Address: 27 Linden Place

Application: ZB-20-2016 – (d) – variance for FAR & (c) – variances for front-yard setback, lot coverage, & building coverage to construct second story addition

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<tr>
<th></th>
<th>No Comments</th>
<th>Report Attached</th>
<th>Not Submitted</th>
<th>No Objections</th>
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<td>Christa Anderson, Zoning Officer</td>
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<td>Eric Evers, Director/Fire Chief</td>
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<td>John Linson, City Forester</td>
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<td>City Planner-Burgis <em>(if required)</em></td>
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Sent to applicant / attorney on: ________

(circle one)

Due Back: ___________________________
COMMUNITY SERVICES

TO: Zoning Board members
FROM: Christa Anderson, Zoning Officer
DATE: July 29, 2020
SUBJECT: Zoning Board application #ZB-20-2016
27 Linden Place; Matthew & Thea Kovarik
Variances to construct additions on the second floor and attic

COPY TO: File

The application is filed as a direct application having no prior zoning review. The plans submitted consist of 6 sheets of architectural plans prepared by Stephen Kowalski of SEK Architect, LLC, dated 05/27/2020 and 1 sheet of proposed grading plans prepared by Gary V. Marmo, PLS, dated 6/17/20. The applicant has also submitted an existing conditions survey prepared by David J. Von Steenburg, PLS of Morgan Engineering & Surveying dated 1/9/2020. Based on the plans provided and the requirements of the R-10 Zone wherein the property is located, I find that variances are required as follows:

1. For proposed building coverage of 20.64% whereas 18% is the maximum permitted. The building coverage calculation includes the area of the proposed new front portico. Other than the impact of the new front portico on the proposed building coverage, a variance for front yard setback at the portico is not required. Per the DRO adopted in December of 2019, front porticos are now permitted to encroach into the required front yard by up to 6 feet for not more than 50 square feet of area. The proposed portico meets these limitations.

2. For proposed lot coverage of approximately 36.4% whereas 35% is the maximum, permitted. The calculation of lot coverage is based on a patio area of 360 square feet measured as accurately as possible off the proposed grading plan. The limits of the patio are not clearly shown and the engineering plan states "Proposed Patio (see architectural)"; however, the architectural plans do not show the proposed patio at all. The Zoning Board application form states that the proposed lot coverage is 4404 square feet (or 39.15%). I am not able to determine how this area was calculated by the applicant. The applicant must be able to clarify the exact proposed lot coverage in testimony.

3. For FAR proposed of 31.44% whereas 25% is the maximum permitted. The application refers to "third floor living space". I have confirmed that the attic does not meet the definition of attic story.

The applicant is reminded that the existing generator and all air conditioning condensers must be screened with either fencing or dense landscaping placed within 10 feet of the units.
Should this application be approved, the applicant is hereby advised to read the Zoning Board resolution of approval making note of all conditions to be met. It is the applicant’s responsibility to take action necessary to meet the conditions prior to submitting a construction permit or grading permit application.

A COPY OF THE RESOLUTION MUST BE SUBMITTED WITH THE CONSTRUCTION PERMIT APPLICATION AND WITH THE GRADING PERMIT APPLICATION IF ONE IS REQUIRED.
COMMUNITY SERVICES

TO: Christa Anderson, Zoning Officer
   Eric Evers, Director/Fire Chief
   Robert Weck, Police Chief
   Engineering Division
   Burgis Associates (if applicable)

Gary Lewis, Construction Official
John Linson, City Forester
Health Department
Dolores Ward, Chair, HPC
Environmental Commission (if applicable)

FROM: Chris Nicola, Land Use Assistant, DCS

DATE: July 14, 2020

LOCATION: 27 Linden Place  BLOCK: 3205  LOT: 18

APPLICATION: Matthew & Thea Kovarik  FILE NO.: ZB-20-2016

PROJECT: (d) - variance for FAR & (c) – variances for front-yard setback, lot coverage, & building coverage to construct second story addition

Attached is a copy of the plans and application for the subject property. Please review this proposal and return a copy of this memo with your comments prior to the date indicated below.
Attach additional pages or reports, if necessary.

Please respond by: July 27, 2020  (Please email cnicola@cityofsummit.org if you are unable to meet this date.)

COMMENTS:
Proposed construction to comply with required fire & building codes.
No further comments.

Eric P. Evers  Fire Chief  July 23, 2020

DO NOT WRITE BELOW THIS LINE, PLEASE

Zoning:  Fire:  Police:  Engineer:  Construction Official:  Forestry:  Board of Health:  
PSC

pfstaffrep.doc.
TO: Christa Anderson, Zoning Officer
    Eric Evers, Director/Fire Chief
    Andrew Bartolotti, Police Chief
    Engineering Division
    Burgis Associates (if applicable)
FROM: Chris Nicola, Land Use Assistant, DCS
DATE: July 14, 2020
LOCATION: 27 Linden Place
FILE NO.: ZB-20-2016
APPLICATION: Matthew & Thea Kovarik
LOT: 18
PROJECT: (d) – variance for FAR & (c) – variances for front-yard setback, lot coverage, &
building coverage to construct second story addition
Attached is a copy of the plans and application for the subject property. Please review this
proposal and return a copy of this memo with your comments prior to the date indicated below.
Attach additional pages or reports, if necessary.

Please respond by: July 27, 2020
(Please email cnicola@cityofsummit.org if you are unable to meet this date.)

COMMENTS: No objections - LT David Richel
MEMORANDUM

To: Zoning Board

From: Christopher Dour, P.E.

Date: July 23, 2020

Re: Kovarik Residence
27 Linden Place
Block 3205, Lot 18
Summit, Union County, New Jersey
Summit File No. ZB-20-2016

We have reviewed the application prepared by Thea Kovarik, Applicant for the subject property.

The Applicant submitted the following for review:

a. Architectural Plan entitled, “Kovarik Residence, Proposed Additions and Renovations”, consisting of 10-sheets (Sheet A-8 numbered on two (2) sheets, the latter being Survey of Property), prepared by SEK Architect, LLC, signed and dated May 27, 2020;

b. Plan entitled, “Grading Plan, 27 Linden Place, Tax Block 3205, Lot 18, City of Summit, Union County, New Jersey”, consisting of one (1) sheet, prepared by David A. Stires Associates, LLC, signed and dated June 17, 2020;

c. Application to Zoning Board of Adjustment signed and dated June 3, 2020;

d. Certified List of Property Owners signed and dated January 31, 2020;

e. Resolution- Variance for an 18’ x 39’ Addition, unexecuted, dated October 15, 1984; and

f. Resolution- Variance to construct an 11’6” x 21’ Garage Addition, signed and dated February 6, 1989.

Based on our review of the above-referenced documents, this office offers the following comments:

1. The property is located on the north side of Linden Place, approximately 85-feet east of the intersection with Maple Street.

2. The 11,250-square foot (0.26-acre) property is rectangular with 75-feet of frontage along Linden Place and a depth of 150-feet.
3. The property is relatively flat with an elevation of 97-feet along Linden Place and 99-feet at the rear of the property.

4. The Applicant is proposing to expand their second and third floor living space above the first-floor footprint, expand their front steps, remove the existing Bilco doors and bump out at the left rear corner of the home, remove the existing patio in the rear of the home, and the bay window and side steps at the right rear corner of the home. Portions of the existing paved driveway are also proposed to be removed. A new 404-square foot patio would be constructed in the rear of the home. For ease of reference, on Sheet A8 the Applicant has labeled the square-footage of all impervious coverage items.

5. The Applicant is proposing to reduce their Building Coverage from 2,304-square feet (20.48-percent) to 2,281-square feet (20.27-percent) where 2,025-square feet (18-percent) is the maximum permitted in the R-10 Zone.

6. The Applicant is also proposing to reduce their Lot Coverage from 4,492-square feet (39.9-percent) to 4,404-square feet (39.15-percent), where the Zone maximum is 3,937.5-square feet or 35-percent. The Applicant has proposed the installation of an 8-foot diameter dry well in a 13-foot square excavation to the left of the home in the backyard but has not provided the required calculations, which shall be provided to the City for review and approval. The calculations shall also note the square footage of roof area to be directed to the dry well in their calculations. The Applicant shall also locate the dry well a minimum of 10-feet from the home and the property line. The Applicant shall also delete the reference to the “overflow out of inlet grate to street”, and the manhole cover shall be solid and lockable.

7. The Applicant shall add a note that, “If the soil is found to be unsuitable for the proposed detention system design, the Applicant shall submit revised drawings and calculations to the City Engineer for review and approval”.

8. The Applicant shall provide testimony if they are proposing to remove any trees. Note that a tree removal permit is required for the removal of any tree in excess of 16-inches in diameter.

9. The Applicant shall confirm the location of the existing and proposed AC units and generator in testimony and compliance with the Ordinance.

10. The Applicant shall be aware of their responsibility to repair any damage to improvements within the City Right-of-Way including, but not limited to, curb and asphalt caused by construction activities associated with the installation of the improvements on the subject lot.

11. The Applicant shall maintain a silt fence for the entire duration of construction.

12. The Applicant shall remove all excavated and excess soil from the site, and shall not use excavated soils elsewhere on site without written permission from the City.
13. The Applicant shall be aware that if stormwater runoff drainage problems occur on their property and/or neighboring properties as a result of the construction of the proposed improvements, it is the Applicant’s responsibility to remedy that drainage issue.

14. As a condition of approval, signed digital plans shall be transferred to the City of Summit for use in updating the GIS database for the property. Coordination with the City’s Engineering Department shall be the responsibility of the Applicant after the application is approved by the City and prior to the issuance of a Certificate of Occupancy.

Should the Board approve the project, the approval may be subject to the issuance of a grading permit (Chapter 35, Article 15) and any required Board conditions. The Applicant shall verify the need for a grading permit with the City which will not be issued until all conditions of the resolution of approval are satisfied.

If you have any questions or require anything further, please contact me.

CD/jlb

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COMMUNITY SERVICES

TO: Christa Anderson, Zoning Officer
    Eric Evers, Director/Fire Chief
    Andrew Bartolotti, Police Chief
    Engineering Division
    Burgis Associates (if applicable)

FROM: Chris Nicola, Land Use Assistant, DCS

DATE: July 14, 2020

LOCATION: 27 Linden Place

APPLICATION: Matthew & Thea Kovarik

FILE NO.: ZB-20-2016

PROJECT: (d) – variance for FAR & (c) – variances for front-yard setback, lot coverage, & building coverage to construct second story addition

Attached is a copy of the plans and application for the subject property. Please review this proposal and return a copy of this memo with your comments prior to the date indicated below. Attach additional pages or reports, if necessary.

Please respond by: July 27, 2020 (Please email cnicola@cityofsummit.org if you are unable to meet this date.)

COMMENTS: Cumulative floor area of the proposed addition appears to exceed 25% of the dwelling footprint. Per NJAC 5:23-6.32, AC-powered, interconnected smoke detectors with battery backup will be required in the following locations: 1] Min. (1) on each level, including basement; 2] In all sleeping areas within 10’ of all bedroom doors; and, 3] In all bedrooms. If the variance is granted, compliance information re: this provision must be clearly indicated on plans submitted for a construction permit.
COMMUNITY SERVICES

TO: Christa Anderson, Zoning Officer
     Eric Evers, Director/Fire Chief
     Andrew Bartolotti, Police Chief
     Engineering Division
     Burgis Associates (if applicable)

FROM: Chris Nicola, Land Use Assistant, DCS

DATE: July 14, 2020

LOCATION: 27 Linden Place

APPLICATION: Matthew & Thea Kovarik

FILE NO.: ZB-20-2016

PROJECT: (d) – variance for FAR & (c) – variances for front-yard setback, lot coverage, & building coverage to construct second story addition

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Please respond by: July 27, 2020

(Please email cnicola@cityofsummit.org if you are unable to meet this date.)

COMMENTS: My only concern is the proposed location of the dry well which is within the dripline of the neighbor’s specimen beech tree. If the dry well can be relocated beyond the beech tree driplines, I have no other objection.

John Linson, City Forester

(NAME) PRINT PLEASE

(PRINT TITLE) 7/23/20

(DATE)

DO NOT WRITE BELOW THIS LINE, PLEASE
COMMUNITY SERVICES

TO: Christa Anderson, Zoning Officer
   Eric Evers, Director/Fire Chief
   Andrew Bartolotti, Police Chief
   Engineering Division
   Burgis Associates (if applicable)

FROM: Chris Nicola, Land Use Assistant, DCS

DATE: July 14, 2020

LOCATION: 27 Linden Place

APPLICATION: Matthew & Thea Kovarik

FILE NO.: ZB-20-2016

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Please respond by: July 27, 2020 (Please email cnicola@cityofsummit.org if you are unable to meet this date.)

COMMENT: ________________________________
COMMUNITY SERVICES

TO:         Christa Anderson, Zoning Officer
            Eric Evers, Director/Fire Chief
            Andrew Bartolotti, Police Chief
            Engineering Division
            Burgis Associates (if applicable)

FROM:      Chris Nicola, Land Use Assistant, DCS

DATE:       July 14, 2020

LOCATION:  27 Linden Place

APPLICATION: Matthew & Thea Kovarik

FILE NO.:   ZB-20-2016

PROJECT:    (d) – variance for FAR & (c) – variances for front-yard setback, lot coverage, &
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Please respond by:    July 27, 2020

(Please email cnicola@cityofsummit.org if you
are unable to meet this date.)

COMMENTS: The H.P.C. recommends that the
Hardie Plank Siding have a smooth finish
and the new shutters be sized to fit the
windows and be equipped with hinges and
shutter dogs

James Burgmeyer

(NAME) PRINT PLEASE

(PRINT TITLE)

(DATE)

DO NOT WRITE BELOW THIS LINE, PLEASE

Zoning:       Fire:   Police:   Engineer:   Construction Official:
Forestry:     Board of Health: HPC:   
COMMUNITY SERVICES

TO: Christa Anderson, Zoning Officer
    Eric Evers, Director/Fire Chief
    Andrew Bartolotti, Police Chief
    Engineering Division
    Burgis Associates (if applicable)

FROM: Chris Nicola, Land Use Assistant, DCS

DATE: July 16, 2020

LOCATION: 27 Linden Place

APPLICATION: Matthew & Thea Klovarik

FILE NO.: ZB-20-2016

PROJECT: (d) - variance for FAR & (c) – variances for front-yard setback, lot coverage, & building coverage to construct second story addition

Attached is a copy of the plans and application or the subject property. Please review this proposal and return a copy of the memo with your comments prior to the date indicated below. Attach additional pages or reports, if necessary.

Please respond by: July 27, 2020
(Please email cnicola@cityofsummit.org if you are unable to meet this date.)

COMMENTS: The application is for variances to allow for a second and third floor expansion of an existing house at 27 Linden Place. The added space is entirely within the footprint of the original 1924 house. The proposed impervious coverage, at 4,404 sf is greater than the allowable, at 3,937 sf, but less than the existing, of 4,492 sf. Building coverage, similarly, is about 10% greater than allowable (2,281 sf when 2,025 sf is permitted) but slightly less than existing. The FAR calculable area of 3,536 sf is more significantly greater than the allowable FAR area of 2,813 sf. That said, the house when expanded will be comparable with others on the block and in the neighborhood, and the design intent is explicitly contextual. Since the added space is within the footprint and the revised patio does not seem to diminish backyard plantings, on behalf of the Summit Environmental Commission I recommend approval of the requested variances. I would nonetheless recommend to the applicants and their architect to consider adding solar panels to the south facing roof, and to consider the use of permeable pavers for the driveway. While permeable pavers do not overcome the need for a variance for impervious coverage, it is the strongly held opinion of the Summit Environmental Commission that if appropriately installed and maintained they do assist significantly with site hydrology.

Rick Bell, FAIA
Member, Summit Environmental Commission

7/21/2020

NAME) PRINT PLEASE

PRINT TITLE)

DATE)

DO NOT WRITE BELOW THIS LINE, PLEASE

Zoning; Fire;
Forestry; Board;
Police; Engineer;
Construction Official;
Health; HPC