



## BOROUGH OF OAKLAND, NEW JERSEY

TO: Board of Adjustment

FROM: Glen Turi

This is to advise you that on December 23, 2021 a denial was issued to the resident Joyce Restaino and Patrick Restaino for the location 87 Spear Street, Oakland, NJ 07436

Block: 3703

Lot: 3

Zoning District: RA-2 For: Converting a sun room into living space and adding a front Porch

For the following reasons:

59 Attachment 5

- 1) Rear Yard: less than 75 feet (estimated) proposed, 75 feet minimum required
- 2) Front Yard: less than 50 feet (estimated) proposed, 50 feet minimum required

The Ordinances pertaining to this application are:  
Chapter 59 Attachment 5

Fee: \$50.00 Paid by: # 7907 LOD: #Z-1223001

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**

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)

- Removing a sun room and enclosing  
it with wood framing.

- Adding a front entry overhang

**1. APPLICANT INFORMATION**

- a. Name: Scott Restaino
- b. Address: 87 Spear St.
- c. Telephone (include fax number if desired): (201) 650-6328 (cell)
- 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 87 Spear St.
- b. Tax Map Block(s) 3703 Lot(s) 3
- c. Zone District RA-2
- d. Lot Area 20,079 Lot Dimensions 142 X 166
- 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
- h. Current number of bathrooms 1.5 Proposed number of bathrooms
- i. Height of building: Existing Stories 2 Feet 26  
Proposed Stories        Feet
- j. Percentage of lot occupied by building:  
Now: 8.3 % With proposed addition: 9 %

k. Setback from property lines:

	Front	Rear	Right Side	Left Side
a. Existing:	<u>52</u>	<u>62.5</u>	<u>30.2</u>	<u>39.0</u>
b. Proposed:	<u>46.5</u>	<u>60.3</u>	<u>30.2</u>	<u>39.0</u>

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

None

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>
* See attached zoning denial letter		

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.

Front and rear setback

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.

*Scott Restaino*  
Applicant's Signature

2/4/22  
Date

*Ashley Restaino*  
Applicant's Signature

2/4/22  
Date

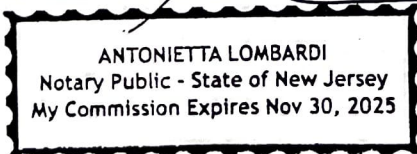
- b. Owner's Statement: I, the undersigned, being the owner of the property described in this application, hereby consent to the making of this application and the approval of the plans submitted. I further consent to the inspection of this property in connection with this application as deemed necessary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

*Scott Restaino*  
Owner's Signature

2/4/2022  
Date

Subscribed and sworn to before me this  
4 day of February 2022  
(Year)

*[Signature]*  
(Notary)



# ZONING TABLE

This **MUST** be completely filled out in order for your application to be deemed complete

ZONE OF SUBJECT PROPERTY: RA-2

	REQUIRED	EXISTING	PROPOSED
Lot Area	<u>30,000</u> sf min	<u>20,079</u> sf	<u>20,079</u> sf
Lot Width	<u>135</u> ft min	<u>126.5</u> ft	<u>126.5</u> ft
Lot Depth	<u>175</u> ft min	<u>152</u> ft	<u>152</u> ft
Building Coverage* (calculated: total building footprint square footage divided by lot area x 100%)	<u>20</u> % max	<u>8.3</u> %	<u>9.1</u> %
Impervious Coverage** (calculated: total impervious footprint square footage divided by lot area x 100%)	<u>40</u> % max	<u>17.7</u> %	<u>18.1</u> %
Front Setback	<u>50</u> ft min	<u>52</u> ft	<u>46.5</u> ft
Side Setback	<u>30</u> ft min	<u>39</u> ft (Left) <u>30.2</u> ft (Right)	<u>39</u> ft (Left) <u>30.2</u> ft (Right)
Rear Setback	<u>75</u> ft min	<u>62.5</u> ft	<u>60.3</u> ft
Building Height	<u>35</u> ft max <u>2 1/2</u> stories max	<u>26</u> ft <u>2</u> stories	<u>26</u> ft <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.

**\* VARIANCE REQUESTED**



EXISTING



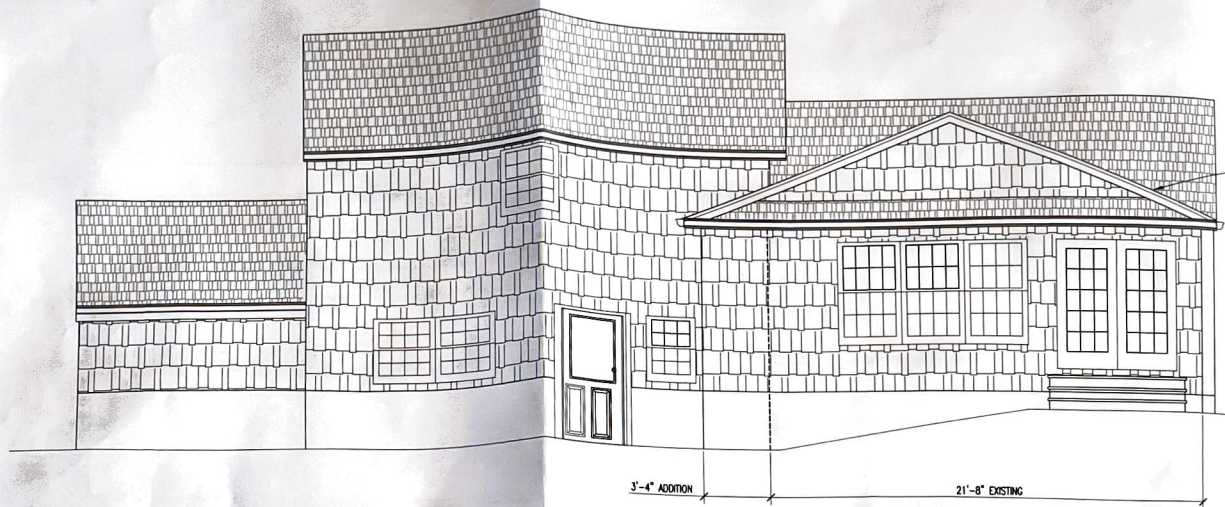


EXISTING



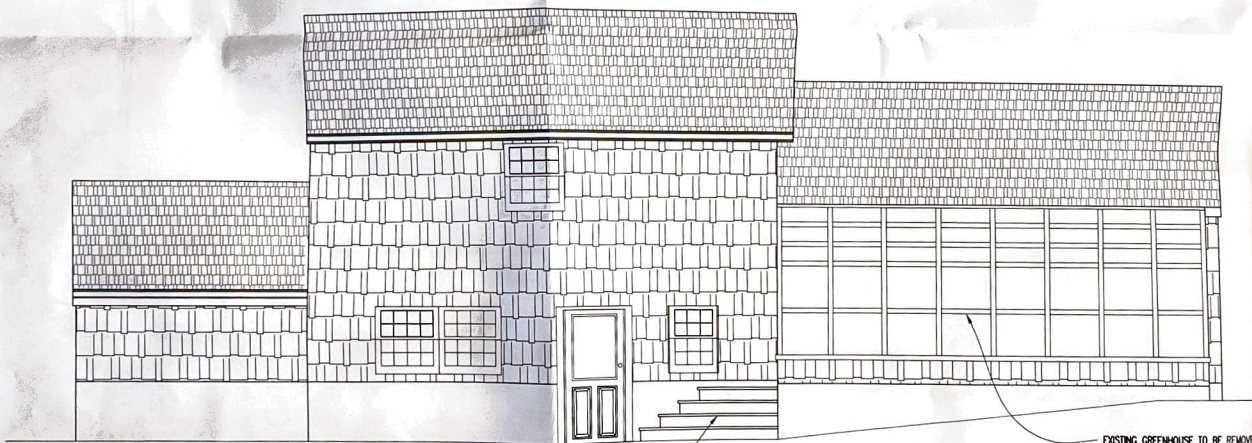






## PROPOSED REAR ELEVATION

SCALE: 1/4"=1'-0"



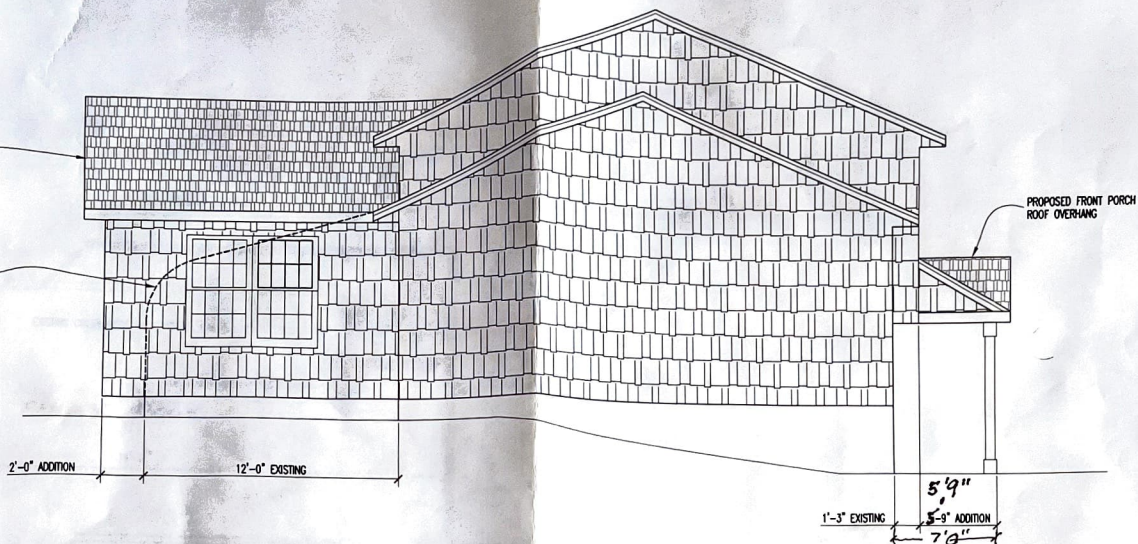
EXISTING PLATFORM AND STEPS TO BE REMOVED

EXISTING GREENHOUSE TO BE REMOVED

## EXISTING REAR ELEVATION

SCALE: 1/4"=1'-0"





### PROPOSED SIDE ELEVATION

SCALE: 1/4"=1'-0"

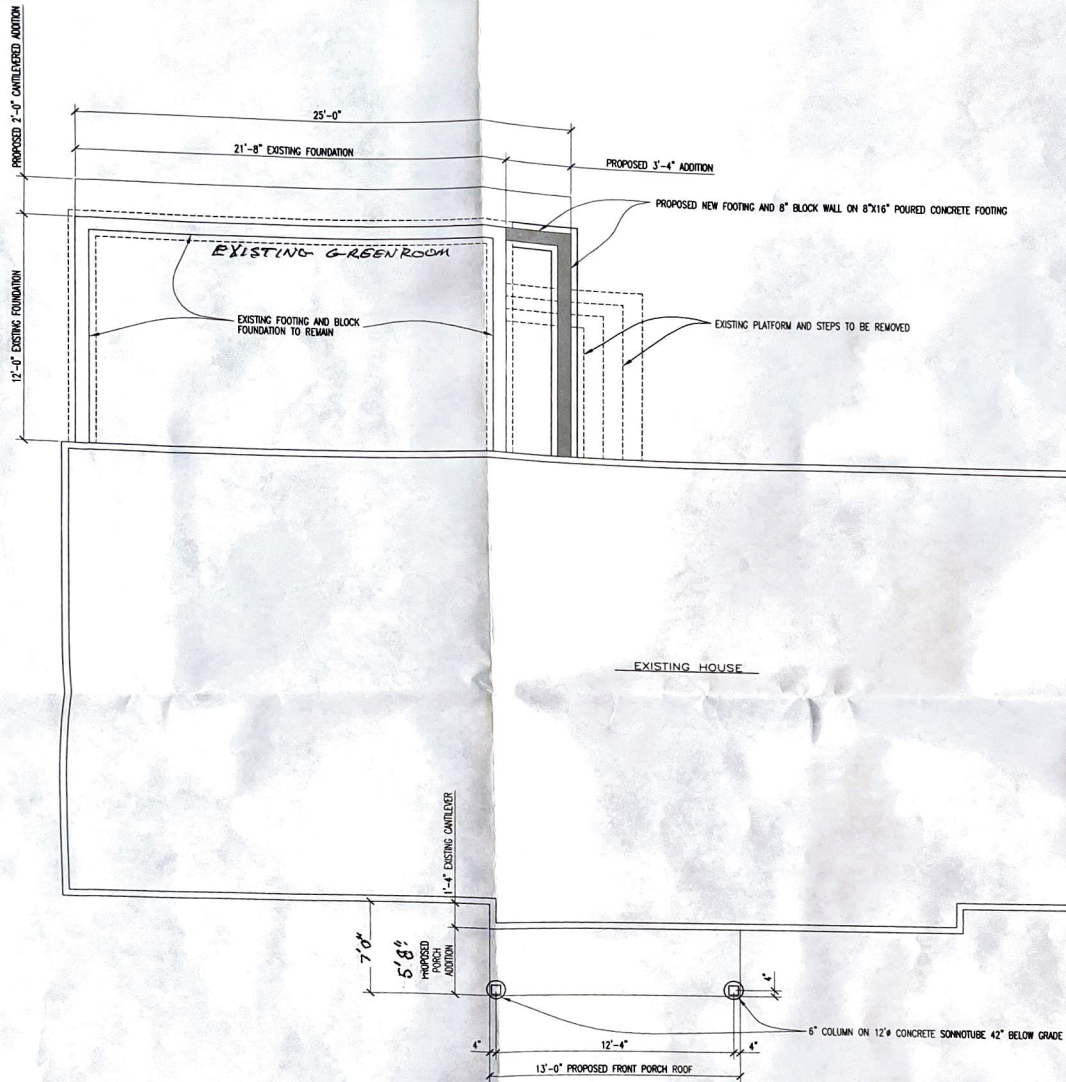


### PROPOSED FRONT ELEVATION

SCALE: 1/4"=1'-0"

PROPOSED ADDITION / RENOVATION  
to the  
RESTAINO RESIDENCE  
87 SPEAR STREET, OAKLAND, NJ

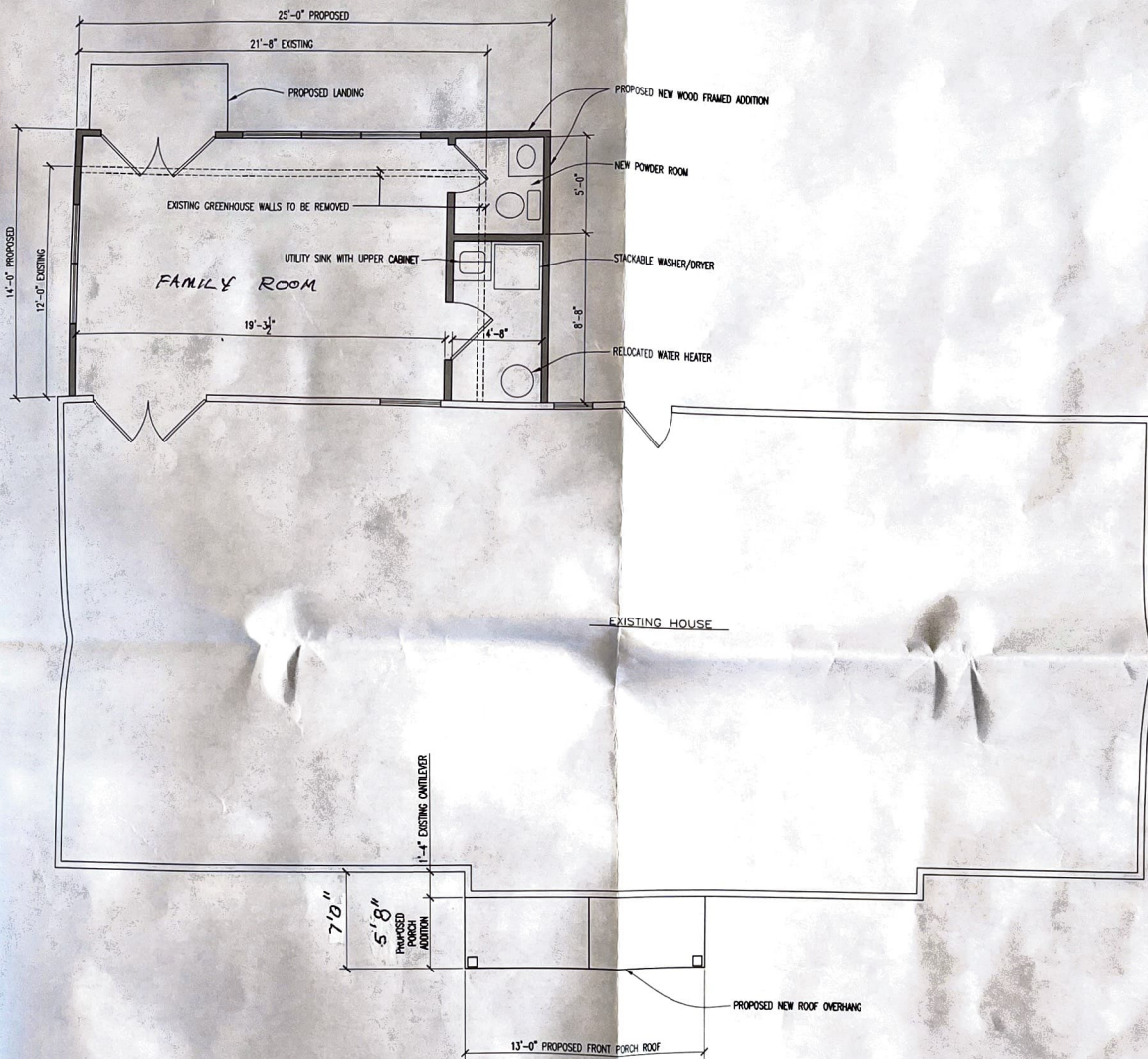




## FOUNDATION PLAN

SCALE: 1/4"=1'-0"





## FLOOR PLAN

SCALE: 1/4"=1'-0"

PROPOSED ADDITION / RENOVATION  
to the  
RESTAINO RESIDENCE  
87 SPEAR STREET, OAKLAND, NJ