

STAFF REPORT COMMENTS

Address: 69 Pine Grove Avenue

Application: ZB-22-2143 – (c) – variance for side-yard setback & front facing garage to enlarge garage & construct 2nd floor 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	✓				
Steven Zagorski, Police Chief				✓	
Engineering Division		✓			
Ralph Maritato, 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 : August 22, 2022
SUBJECT : Zoning Board application #ZB-22-2143
69 Pine Grove Avenue; Peter & Jill Raskin
Variances to expand the existing garage and to construct a second floor area above
COPY TO: File

The application is filed as a direct application having no prior zoning review. The applicant has provided an existing conditions survey prepared by Andrew B. Clarke, PLS, PE, dated 4/27/22, and 4 sheets of architectural plans prepared by Hildie Lazar, A.I.A. of Lazar Architecture, dated 5-31-2022. The applicant proposes to expand the depth of the existing garage forward by 6.25 feet and to construct a new primary bedroom and bath above the expanded garage. The applicant has also submitted copies of 2 prior memorializing resolutions. Based on the plans submitted and the requirements of the R-15 Zone wherein the property is located, I find that **variances are required as follows:**

- 1. For expanding the existing garage having front-facing doors forward by 6.25 feet** whereas garage doors facing the street are not permitted on a lot that is 90 feet wide or more. The subject lot is 100 feet wide. The existing garage has doors facing the street. The Development Regulations Ordinance permits garages to extend a maximum distance of 8 feet from the front façade. The proposed garage extension meets the 8 foot maximum dimension permitted. The existing interior depth clearance in the garage is approximately 18 feet whereas 20 feet is required. The garage, as proposed, will have an interior depth of 20'11" in one bay and approximately 17.5 feet in the right side bay unless it will be possible to encroach slightly under the proposed new stairs up to the mudroom landing.
- 2. For proposed rear yard setback at the second floor addition of 44.6 feet** whereas 45 feet is required. The existing rear yard setback at the second floor is 44.6 feet.
- 3. For proposed right side yard setback of 10 feet** whereas 15 feet is required. The existing garage setback is 10 feet. If approved, the extension will be constructed where the existing driveway is approximately 22 feet wide. This driveway width is permitted as it is well back from the required front yard setback line. The applicant should confirm that there is no widening of the driveway proposed.
- 4. For proposed total side yard percentage of 27.75%** whereas 35% is required. The existing total side yard percentage is 27.75%.

The property contains a basketball hoop installed on the right side of the driveway having a side yard setback of approximately 7 feet whereas active accessory structures are regulated to being in the rear yard and having side and rear setbacks of at least 15 feet. I am not aware of any neighborhood concerns related to the location of the basketball hoop. The applicant may wish to request and the Board may wish to grant a variance for the basketball hoop in the nonconforming location.

The applicant is reminded that the generator must be screened with either a solid fence or dense landscaping. Generators are permitted to be exercised only between the hours of noon to 4:00 PM Monday through Friday.

Should the application be approved, the applicant is hereby noticed 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 stated conditions prior to submitting a construction permit.

Copy To:

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

COMMUNITY SERVICES

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

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

FROM: Chris Nicola, Land Use Assistant, DCS

DATE: August 8, 2022

LOCATION: 69 Pine Grove Avenue **BLOCK:** 3102 **LOT:** 15

APPLICATION: Peter & Jill Raskin **FILE NO.:** ZB-22-2143

PROJECT: (c) – variance for side-yard setback & front facing garage to enlarge garage & construct 2nd floor 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: **August 26, 2022** (Please email cnicola@cityofsummit.org if you are unable to meet this date.)

COMMENTS:

No comment (JM) _____

Eric P. Evers

Fire Chief

August 22, 2022

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, P.E., P.P.

Date: August 29, 2022

Subject: 69 Pine Grove Avenue
Block 3102, Lot 15
Summit, Union County, NJ

Summit No.: ZB-22-2143

We have reviewed the application and associated submissions prepared by Jill and Peter Raskin, Applicants, for the subject property as referenced below:

- a. Application to Zoning Board of Adjustment dated May 31, 2022;
- b. Application for a Certified List of Property Owners dated 6/1/22;
- c. Zoning Board of Adjustment Resolution of Approval for Application ZB-17-1880, adopted July 17, 2017 and memorialized August 21, 2017;
- d. Boundary Survey, prepared by Andrew B. Clarke, PLS, PE of ABC Surveys, LLC, unsigned, dated 04/27/22; and
- e. Architectural Plan entitled, "Raskin Addition and Alterations, Peter and Jill Raskin, 69 Pine Grove Avenue, Summit, NJ", consisting of four (4) sheets, prepared by Hildie Lazar, AIA of Lazar Architecture, LLC, signed, dated 3/2/2022, last revised 5/31/2022.

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

1. The 15,000 square foot (0.34-acre) property is located approximately 220-feet south of Blackburn Road. The property is on the west side of Pine Grove Avenue.
2. The property is in the R-15 Zone, with surrounding properties to the west in the same Zone. The surrounding properties to the east are in the R-10 zone.
3. The Applicant has submitted a boundary survey based on actual field survey performed on April 27, 2022. The property is improved with a two-story single-family home, portico, deck, driveway, two-car, front facing attached garage, patio, walkways, and related site improvements.
4. The property is rectangular in shape, with frontage along Pine Grove Avenue of 100-feet, and a depth of 150-feet.

5. The Applicant received approval from the Zoning Board on July 17, 2017, with the Resolution memorialized on June 4, 2018, for variances to construct a covered deck in the rear yard of the property.
6. The present application is a request for variance to enlarge the front-facing garage by 6-foot and 3-inches toward Pine Grove Avenue and construct a second-floor addition above the garage.
7. The Applicant notes that existing topsoil shall be kept on the job site for final grading, and we take no exception. The Applicant also notes that all other excess excavation material is to be removed from the site.
8. The Applicant is proposing an increase of 176-square feet of Building Coverage from the existing conforming 2,332-square feet (15.50-percent) to 2,508-square feet (16.72-percent), where the maximum permitted in the R-15 Zone is 18-percent.
9. The Applicant is not proposing an increase from the existing Lot Coverage which is 3,746-square feet (25.0-percent), where the maximum permitted in the R-15 Zone is 35-percent. The Applicant has not proposed any stormwater improvements and we take no exception. The Applicant shall not direct stormwater towards neighboring properties.
10. The Applicant notes, under Site Plan notes, that all existing trees that do not interfere with the new construction and shall remain on site. The Applicant has not provided existing tree locations, or proposed tree removals on the plans. Additionally, we note that no Landscape Plan has been provided. We defer to the City Forester for review and approval of the proposed improvements.
11. With this Application, the Applicant has provided the new second story interior plans and we defer to the City Building Department for any interior building requirements.
12. The Applicant has not noted the location of the existing AC units and generator and shall note if additional AC units are proposed at this time. All mechanical equipment shall comply with the Ordinance for setbacks and screening.
13. 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.
14. The Applicant shall maintain a silt fence for the entire duration of construction. The Applicant is to add notes for the contractor to maintain erosion control measures on site for the duration of construction.
15. The Applicant shall remove all excavated and excess soil from the site and shall not use excess soils elsewhere on site.
16. The Applicant shall be aware that if stormwater runoff drainage problems occur on their property and/or neighboring properties because of the construction of the proposed improvements, it is the Applicant's responsibility to remedy that drainage issue.

17. 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.

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 **Ralph Maritato, Construction Official**
Eric Evers, Director/Fire Chief John Linson, City Forester
Steven Zagorski, 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: August 8, 2022

LOCATION: 69 Pine Grove Avenue **BLOCK:** 3102 **LOT:** 15

APPLICATION: Peter & Jill Raskin **FILE NO.:** ZB-22-2143

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by:

COMMENTS: _____

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. Garage area must comply to fire rating as per FTO-13. If the variance is granted, compliance information re: this provision must be clearly indicated on plans submitted for construction permit.

Ralph Maritato
(NAME) PRINT PLEASE

Construction official.
(PRINT TITLE)

8/9/22
(DATE)

Copy To:
⊖ PL/Zoning Chm./Atty. ⊖ Applicant
⊖ Boards Members ⊖ Applicant's Atty.

COMMUNITY SERVICES

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by:

COMMENTS: *No objection.*

John Linson
(NAME) PRINT PLEASE

Forester
(PRINT TITLE)

8/11/22
(DATE)

Copy To:

Pl./Zoning Com./Atty.
Boards Members

Applicant
Applicant's Atty.

COMMUNITY SERVICES

TO: Christa Anderson, Zoning Officer
Eric Evers, Director/Fire Chief
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COMMENTS:

The material on the standing seam metal roof on the three dormers should be copper to match the copper roofs on the bay windows and the portico.

James Burgmeyer

August 31, 2022