Address: 47 Lenox Road

Application: ZB-20-2008 – (c) – variance for lot coverage, building coverage, & rear-yard setback to construct 2nd story addition

<table>
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<tr>
<th>Name</th>
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<th>Report Attached</th>
<th>Not Submitted</th>
<th>No Objections</th>
<th>Not Required</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>Robert Weck, Police Chief</td>
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<td>Gary Lewis, Construction Official</td>
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<td>Environmental Commission (if required)</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: August 11, 2020

SUBJECT: Zoning Board application #ZB-20-2008
47 Lenox Road; Curt & Jessica Lemkau
Variances to construct a raised terrace in the rear yard, a first floor addition and a second floor addition

COPY TO: File

The application is filed as a direct application having no prior letter of denial; however, the plans were reviewed with the architect prior to the filing. The plans submitted consist of 9 sheets of architectural plans prepared by Steven Kowalski having a Variance Submission date of 01/16/2020 and two sheets of engineering plans prepared by William G. Hollows of Murphy & Hollows dated January 3, 2020. The application proposes to construct a raised terrace at the rear of the house and to construct a first floor addition and a second floor addition. Based on the plans submitted and the requirements of the R-25 Zone wherein the property is located, I find that variances are required as follows:

1. For lot coverage proposed of 31.9% whereas 30% is the maximum permitted
2. For building coverage proposed of 20/9% whereas 14% is the maximum permitted. The building coverage calculation includes all of the proposed raised terrace since it is more than 1 foot above grade and, therefore, meets the definition of deck. A portion of the proposed terrace approximately 16 feet by 16 feet (256 square feet) will have a pergola installed. The remainder of the raised terrace will be approximately 2 feet above the surrounding grade.

3. For the rear yard setback proposed of 39 feet whereas 45 feet is required

The side and rear setbacks at the existing shed do not meet the current requirements of 4 feet at the rear and 4 feet at the side. The shed should be relocated as required.

The architectural plans represent that there is an existing guest bedroom in the basement but the architectural plans do not indicate the presence of a code compliant egress window well. The applicant should provide architectural testimony addressing this requirement. A code compliant means of egress must be provided or the room can no longer be used as a bedroom.

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.

Ca'zb47lenox terrace and additions 2020
COMMUNITY SERVICES

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

FROM: Chris Nicola, Land Use Assistant, DCS

DATE: March 30, 2020

LOCATION: 47 Lenox Road

APPLICATION: Curt & Jessica Lemkau

FILE NO.: ZB-20-2008

PROJECT: (c) – variance for lot coverage, building coverage, & rear-yard setback to construct 2nd 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: April 20, 2020 (Please email cnicola@cityofsummit.org if you are unable to meet this date.)

COMMENTS:

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(NAME) PRINT PLEASE

(PRTINT 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  Gary Lewis, Construction Official
   Eric Evers, Director/Fire Chief   John Linson, City Forester
   Robert Weck, Police Chief       Health Department
   Engineering Division            Tom Conway, Chair, HPC
   Burgis Associates (if applicable) Environmental Commission (if Applicable)

FROM: Chris Nicola, Land Use Assistant, DCS

DATE: March 30, 2020

LOCATION: 47 Lenox Road BLOCK: 2502 LOT: 8

APPLICATION: Curt & Jessica Lemkau FILE NO.: ZB-20-2008

PROJECT: (c) – variance for lot coverage, building coverage, & rear-yard setback to construct 2nd 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: April 20, 2020 (Please email cnicola@cityofsummit.org if you are unable to meet this date.)

COMMENTS: LT. DAVID RICHIE – I HAVE NO OBJECTIONS

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(NAME) PRINT PLEASE (PRINT TITLE) (DATE)

DO NOT WRITE BELOW THIS LINE, PLEASE

___ Zoning; ___ Fire; ___ Police; ___ Engineer; ___ Construction Official;
___ Forestry; ___ Board of Health; ___ HPC
MEMORANDUM

To: Zoning Board

From: Christopher Dour, P.E., P.P.

Date: April 14, 2020

Re: Lemkau Residence
47 Lenox Road
Block 2502, Lot 8
Summit, Union County, New Jersey
Summit File No. ZB-20-2008

I have reviewed the application prepared by Bartholomew A. Sheehan, Esq. of Dempsey, Dempsey & Sheehan, Attorney for the Applicant for the subject property. Applicant is seeking a C-Variance for lot coverage, building coverage and rear-yard setback to construct a second story addition, pergola, patio, spa, fireplace and grill area. The Applicant submitted the following for review:

a. Plan entitled, “Grading Plan for Lot 8, Block 2502, 47 Lenox Road, City of Summit, Union County, New Jersey”, consisting of two (2) sheets, prepared by William G. Hollows, P.E., of Murphy & Hollows Associates, Inc., signed and dated January 3, 2020;


c. Application to Zoning Board of Adjustment of Summit, New Jersey, signed and dated February 5, 2020; and

d. City of Summit, Certified List of Property Owners, signed and dated December 13, 2019.

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

1. The property is located on the east side of Lenox Road, approximately 475-feet south of the intersection with Whittredge Road.

2. The 20,000-square foot (0.46-acre) property is rectangular with 100-feet of frontage on Lenox Road, a depth of 200-feet and a rear property line of 100-feet.
3. The property slopes from 100-feet along Lenox Road to 94-feet along the rear property line. The Applicant has noted the presence of approximately 1,210-square feet of steep slopes along the rear property line, although they are not proposing to disturb this area. The Applicant shall confirm in testimony.

4. The Applicant is proposing to enclose certain areas at the rear of the home, construct an addition on the second story in the rear and south side of the home over the existing first floor, and reconfigure and expand the terrace in the backyard together with the removal and relocation of certain walkways and steps.

5. The Applicant is proposing to increase the Building Coverage from 3,881-square feet (19.3-percent) to 4,203-square feet (20.9-percent) where the maximum permitted in the R-25 Zone is 14.0-percent. The Applicant has included the above-grade patio in their calculation of Building Coverage, and we take no exception.

6. The Applicant is proposing to increase the Impervious Coverage from 6,163-square feet (30.7-percent) to 6,461-square feet (31.9-percent), or an increase of 298-square feet. The maximum Impervious Coverage permitted in the R-25 Zone is 30-percent. The Applicant has proposed the installation of a seepage pit towards the northeast corner of the property that will accommodate stormwater from a large portion (460-square feet) of the rear of the dwelling, and we take no exception.

7. The seepage pit detail shall be revised to include a lockable manhole/grate that extends to grade for ease of inspection and maintenance. Roof leader overflows shall be equipped with screens. The Applicant has included a note on Sheet 2 of 2 that “The Applicant shall complete an analysis of the soil prior to the installation of the seepage pit. Should the existing soil be unsuitable, an alternate method shall be designed and submitted to the City Engineer’s office for review and approval”, and we take no exception.

8. The Applicant has not noted if they are removing any trees, but we note that “a tree removal permit is required for the removal of any tree in excess of 16-inches in diameter.” The Applicant shall provide testimony. We defer to the City Forester regarding any proposed landscaping.

9. 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.

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

11. 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.
12. 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.

13. 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/ljb

R:\Projects\SUZ\SUZ-043 47 Lenox Rd - Lemanoi\Correspondence\OUT\200414_cd_47 Lenox Rd_Application Review.docx
COMMUNITY SERVICES

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

FROM: Chris Nicola, Land Use Assistant, DCS

DATE: March 30, 2020

LOCATION: 47 Lenox Road

APPLICATION: Curt & Jessica Lemkau

FILE NO.: ZB-20-2008

PROJECT: (c) – variance for lot coverage, building coverage, & rear-yard setback to construct 2nd 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: April 20, 2020 (Please email cnicola@cityofsummit.org if you are unable to meet this date.)

COMMENTS: Cumulative floor area of the proposed addition appears be between 5% and 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 new bedrooms. If the variance is granted, compliance information re: this provision must be clearly indicated on plans submitted for a construction permit.

__________________________________________________________

CONSTRUCTION OFFICIAL

NAME: G. Lewis

PRINT: PLEASE

PRINT TITLE:

DATE: 3/31/20

DO NOT WRITE BELOW THIS LINE, PLEASE

Zoning: Fire: Police: Engineer: Construction Official:

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

FROM: Chris Nicola, Land Use Assistant, DCS

DATE: March 30, 2020

LOCATION: 47 Lenox Road

APPLICATION: Curt & Jessica Lemkau

FILE NO.: ZB-20-2008

PROJECT: (c) – variance for lot coverage, building coverage, & rear-yard setback to
         construct 2nd story addition

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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: April 20, 2020

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

COMMENTS: No objection. Property perimeter is adequately

screened.

________________________________________

John Linson, City Forester

4/16/20

(NAME) PRINT PLEASE

(PRTINT 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
    Robert Weck, Police Chief
    Engineering Division
    Burgis Associates (if applicable)

FROM: Chris Nicola, Land Use Assistant, DCS

DATE: March 30, 2020

LOCATION: 47 Lenox Road

APPLICATION: Curt & Jessica Lemkau

FILE NO.: ZB-20-008

PROJECT: (c) – variance for lot coverage, building coverage, & rear-yard setback to construct 2nd 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: April 20, 2020 (Please email cnicola@cityofsummit.org if you are unable to meet this date.)

COMMENTS: 

[Signature]

(Name) PRINT PLEASE

(Print Title) (DATE)

DO NOT WRITE BELOW THIS LINE, PLEASE

[Signatures and initials for various departments]
COMMUNITY SERVICES

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

FROM: Chris Nicola, Land Use Assistant, DCS

DATE: March 30, 2020

LOCATION: 47 Lenox Road        BLOCK: 2502  LOT: 8

APPLICATION: Curt & Jessica Lemkau

PROJECT: (c) – variance for lot coverage, building coverage, & rear-yard setback to construct 2nd story addition

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Please respond by: April 20, 2020

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

COMMENTS: THE PROPOSED ADDITION IS IN THE
             BEAK OF THE HOUSE AND IS IN KEEPING
             WITH THE ORIGINAL HOUSE AND NEIGHBORHOOD.
             THE HPC TAKES NO EXCEPTION TO THE
             APPLICATION.

THOMAS A. CONWAY AIA CHAIR-HPC 4/2/2020

(NAME) PRINT PLEASE (PRINT TITLE) (DATE)

DO NOT WRITE BELOW THIS LINE, PLEASE
COMMUNITY SERVICES

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

FROM: Chris Nicola, Land Use Assistant, DCS

DATE: March 30, 2020

LOCATION: 47 Lenox Road

APPLICATION: Curt & Jessica Lemkau

FILE NO.: ZB-20-2008

PROJECT: (c) – variance for lot coverage, building coverage, & rear-yard setback to construct a 2nd 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: April 20, 2020

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

COMMENTS: The application is for lot coverage, building coverage and rear-yard setbacks to construct a 2nd floor addition and add an exterior pergola and terrace. From the submitted drawings it is not possible to know what trees or other plantings, if any, might need to be removed for the exterior work. On the assumption that no significant trees will be taken down, on behalf of the Summit Environmental Commission I have no objection to the variances required for the project. I would nonetheless respectfully suggest to the applicants and their design team that they consider pervious pavers to replace the existing macadam drive shown on the grading plans, so as to significantly reduce impervious coverage.

Rick Bell, FAIA
Member, Summit Environmental Commission

4/10/2020

NAME PRINT PLEASE (PRINT TITLE) (DATE)

DO NOT WRITE BELOW THIS LINE, PLEASE

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