



BOROUGH OF OAKLAND, NEW JERSEY

TO: Board of Adjustment

FROM: Glen Turi

This is to advise you that on December 14, 2020 a denial was issued to the resident Andrew and Alexandra Keane
for the location 121 Thackeray Road, Oakland, NJ 07436

Block: 5504

Lot: 9 4305/8

Zoning District: RA-3

For: Construction of a rear one story 12' 4" x 4' addition

For the following reasons:

- 1.) Rear yard: 29.95 ft. proposed, 35 ft. minimum required

The Ordinances pertaining to this application are:

Chapter 59

Sections 47

Schedule A

Fee: \$50.00 Paid by: #301 LOD: # 20-1214001

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 12/15/20

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

Date Received _____
Fee Submitted 1111
Jurisdiction Date _____
Complete Date DEC 28 2020
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)

Application to approve single story addition to
the rear of the property measuring 12' x 4'

1. APPLICANT INFORMATION

- a. Name: Andrew & Alexandra Keane
- b. Address: 121 Thackeray Rd. Oakland NJ 07436
- c. Telephone (include fax number if desired): 973 710 2326 / 201-566 2605
- 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 121 Thackeray Road Oakland NJ 07436
b. Tax Map Block(s) 4305 Lot(s) 8
c. Zone District RA-3
d. Lot Area 12,696 sq ft Lot Dimensions 4-102' x 4-125'

- 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 2 Proposed number of bathrooms _____
i. Height of building: Existing Stories 1 Feet 13' sq ft
Proposed Stories _____ Feet _____

- j. Percentage of lot occupied by building:

Now: 16.91 % With proposed addition: 17.3 %

- k. Setback from property lines:

	Front	Rear	Right Side	Left Side
a. Existing:	<u>37.2 ft</u>	<u>± 20.95 ft</u>	<u>25.1 ft</u>	<u>± 26.9 ft</u>
b. Proposed:	<u>Same</u>	<u>29.95 sq ft</u>	<u>Same</u>	<u>Same</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>
RA-3 Rear yard setback	35 ft.	29.95 ft.

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.

Pre-existing nonconforming (dwelling) lot size and location of existing dwelling.

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.

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.


Applicant's Signature

12/15/20
Date

Applicant's Signature

12/15/20
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.


Owner's Signature

12/15/20
Date

Subscribed and sworn to before me this

15 day of December, 2020 (Year)

Kathleen G. Gurney (Notary)

KATHLYN G. GURNEY
Notary Public of New Jersey
My Commission Expires August 25, 2024

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

Number _____ Hearing Date _____

Disposition _____ Site Inspection _____

Name

Address

Telephone

Applicant Andrew & Alexandra Keane

121 Thackeray Rd. Oakland NJ 07436

Owner "

Tenant/Leasee _____

Agent for Owner _____

Property Location 121 Thackeray Rd. Block 4305 Lot 8

**APPLICATION FOR APPEAL FROM ADMINISTRATIVE DECISION
OR VARIANCE FROM THE REQUIREMENTS OF THE ZONING
ORDINANCE**

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)

To the Board of Zoning Adjustment:

This appeal is from the decision rendered by the Building Inspector dated 12/14/20
20 20. The Board acts only on appeal from an Administrative decision.

Variation Requested

An appeal is hereby made for a variance from the terms of sections and paragraphs
numbered Chapter 59.47A of the Zoning ordinance so as to permit (in accordance with
the attached plans): _____

Reasons for variation

The law requires that certain conditions must be established before a variance can be granted.

Note: The Board of Adjustment is required to make a written finding of facts from the showing applicant makes that the three enumerated conditions exist and, in addition, must find that the granting of such variance will not be contrary to the objectives of the Zoning Plan.

(Explain in detail wherein your case conforms to the following three requirements. Not required for administrative appeals applications)

1. That the strict application of the provisions of the Zoning ordinance would result in practical difficulties or unnecessary hardships inconsistent with its general purpose and intent, or where the benefit outweighs the detriment.

Adding the small addition at the rear of the property will allow us to move the existing door into the kitchen to the garage allowing for a larger kitchen layout which is currently too small.

2. That there are exceptional circumstances or conditions applicable to the property involved, its intended use or its development that do not generally apply to other property in the same zone and /or neighborhood.

The property already has a sun room that is located at the rear of the property and this addition would not extend the building further to the property line.

3. That the granting of this variance will not be materially detrimental to the public welfare or injurious to the other property or improvements in that zone and / or neighborhood.

This small 12x4 addition should not interfere with any neighbors' property setbacks that are currently in place.

Description of proposed structure, property or use:

(If answers to any of the questions below is none or not applicable, indicate "N/A")

1. Block number 4305 Lot number 8 Zoning district RA-3
2. Street Address 121 Thackeray Rd Oakland NJ 07436
3. Located between Whittier and Thackeray (Culdesac) (give street names)
4. Has present or previous owner or applicant held title to or held any interest in Adjoining property at any time? Yes No ✓ If yes, explain nature of interest.
5. Lot length & width: 1/4-102' x 1/4-125' Interior of corner lot? ~~1/4-102' x 1/4-125'~~
6. Number of Streets the lot has frontage on: 1 Lot square foot area 12,676 sq Ft
7. Building size: (length & width)
8. Height of building: (stories & feet) 13'
9. Percentage of lot occupied by building:
Now: 16.91 % - With proposed addition 17.30 %
10. Setback from property lines:

	Front	Rear	Right side	Left side
a. Existing:	<u>37.2'</u>	<u>1/4-109.5'</u>	<u>25.1'</u>	<u>1/4-26.9'</u>
b. Proposed:	<u>Same</u>	<u>29.95'</u>	<u>Same</u>	<u>Same</u>
11. Has there been any previous appeal involving these premises?
Yes No ✓
12. Premises presently or last occupied as July 2018
13. Has premises been the subject of any Planning Board action?
Yes No ✓
If yes, attach a copy of Planning Board resolution to this application.
14. Date present owner became owner of property. July 2018

AFFIDAVIT OF APPLICANT

STATE OF NEW JERSEY }
COUNTY OF BERGEN } ss:

Andrew + Alexandra Keane of full age, being dully sworn according to law, on oath deposes and says that all of the above statements and the statements contained in the papers submitted herewith are true.

Sworn to and subscribed
Before me this _____ day
Of 12/23, 20 20.

Meeno
(Applicant to sign here)

AFFIDAVIT OF OWNERSHIP

STATE OF NEW JERSEY }
COUNTY OF BERGEN } ss:

Andrew + Alexandra Keane of full age, being duly sworn according to law on oath deposes and says, that the deponent resides at 121 Thackeray Rd in the town of Oakland in the County of Bergen and the State of New Jersey that Andrew + Alexandra is the owner in fee of all that certain lot, piece or parcel of land situated, lying, and being in the municipality aforesaid, and known and designated as block 4305 and lot 8.

Sworn to and subscribed
Before me this 23 day
Of 12 20 20.

Meeno
(Owner to sign here)

AUTHORIZATION

(If anyone other than above owner is making this application, the following authorization must be executed.)

To the Board of Adjustment:

Andrew + Alexandra Keane is hereby authorized to make the within application.

Dated: 12/23/20

Meeno
(owner to sign here)

ZONING TABLE

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

	REQUIRED	EXISTING	PROPOSED
Lot Area	<u>15000</u> sf min	<u>12,676</u> sf	<u>Same</u> sf
Lot Width	<u>100</u> ft min	<u>102</u> ft	<u>Same</u> ft
Lot Depth	<u>1240</u> ft min	<u>123</u> 120 ft	<u>Same</u> ft
Building Coverage* (calculated: total building footprint square footage divided by lot area x 100%)	<u>20</u> % max	<u>16.91</u> %	<u>17.30</u> %
Impervious Coverage** (calculated: total impervious footprint square footage divided by lot area x 100%)	<u>40</u> % max	<u>32.06</u> %	<u>32.15</u> %
Front Setback	<u>40</u> ft min	<u>37.2</u> ft	<u>Same</u> ft
Side Setback	<u>15</u> ft min	<u>20.9</u> ft (Left) <u>25.1</u> ft (Right)	<u>Same</u> ft (Left) <u>Same</u> ft (Right)
Rear Setback	<u>35</u> ft min	<u>20.93</u> ft	<u>Same</u> ft
Building Height	<u>35</u> ft max <u>2 1/2</u> stories max	<u>13</u> ft <u>1</u> stories	<u>Same</u> ft <u>Same</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.

White postal
receipt

\$10
\$1000
\$250

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 201-337-811 x 2030

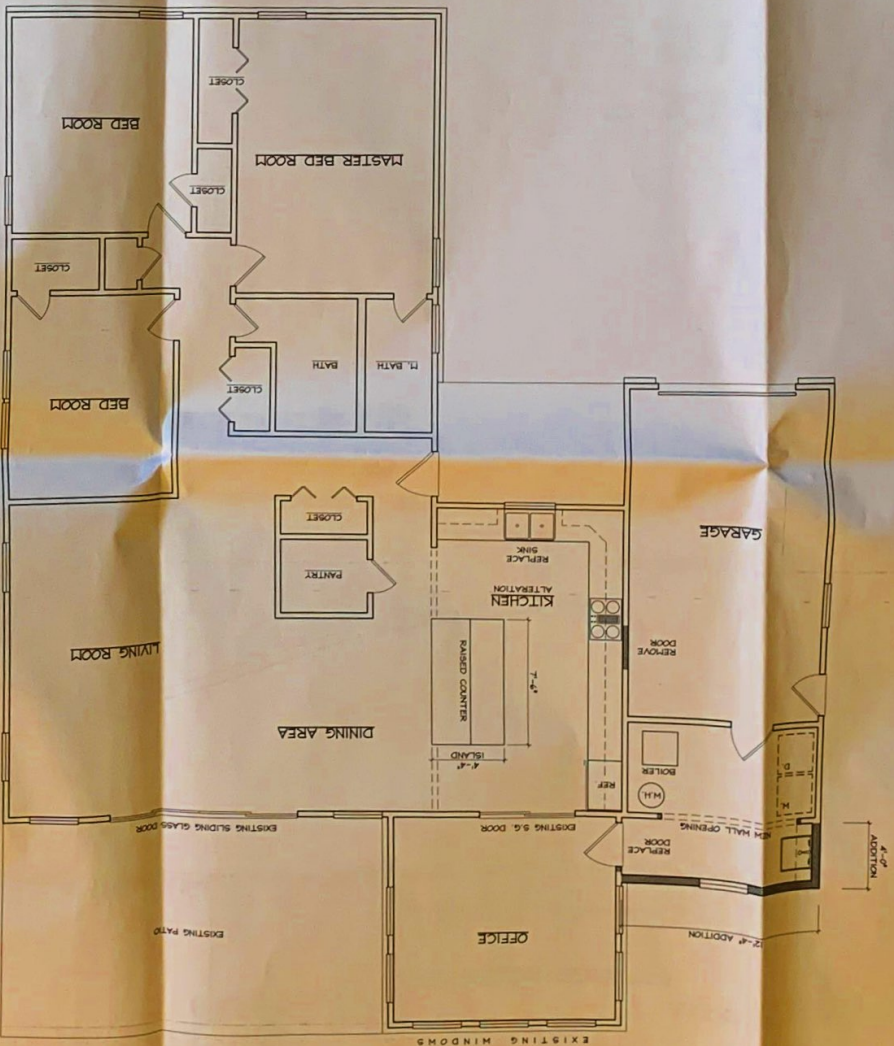
PLEASE NOTE: The area where the variance is requested must be staked out so that the Board member can see where application is proposed upon their site inspections.

PARTITION LEGEND

- EXISTING WALL TO REMAIN
- NEW WOOD STUD PARTITION
- WALL TO BE REMOVED
- REPAIR WALL TO MATCH EXISTING
- REPAIR WALL TO PATCH EXISTING
- REPAIR WALL TO MATCH EXISTING
- REPAIR WALL TO MATCH EXISTING

FIRST FLOOR PLAN

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



BOARD ENGINEER
DATE

BOARD SECRETARY
DATE

BOARD CHAIRMAN
DATE

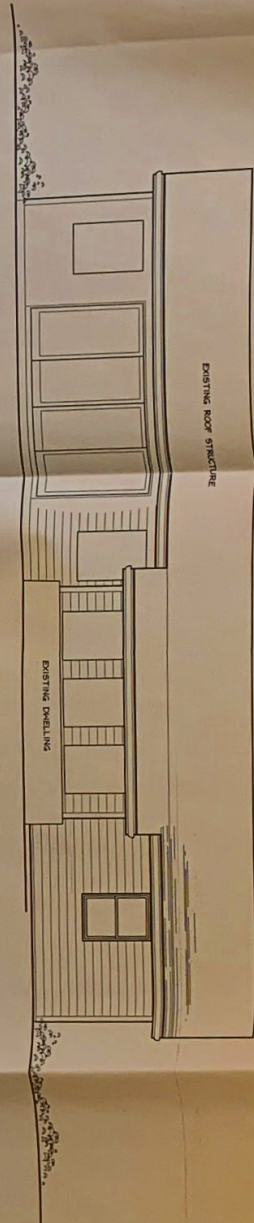
JEFFRY R. MCENTEE
ARCHITECT L.L.C.
59 Broadway, Denville, NJ 07834
(973) 983-5466 Fax: (973) 983-0303

DATE
10 / 30 / 2020
DRAWN BY
ASA
CHECKED BY
JRM

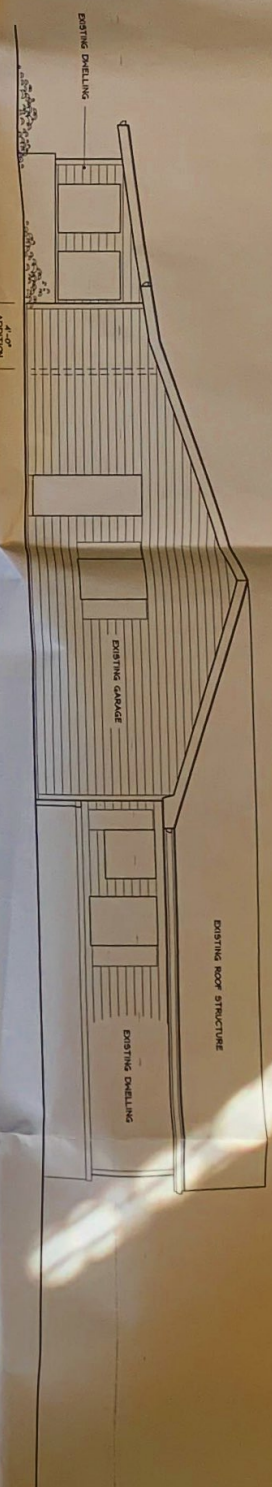
12/15/21

A-1

ADDITION & ALTERATION FOR
ANDREW & ALEXANDRA KEANE
121 THACKERAY ROAD, OAKLAND, N.J.
BLOCK 4305, LOT 8, RA-3 ZONING DISTRICT



REAR ELEVATION
SCALE 1/4" = 1'-0"

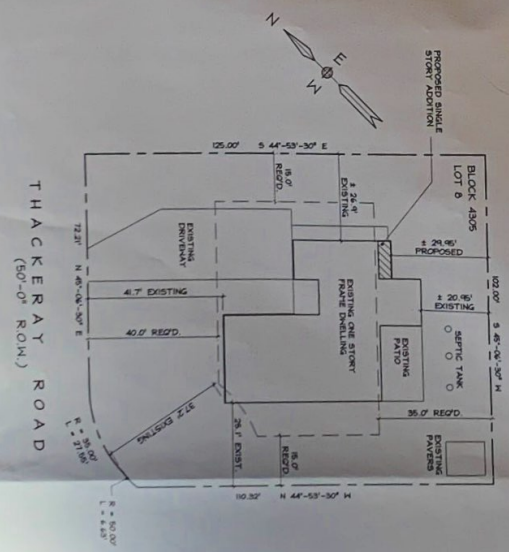


LEFT SIDE ELEVATION
SCALE 1/4" = 1'-0"

ZONING TABULATION
BLOCK 4305, LOT 0 RA-3 ZONE DISTRICT

ITEM	EXISTING	PROPOSED	MINIMUM / MAXIMUM	ZONING REGULATIONS	NOTES
THICKEN LOT AREA	± 12,474 S.F.	± 12,474 S.F.	8,000 S.F.	PRE-EXISTING NON-COVERING	
THICKEN LOT WIDTH	122.0'	± 122.0'	60.0'	OK	
THICKEN LOT DEPTH	128.0'	± 128.0'	140.0'	PRE-EXISTING NON-COVERING	
FRONT YARD	51.2'	± 51.2'	40.0'	PRE-EXISTING NON-COVERING	
SIDE YARD (RIGHT)	25.1'	± 25.1'	0.0'	OK	
SIDE YARD (LEFT)	± 24.4'	± 24.4'	0.0'	OK	
REAR YARD	± 20.0'	± 20.0'	30.0'	PRE-EXISTING NON-COVERING WITH A 25'0" MINIMUM	
BUILDING COVERAGE (70%)	± 144 S.F.	± 144 S.F.	2,193 S.F.	OK	
BUILDING COVERAGE (40%)	± 144 S.F.	± 144 S.F.	5,702 S.F.	OK	
BUILDING HEIGHT	1 STORY	± 13.0'	13.0'	OK	

PERMITTED COVERAGE CALCULATIONS:
EXISTING FOOTPRINT, INCLUDING FRONT PORCH EXTERIOR (244 S.F.) + NORTH REAR PATIO (43 S.F.) + SIDE / REAR PATIO (716 S.F.) + FRONT WALKWAY (39 S.F.) + DRIVEWAY (1,344 S.F.) = 4,044 S.F.
PROPOSED, EXISTING (4,044 S.F.) + PROPOSED 917 SQUARE FEET ADJUNCTION (44 S.F.) - REMOVAL OF PAVING AT SIDE / REAR WALKWAY (-38 S.F.) = 4,044 S.F.



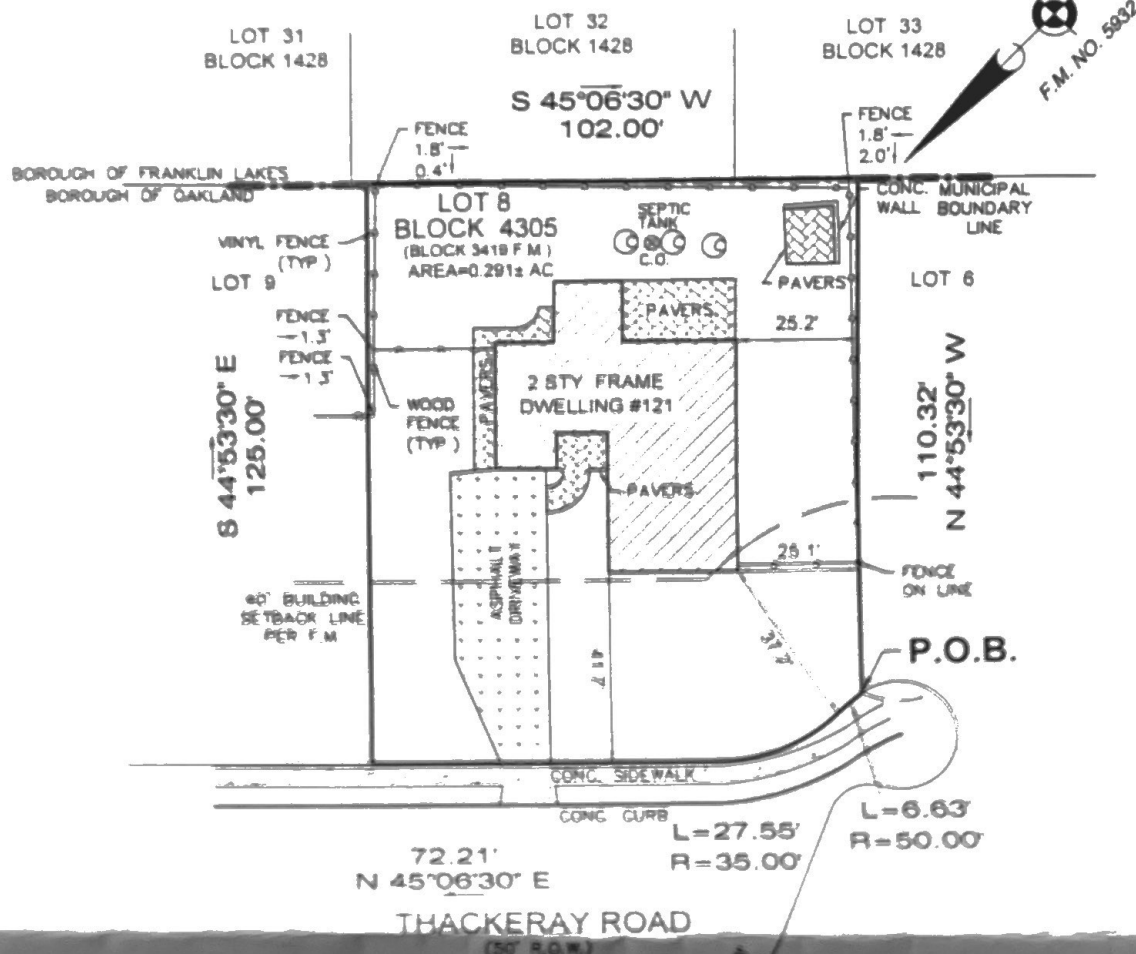
THACKERAY ROAD
SITE PLAN
SCALE 1" = 20'-0"

ADDITION & ALTERATION FOR
ANDREW & ALEXANDRA KEANE
121 THACKERAY ROAD, OAKLAND, N.J.
BLOCK 4305, LOT 0, RA-3 ZONE DISTRICT

A-2

APPROVED BY
[Signature]
N.J. A.I. 12964

APPROVED BY
[Signature]
N.J. A.I. 12964



DISCUSSION TOPIC: DWELLING ON
SUBJECT LOT CROSSES 40' SETBACK
LINE (PER F.M.)

SHELLEY STREET
(50' R.O.W.)

PREPARED FOR: **ANDREW KEANE AND ALEXANDRA KEANE**
Husband and wife

TITLE INSURER: **VAN NATA TITLE AGENCY (VN-9529)**
OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY

MORTGAGE HOLDER: **GET A RATE**
its successors and/or assigns, as their interest may appear.

CLOSING ATTORNEY: **RAYMOND F. MILLER, Esquire**
LAW OFFICES OF RAYMOND F. MILLER, Esquire

Final Map Reference	Final Map Block	Final Map Lot	Filing Date	Final Map No.
FINAL MAP, SECTION NO. ONE, IMPROVED LOTTERIES IN THE BOROUGH OF OAKLAND, BERGEN COUNTY, NEW JERSEY	3419	8	11/28/1982	5932

IMPORTANT NOTES, PLEASE REVIEW:

1. I DECLARE THAT, TO THE BEST OF MY PROFESSIONAL KNOWLEDGE AND BELIEF, THIS MAP OR PLAN MADE ON 7/17/18 BY ME OR UNDER MY DIRECT SUPERVISION IS IN ACCORDANCE WITH THE RULES AND REGULATIONS PRESCRIBED BY THE STATE BOARD OF PROFESSIONAL ENGINEERS AND LAND SURVEYORS.
2. THIS SURVEY DOES NOT CONSTITUTE A GUARANTEE OF THE ACCURACY OF THE DATA PROVIDED BY THE CLIENT OR THE DATA OBTAINED FROM THE FIELD SURVEY.
3. IF ANY PORTION OF THE PROPERTY IS CLAIMED BY THE STATE OF NEW JERSEY AS A WETLAND, ENVIRONMENTALLY SENSITIVE AREA, OR ANY ARE NOT LOCATED BY THIS SURVEY, THE SURVEYOR SHALL BE RESPONSIBLE FOR OBTAINING THE NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.
4. OFFSET DIMENSIONS FROM STRUCTURES TO PROPERTY LINES SHOWN HEREON ARE NOT TO BE USED TO REESTABLISH PROPERTY LINES.
5. THIS SURVEY IS SUBJECT TO CONDITIONS WHICH AN ACCURATE TITLE SEARCH MIGHT DISCLOSE, SUBJECT TO RESTRICTIONS AND EASEMENTS RECORDED AND/OR UNRECORDED.
6. BUILDING SETBACK LINES SHOWN HEREON ARE FROM RECORDED DEEDS AND FILED MAPS AND MAY NOT REFLECT CURRENT ZONING REQUIREMENTS.
7. PROPERTY LINES HAVE NOT BEEN SET AS PER CONTRACTUAL AGREEMENT, (N.J.A.C. 17:48-5.1(3))

DB 1269 PG 1065

CERTIFICATE OF AUTHORIZATION 98048989898

MORGAN
engineering & surveying

P.O. BOX 5232
TOMS RIVER, N.J. 08754
TEL: 732-279-8696
FAX: 732-279-8691
www.morganengineeringllc.com

SURVEY OF PROPERTY

LOT 8 BLOCK 4305
BOROUGH OF OAKLAND
COUNTY OF BERGEN NEW JERSEY

DAVID J. VON STEENBURG
PROFESSIONAL LAND SURVEYOR
N.J. LIC. No. 34500

Scale	Drawn By	Date	JOB #	CAD FILE #	Sheet #
1"=30'	MS	7/17/18	18-06159	18-06159	1 OF 1