

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 George J Kelly

for the location 65 Calumet Avenue, Oakland, NJ 07436

Block: 4801

Lot: 40

Zoning District:

RA-3

For: Construction of a second story addition

For the following reasons:

1.) Side yard: 9.22 ft. proposed, 15 ft. minimum required

The Ordinances pertaining to this application are:

Chapter 59

Sections 47

Schedule A

Fee: \$50.00 Paid by: # 103 LOD: # 20-1214005

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

Zoning Official

December 17, 2020 02:31 PM

BOROUGH OF OAKLAND Tax Account Detail Inquiry

Owner		4801. KELLY,	40. GEORGE & KERN	I, AMANDA	Ą			ar: 2020 to 2 on: 65 CALUME			
Tax Origin	Year: al Bil Payme Bala	led: nts:	Qtr 1 2,459.18 2,459.18 0.00	2	Qtr 2 ,459.18 ,459.18 0.00	Qtr 3 2,590.04 2,590.04 0.00		Qtr 4 2,685.20 2,685.20 0.00	Total 10,193.60 10,193.60 0.00		
Date	Qtr	,,	Code ription	Check	No Mthd	Reference		Batch Id	Principal	Interest	2020 Prin Balance
02/04/	20 1	0 Paym	riginal Billed	l wire	CK	15058	1092	CORELOG	10,193.60 2,459.18	0.00	10,193.60 7,734.42
04/30/	20 2	Paym		WIRE	CK	15594	1077	CORELGC	2,459.18	0.00	5,275.24
08/03/	20 3	Paym		WIRE	CK	16274	1170	CORELOGI	2,590.04	0.00	2,685.20
11/02/	20 4	Paym		WIRE	CK	16954	1189	CORELOGI	2,685.20	0.00	0.00

Total Principal Balance for Tax Years in Range: _______0.00

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. <u>Plans</u> and <u>survey</u> must be prepared and certified by a licensed land surveyor, architect or engineer. Plans must be <u>drawn to scale</u> 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 <u>wells</u>, <u>septic systems</u>, or <u>sewer lines on plans</u>. Submitted plans must show <u>floor plan</u> (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 <u>completed application</u>, <u>review process</u> and <u>appropriate fees</u>. 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 <u>after</u> variance application has been filed with the Board Secretary and a meeting date has be 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.

JAN 12 20**21**

BOROUGH OF OAKLAND BERGEN COUNTY, NEW JERSEY

Number	_ riea	the second of th					
Disposition	Site						
Name	Address	<u>Telephone</u>					
Applicant Amanda							
65 Calun	ret Ave	Oakland,	NJ 07436				
Owner Amanda Kelly							
Tenant/Leasee							
Property Location 65 Calu	inet Ave	Block 480	Lot 40				
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 . 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 ch. 59, section AT of the Zoning ordinance so as to permit (in accordance with the attached plans): X St (Und Story addition and a front porch added to ranch home.							

Reasons for variation

The law requires that certain conditions <u>must be established</u> 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 pratical difficulties or unnecessary hardships inconsistent with its general purpose and intent, or where the benefit outweighs the detriment.

Due to exceptional narrowness of our property as well as an already pre-existing non-contorming condition there is hardship in order to expand our home for our growing family.

That there are exceptional circumstances or conditions applicable to the

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.

Exceptional narrowness of our property is the cause for a pre-existing non-conforming condition. No change in setback will occur after proposed addition on either side of our current home.

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.

There will be no change in traffic, no impeding upon our neighbors. If anything, our addition will make our property look nicer than it currently is and would potentially raise property values in our neighborhood.

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 4801 Lot number 40 Zoning district 12A3					
2.	Street Address 65 Calumet Avenue					
3.	Located between Hawaha Blvd and					
	Oswego Ave (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: 260.51' x 57.55 Interior of corner lot?					
6.	Number of Streets the lot has frontage on: 1 Lot square foot area 20, 693+/- 5=					
7.	Building size: (length & width) 32'3" x 42'b"					
8.	Height of building: (stories & feet) 2 stories 26.2'					
9,	9. Percentage of lot occupied by building:					
	Now: 8.6 % - With proposed addition 0 69					
10.	Setback from property lines: Front Rear Right side Left side a. Existing: 56.88' 170' 9.22' 15.64'					
	b. Proposed: 41.2' 170' 9.22' 15.64'					
11.	Has there been any previous appeal involving these premises?					
	Yes No					
12.	Premises presently or last occupied as Private residence					
	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. 2 23/12					

AFFIDAVIT OF APPLICANT

STATE OF NEW JERSEY)
county of Bergen }
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 thisday Of, 20 AFFIDAVIT OF OWNERSHIP
STATE OF NEW JERSEY} ss:
COUNTY OF BERGEN }
Amanda Kelly of full age, being duly sworn according
to law on oath deposes and says, that the deponent resides at 15 Calumet Avenue in the brough of 0000000 in the County of and the State of New Jevsey that 1000000000000000000000000000000000000
Sworn to and subscribed Before me this day Of 20 (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:is hereby authorized to make the within application.
Dated:
(owner to sign here)

ZONING TABLE

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

	REQUIRED	EXISTING	PROPOSED
Lot Area	<u>(5,000</u> sf min	20693 sf	20,143 t/
Lot Width	ft min	<u>57.65</u> ft	<u>57.65</u> ft
Lot Depth	140 ft min	<u>260.5</u> ft	<u>260.5</u> ft
Building Coverage* (calculated: total building footprint square footage divided by lot area x 100%)	<u>2 0</u> % max	<u>8,6</u> %	9.9 %
Impervious Coverage** (calculated: total impervious footprint square footage divided by lot area x 100%)	<u>닉()</u> % max	1 <u>3.5</u> %	14.7%
Front Setback	<u>40</u> ft min	<u>56.88</u> ft	<u>4,2</u> ft
Side Setback	ft min	15.64 ft (Left) 9-22 ft (Right)	9.22 ft (Right)
Rear Setback	25 ft min	170 ft	170 ft
Building Helght	35 ft max 21/2 storles max	stories	26.2 ft 2 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.

BOROUGH OF OAKLAND BERGEN COUNTY, NEW JERSEY

Fee Submitted APPLICATION FOR RESIDENTIAL VARIANCE FROM Jurisdiction Date LOT AREA AND SETBACK REQUIREMENTS Complete Date Date by Board Action NOTE: APPLICATION SETS MUST BE COLLATED AND SUBMITTED IN PACKET FORM FOR PROCESSESSING. 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) ranch home. 1. APPLICANT INFORMATION Address: 201-742-3721 Telephone (include fax number if desired): Applicant is a: (check applicable status) Individual(s) Corporation Partnership 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. Relationship of applicant to property (check applicable status): X Owner Purchaser under contract _____ Lessee Other (please specify): If applicant is represented by an attorney: Address: Telephone: Fax:

Date Received

PR	PROPERTY INFORMATION					
a.						
b.	Tax Map Block(s) 4801 Lot(s) 40					
c.	Zone District <u>PA - 3</u>					
d.	Lot Area $20,693\pm9$ Lot Dimensions $57.5'\times260.88'\times109.32'\times242.13$					
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 3 Proposed number of bathrooms 2.6					
h.						
i.	Height of building: Existing Stories 1 Feet ± 15'					
	Proposed Stories 2 Feet 26.2'					
j.	Percentage of lot occupied by building:					
	Now: 8.6 % With proposed addition: 9.9 %					
k,	Setback from property lines:					
	a. Bxisting: Front 1 157,921 Right Side Left Side 15,641 b. Proposed: 49.51 157,921 9.221 15,641					
	b. Proposed: 49.5' 157.92' 9.22' 15.64'					
1.	Please list prior applications or municipal actions regarding this property:					

2.

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 he Borough (the Zoning Officer should be consulted to determine the appropriate sections) You may attach additional sheets if needed.						
	Relief Requested: Section 47 Required Proposed 9,22'						
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)X 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.						
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. <u>VERIFICATION AND AUTHORIZATION</u>

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. MUNAA KUULA Applicant's Signature	1/4/21 Date				
	Applicant's Signature	Date				
ь.	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. Amanda Kelly Owner's Signature	1 / 4/2/ Date				

Subscribed and sworn to before me this

OU day of John , 2011 (Year

(Notary)

RAMI G KATTOUR Notary Public - State of New Jersey My Commission Expires Aug 17, 2025





