's Signature

5/13/21  
Date

Quella Adams  
Applicant's Signature

5/13/21  
Date

- b. 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.

[Signature]  
Owner's Signature

5/13/21  
Date

Subscribed and sworn to before me this

\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ (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  | <u>15</u> sf min                  | <u>12</u> sf                                  | <u>12</u> sf                                  |
| Lot Width   | _____ ft min                      | <u>60</u> ft                                  | <u>60</u> ft                                  |
| Lot Depth   | _____ ft min                      | <u>200</u> ft                                 | <u>200</u> ft                                 |
| Building Coverage*<br>(calculated: total building footprint square footage divided by lot area x 100%)      | _____ % max                       | <u>17.5</u> %                                 | <u>17.5</u> %                                 |
| Impervious Coverage**<br>(calculated: total impervious footprint square footage divided by lot area x 100%) | _____ % max                       | <u>?</u> %                                    | <u>?</u> %                                    |
| Front Setback   | _____ ft min                      | <u>40</u> ft                                  | <u>40</u> ft                                  |
| Side Setback  | _____ ft min                      | <u>6.5</u> ft (Left)<br><u>6.3</u> ft (Right) | <u>6.5</u> ft (Left)<br><u>6.3</u> ft (Right) |
| Rear Setback  | _____ ft min                      | <u>145</u> ft                                 | <u>145</u> ft                                 |
| Building Height   | _____ ft max<br>_____ stories max | _____ ft<br><u>2</u> stories                  | _____ ft<br><u>2</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.

## PROCEDURAL CHECKLIST FOR VARIANCE APPLICATIONS

(Application to be typed or printed clearly please)

- ☒ 1. Apply to Zoning Officer for a permit for a use or structure not permitted by the zoning ordinance. A letter of denial will be issued and signed by the Zoning Officer citing the reasons for the denial of a building permit or certificate of occupancy.
- ☒ 2. Secure a copy of the application form from the Board Secretary. Applications must be filed within twenty (20) days of the issuance of denial from the Zoning Officer.
- ☒ 3. Plans and survey must be prepared and certified by a licensed land surveyor, architect or engineer. Plans must be drawn to scale indicating the relation of existing and/or the proposed structure with structures on all adjoining properties and a scale drawing of existing and/or proposed structures indicating changes or alterations contemplated. Please specify the location of all wells, septic systems, or sewer lines on plans. Submitted plans must show floor plan (footprint) of all levels and elevations.
- ☒ 4. Submit 16 copies of completed application (signed and notarized), 16 copies of Zoning Officer's denial letter, 16 copies folded plans and 16 copies of most recent sealed survey of the property. All copies mentioned must be in packet form and submitted to the Board Secretary.
- ☒ 5. Two separate checks for the application fees and escrow fees made out to the Borough of Oakland.
- ☐ 6. A hearing date will be assigned upon the receipt of a completed application, review process and appropriate fees. The Board of Adjustment regularly meets on the second Tuesday of each month at 8:00 p.m. in the Oakland Council Chambers, 10 Lawlor Drive, Oakland, New Jersey.
- ☐ 7. Obtain a list of all property owners within 200-feet of the property in question from the Tax Assessor's office after variance application has been filed with the Board Secretary and a meeting date has been assigned.
- ☐ 8. Once a hearing date has been assigned and a 200-foot property owner list has been obtained, send notice of appeal to property owners within 200-feet. Sample forms are a part of your application package given by the Board Secretary. Notice must be served to all property owners in adjoining municipalities, if applicable. In such cases, notice must be served to the Municipal Clerk of that Borough. Every Notice must be served no less than 10 days prior to hearing date by certified mail or in person. If noticing in person, the applicant must have each property owner print name and address, sign and date a copy of the notice that they have been informed. Notice is to be placed in the official newspaper of the Borough (The Record) no less than 10 days prior to the hearing date.
- ☐ 9. Upon the completion of service to all applicable property owners, the notice must be sworn before a notary by the person making the service. Proof of service must be given to the Board Secretary prior to the hearing date, which should include, copy of the letter served to property owners, affidavit from the official newspaper and white postal receipts with date of mailing stamped by the post office.
- ☐ 10. Appear at public hearing in person, by agent or attorney. All Corporations must be represented by an attorney at all Board hearings.

Important:

In order to expedite the processing of your application the applicant should comply with the above

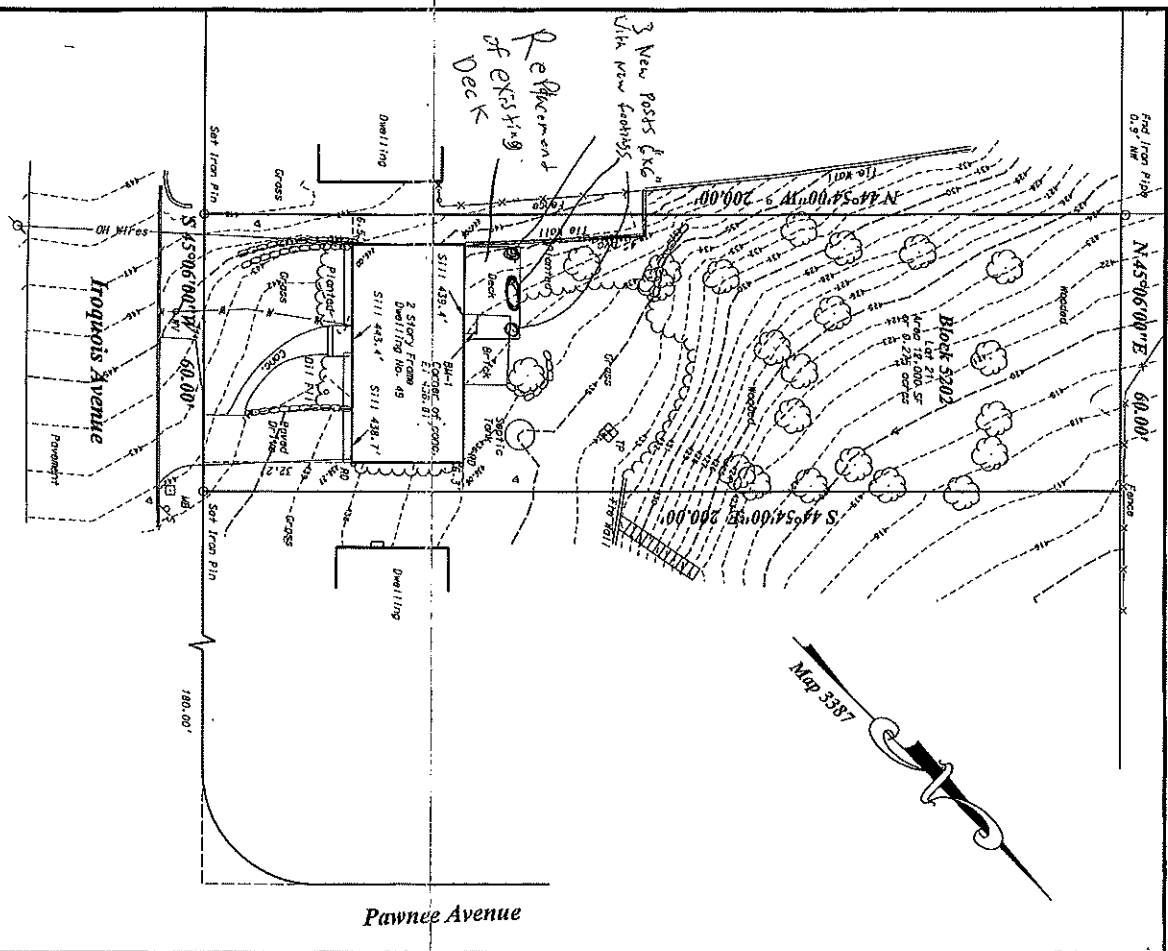
instructions. The Board can take no action until the above requirements are fully complied with and if unable to act within 90 days from the date of application, the Board will be deemed by law to have decided adversely to the application. The action taken by the Board will be advertised in the official newspaper as soon as possible after the hearing. Decisions of the Board will be mailed to the applicant or applicant's attorney as soon as possible but not later than 30 days thereafter. The building inspector must receive a copy of the resolution of approval before he can issue a building permit or certificate of occupancy.

Any questions regarding the application or filing requirements should be directed to the Board Secretary at 201-337-8538.

PLEASE NOTE: The area where the variance is requested must be staked out so that the Board member can see where application is proposed upon their site inspections.







**NOTES**

- 1) This survey is based solely on the information supplied or obtained and listed under references herein.
- 2) This survey is subject to easements, covenants, restrictions or any other pertinent information which on accurate title search might disclose.
- 3) No wetlands or underground improvements if any are shown.
- 4) Tax map reference Block 5202, lot 21.

**References**

Map of Ramapo Mountain Lakes, Section No. 3 situated in the Borough of Oakland, Bergen County, N.J., dated Nov. 8, 1943 and filed in Bergen County as map No. 3387.

**SURVEY OF PROPERTY FOR  
49 IROQUOIS AVENUE**

SITUATE IN THE

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

**ARTHUR J. SCHAPPEL JR. PLS PP**  
N.J. PROFESSIONAL LAND SURVEYOR LIC. NO. 3179

DATE 5/12/15

PREPARED BY

**ARTHUR J. SCHAPPEL JR. PLS**  
PO BOX 924  
HEWITT, NEW JERSEY  
(732) 854-6119

DATE 5/12/15

SCALE 1"=20'

JOB NO. 194050