

STAFF REPORT COMMENTS

Address: 296 Summit Avenue

Application: ZB-21-2084 – (c) – variances for average building height, & max building height to construct 1-story addition

	<u>No Comments</u>	<u>Report Attached</u>	<u>Not Submitted</u>	<u>No Objections</u>	<u>Not Required</u>
Christa Anderson, Zoning Officer		✓			
Eric Evers, Director/Fire Chief	✓				
Andrew Bartolotti, Police Chief				✓	
Engineering Division		✓			
Gary Lewis, Construction Official		✓			
John Linson, City Forester		✓			
Board of Health	✓				
Historic Preservation Commission		✓			
City Planner-Burgis (if required)					✓
Environmental Commission (if required)		✓			

Sent to applicant / attorney on: _____

(circle one)

Due Back: _____

COMMUNITY SERVICES

TO : Zoning Board members
FROM : Christa Anderson, Zoning Officer CA
DATE : July 28, 2022
SUBJECT : Zoning Board application #ZB-21-2084
296 Summit Avenue; Patrick & Ashley Doyle
Variances for height to construct a new attached three-car garage
COPY TO: File

The application is filed as a direct application having no prior zoning review. The applicant has provided three sheets of engineering plans prepared by Peter K. Korzen of Korzen Engineering, llc, which include a proposed grading plan dated 7/29/2021, a current topographic survey dated 4/21/2021 and a construction details sheet dated 7/29/2021. The applicant has also provided 9 sheets of architectural plans prepared by David M. Rosen of Rosen Kelly Conway Architecture and Design having a Variance Submittal date of 07.30.2021. The applicant proposes to demolish the existing side entry two-car garage and to replace it with a new rear-entry three-car garage and a new mud room and walk-in-closet. The garage floor elevation will be lowered by approximately 2 feet. Based on the plans provided and the requirements of the R-25 Zone wherein the property is located, **I find that variances are required as follows:**

- 1. For building height proposed of 45.8 feet** whereas 35 feet is permitted. The DRO requirement for existing buildings in the R-25 Zone is 35 feet. Per DRO 14.1.B.1., *new single family construction in the R-25 and R-43 Zones is permitted a height bonus up to 38 feet if the lot is at least 25,000 square feet, the building meets required setbacks and has a minimum roof pitch of 8/12.* The existing building height is 45.2 feet.
- 2. For overall building height from the lowest surrounding elevation point to the ridge elevation of 49.3 feet** whereas 40 feet is the maximum permitted. The existing overall height from the lowest surrounding elevation point to the ridge elevation is 47.6 feet.
- 3. The topographic survey and the architectural plans show the presence of a swing set in the left side yard** whereas active accessory structures are not permitted in a side yard. The Board may wish to grant a variance for the location of the swing set or require it to be moved to the rear yard at least 15 feet in from the side and rear property lines.

Although the garage floor level will be approximately 2 feet lower than the existing garage, I have verified that this does not create a story above grade of the lowest (garage/basement) level. The basement/garage level is not included in the calculation of gross floor area. The existing FAR is conforming.

The Development Regulations Ordinance now permits, as of right, a circular driveway in any zone where the lot width is at least 125 feet. The circular driveway is conforming. A small paver area near the front door could potentially allow for parking of one vehicle. This potential parking space is permitted as it is located within the prescribed buildable area for the lot.

Should this application be approved, the applicant is hereby noticed to read the Zoning Board resolution of approval making note of all conditions. It is the applicant's responsibility to take action necessary to meet the stated conditions prior to submitting a construction permit or grading permit application. Inaction on the part of the applicant will unnecessarily delay the processing of the applicant's construction and/or engineering permit applications.

THE APPLICANT IS HEREBY NOTICED THAT A COPY OF THE RESOLUTION MUST BE SUBMITTED WITH THE CONSTRUCTION PERMIT APPLICATION AND WITH THE GRADING PERMIT APPLICATION.

Copy To:

- PL/Zoning Chm./Atty.
- Boards Members
- Applicant
- Applicant's Atty.

COMMUNITY SERVICES

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

Gary Lewis, Construction Official
 John Linson, City Forester
 Health Department
 Tom Conway, Chair, HPC
 Environmental Commission *(if applicable)*

FROM: Chris Nicola, Land Use Assistant, DCS

DATE: September 24, 2021

LOCATION: 296 Summit Avenue **BLOCK:** 2101 **LOT:** 2

APPLICATION: Patrick & Ashley Doyle **FILE NO.:** ZB-21-2084

PROJECT: (c) – variance for average building height, & max building height to construct 1-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: **October 15, 2021** (Please email cnicola@cityofsummit.org if you are unable to meet this date.)

COMMENTS:

No comment (JM) _____

Eric P. Evers

Fire Chief

October 13, 2021

DO NOT WRITE BELOW THIS LINE, PLEASE

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

Memorandum

To: Zoning Board

From: Christopher L. Dour, PE, PP

Date: October 12, 2021

Subject: 296 Summit Avenue
Block 2101, Lot 2
Summit, Union County, NJ

Summit File #: ZB-21-2084

We have reviewed the application and associated submissions prepared by Patrick and Ashley Doyle, Applicants, for the subject property as referenced below:

- a. Application to Zoning Board of Adjustment dated July 30, 2021;
- b. Project Narrative, consisting of three (3) pages, prepared by Rosen Kelly Conway, dated July 30, 2021;
- c. Application for a Certified List of Property Owners dated 3/17/21;
- d. Architectural Plan entitled, "Doyle Residence, 296 Summit Avenue, Summit, NJ", consisting of nine (9) sheets, prepared by David M. Rosen, AIA, LEED AP of Rosen Kelly Conway Architecture & Design, signed, dated July 30, 2021; and
- e. Plan entitled, "The Doyle Residence situated at 296 Summit Avenue – Tax Block 2101, Lot 2, City of Summit, Union County, New Jersey", consisting of three (3) sheets, prepared by Peter K. Korzen, PE & PLS of Korzen Engineering, LLC, unsigned, dated 7/29/2021.

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

1. The 71,417-square foot (1.6-acre) property is located on the west side of Summit Avenue, approximately 180-feet south of the intersection with Bellevue Avenue.
2. The property is located in the R-25 Zone, with surrounding properties in the same Zone.
3. The Applicant has submitted a Boundary & Topographic Survey, and the property slopes from 100-feet along Summit Avenue, to approximately 102-feet near the home, to 93-feet along the rear property lines. The Applicant has indicated that there are "no steep slopes impacted by the proposed improvements" (Sheet 1 of 3, note 10) and shall confirm in testimony.

4. The property is improved with a 2 1/2-story single-family home, driveway, attached side facing garage, deck, patio, shed, walkways, and related site improvements.
5. The property is irregular in shape with approximately 250-feet of frontage along Summit Avenue to the east, a cumulative depth of approximately 354-feet along the north property lines, 334-feet along the southern property lines, and 240-feet wide along the west (rear) property lines.
6. The Applicant is proposing a one-story addition in the rear of the house to include a new attached garage and a mud room. There will also be a new roofed area added on the existing deck, modifications to the existing driveway to accommodate the new rear facing garage, as well as various related site and stormwater improvements.
7. The Applicant has not indicated the Limit of Disturbance on the plans.
8. The Applicant is proposing an increase of 579-square feet of Building Coverage from 5,002-square feet (7.0-percent) to 5,581-square feet (7.8-percent) where the maximum permitted in the R-25 Zone is 14-percent.
9. The Applicant is proposing to increase the Impervious Coverage 1,696-square feet from 12,879-square feet (18.0-percent) to 14,575-square feet (20.4-percent), where the maximum permitted in the R-25 Zone is 30-percent.
10. The Applicant has proposed the installation of an 8-foot diameter by 4-foot deep dry well surrounded by 3-feet of stone in a 14-foot square excavation in the rear yard. The Applicant has provided calculations to direct stormwater from the garage and mudroom addition as well as the expanded driveway to the dry well, and we take no exception. We note that an existing lawn inlet (possible dry well) is shown in the rear yard that will not be impacted by the proposed improvements.
11. The Applicant has noted the location of the existing and proposed AC units in the rear of the home and shall provide testimony if a generator is existing or proposed at this time. All mechanical equipment shall comply with the Ordinance for setbacks and screening.
12. We note that the Applicant is proposing to install a low retaining wall along the south/west edge of the driveway.
13. The Applicant has noted that they are proposing to remove one (1) tree, and we defer to the City Forester for review and approval of the proposed improvements. No landscaping plan has been provided to the City for review.
14. The Applicant is proposing no changes to the two (2) existing driveway access points onto Summit Avenue or the majority of the driveway in the front yard, with the exception of a portion of the relocated driveway north of the home. The driveway appears to be setback approximately 14.5-feet from the northern property line with Lots 1 and 20.

15. 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.
16. The Applicant has noted that they will maintain a silt fence for the entire duration of construction.
17. The Applicant has noted that they will remove all excavated and excess soil from the site and shall not use excess soils elsewhere on site.
18. 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.
19. 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.
20. The Applicant shall contact the City at least 48-hours prior to the preconstruction meeting.

The referenced application and plans provided, satisfy the engineering requirements for this variance application. **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.

CLD/lb

Copy To:

PL/Zoning Chm./Atty. Applicant
 Boards Members Applicant's Atty.

COMMUNITY SERVICES

TO: Christa Anderson, Zoning Officer
Eric Evers, Director/Fire Chief
Andrew Bartolotti, Police Chief
Engineering Division
Burgis Associates (if applicable)
Gary Lewis, Construction Official
John Linson, City Forester
Health Department
Tom Conway, Chair, HPC
Environmental Commission (if Applicable)

FROM: Chris Nicola, Land Use Assistant, DCS

DATE: September 24, 2021

LOCATION: 296 Summit Avenue **BLOCK:** 2101 **LOT:** 2

APPLICATION: Patrick & Ashley Doyle **FILE NO.:** ZB-21-2084

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COMMENTS: Cumulative floor area of the proposed addition appears to 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; and, 2] In all sleeping areas within 10' of all bedroom doors. If the variance is granted, compliance information re: this provision must be clearly indicated on plans submitted for a construction permit.

(NAME) PRINT PLEASE

CONSTRUCTION OFFICIAL

(PRINT TITLE)

9/21/21

(DATE)

DO NOT WRITE BELOW THIS LINE, PLEASE

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

Copy To:

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 Boards Members Applicant's Atty.

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COMMENTS: On the east side of the house, there are three hollies that appear to be in the way of the relocated driveway. Would it be possible to transplant them and use them elsewhere on the site? Will the specimen southern magnolia be protected and preserved?
I am concerned about the regrading within the dripline of the two chestnut trees in the rear yard. The construction of a modular block wall within the dripline of the 18" diameter Chestnut is a particular concern.

John Linson Forster 10/18/21
(NAME) PRINT PLEASE (PRINT TITLE) (DATE)

DO NOT WRITE BELOW THIS LINE, PLEASE

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

Copy To:

PL/Zoning Chm./Atty. Applicant
 Boards Members Applicant's Atty.

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COMMENTS: Do comments.

George Kardos

(NAME) PRINT PLEASE

BEHS

(PRINT TITLE)

9/29/21

(DATE)

DO NOT WRITE BELOW THIS LINE, PLEASE

____ Zoning; ____ Fire; ____ Police; ____ Engineer; ____ Construction Official;
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COMMENTS: THE APPLICANT PROPOSES TO DEMOLISH AN EXISTING 3 CAR GARAGE AND CONSTRUCT A NEW 3 CAR GARAGE. THE ARCHITECTURAL STYLE OF THE EXISTING GARAGE IS NOT COMPATIBLE WITH THIS CIRCA 1900 VICTORIAN HOME WHICH IS LOCATED IN THE NORTH SIDE HISTORIC DISTRICT. THE NEW GARAGE CLAD IN ASHLAR STONE, BRICK QUOINS AND HIP ROOF GIVES THE APPEARANCE THAT THE NEW GARAGE WAS PART OF THE ORIGINAL CONSTRUCTION. THE H.P.C. TAKES NO EXCEPTION TO THIS APPLICATION

JAMES BURGMEYER 10/21/2021
(NAME) PRINT PLEASE (PRINT TITLE) (DATE)

DO NOT WRITE BELOW THIS LINE, PLEASE

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

