

STAFF REPORT COMMENTS

Address: 115 Butler Parkway

Application: ZB-22-2145– (d) – variance for FAR to construct 2nd-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	✓				
Steven Zagorski, Police Chief				✓	
Engineering Division		✓			
Ralph Maritato, Construction Official		✓			
John Linson, City Forester				✓	
Board of Health	✓				
Historic Preservation Commission			✓		
City Planner-Burgis <i>(if required)</i>					✓
Environmental Commission <i>(if required)</i>			✓		

Sent to applicant / attorney on: _____

(circle one)

Due Back: _____

COMMUNITY SERVICES

TO : Zoning Board members
FROM : Christa Anderson, Zoning Officer CA
DATE : September 6, 2022
SUBJECT : Zoning Board application #ZB-22-2145
115 Butler Parkway; Nick & Amanda Fahey
Variance for FAR to construct a second story expansion
COPY TO: File

The application is filed as a direct application having no prior zoning review. The owners purchased the property 6/26/18 from a developer who built the new house on spec. The applicant has provided an existing conditions survey prepared by Andrew B. Clarke, PLS, PE, of ABC Surveys, LLC, dated 06/21/22, a copy of the survey annotated by William Toth, RA, of William Toth-Architecture dated 07/18/2022 and 4 sheets of architectural plans prepared by William Toth dated 05-31-2022. Sheets A-1 and A-2 show the proposed elevations and floor plans. Sheets P-PC-1 and PVC-2 show the existing elevations and floor plans. 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 FAR proposed of 27%** whereas 25% is the maximum permitted. The proposed increase in floor area is 212 square feet or FAR of .204%. All setback requirements are conforming.
- 2. For the location of a shed in the right side yard** whereas detached accessory structures are not permitted in any side yard. Detached accessory structures are permitted in the rear yard only. Detached sheds must be at least 4 feet in from the side and rear property lines. There is no record of a zoning approval for the installation of the shed.
- 3. For the location of the play structure in the rear yard not 15 feet in from the rear property line. Active accessory structures are required to be at least 15 feet from the rear and side property lines.** There is no record of a zoning approval for the installation of the play structure.

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 or grading permit application. Failure on the part of the applicant in meeting all of the memorialized conditions of approval will unnecessarily delay approval of the construction permit and/or grading permit applications.

Copy To:			
<input type="checkbox"/>	PL/Zoning Chm./Atty.	<input type="checkbox"/>	Applicant
<input type="checkbox"/>	Boards Members	<input type="checkbox"/>	Applicant's Atty.

=

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: September 6, 2022

Revised Plans

LOCATION: 115 Butler Parkway

BLOCK: 307

LOT: 11

APPLICATION: Nick & Amanda Fahey

FILE NO.: ZB-22-2145

PROJECT: (d) – variances for FAR to construct 2nd floor expansion

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: **September 13, 2022** (Please email cnicola@cityofsummit.org if you are unable to meet this date.)

COMMENTS:

No comment (JM) _____

Eric P. Evers

Fire Chief

September 13, 2022

DO NOT WRITE BELOW THIS LINE, PLEASE

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

Copy To:
 Ø PL/Zoning Chm./Atty. Ø Applicant
 Ø Boards Members Ø 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: September 6, 2022 **Revised Plans**

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COMMENTS: No Objections - [Signature]

[Signature] Traffic Sergeant 9/12/22
 (NAME) PRINT PLEASE (PRINT TITLE) (DATE)

Memorandum

To: Zoning Board

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

Date: September 14, 2022

Subject: 115 Butler Parkway
Block 307, Lot 11
Summit, Union County, NJ

Summit No.: ZB-22-XXXX

We have reviewed the revised application and associated submissions prepared by Nicholas and Amanda Fahey, Applicants, for the subject property as referenced below:

- a. Application to Zoning Board of Adjustment, signed, dated June 2, 2022 with Project Narrative-Reasons which support the petition for relief;
- b. Zoning Review Data Sheet, prepared by William Toth, Architect, dated July 18, 2022;
- c. Boundary Survey- Existing, prepared by Andrew B. Clarke, PLS, PE of ABC Surveys, LLC, unsigned, dated 06/21/22;
- d. Boundary Survey- Proposed w/Zoning Data dated 07/18/2022, prepared by Andrew B. Clarke, PLS, PE of ABC Surveys, LLC, unsigned, dated 06/21/22;
- e. Architectural Plan-Existing entitled, "Addition & Alterations for: Nick & Amanda Fahey, 115 Butler Parkway, Summit, NJ 07901", consisting of two (2) sheets, prepared by William Toth-Architecture, unsigned, dated 05/31/2022; and
- f. Architectural Plan-Proposed entitled, "Addition & Alterations for: Nick & Amanda Fahey, 115 Butler Parkway, Summit, NJ 07901", consisting of two (2) sheets, prepared by William Toth-Architecture, unsigned, dated 05/31/2022.

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

1. The 10,500-square foot (0.24-acre) property is located approximately 101-feet north of the intersection with Canoe Brook Place.
2. The property is in the R-10 Zone, with surrounding properties in the same Zone.

3. The Applicant has submitted a Boundary Survey with the existing conditions dated June 21, 2022. A second Boundary Survey updated on July 18, 2022 provides data related to the proposed second-floor expansion.
4. The property is improved with a two-story single-family home constructed in 2018, driveway, two-car, side-facing attached garage, patio, playset, shed, walkways and related site improvements.
5. The property is somewhat rectangular in shape, with frontage along Butler Parkway of 100-feet, and an average depth of 105-feet.
6. The Applicant is requesting a variance for Floor Area Ratio (FAR) in order to enlarge the second floor living space above the existing garage. The proposed FAR would be 27.0-percent, where the Zone maximum is 25-percent.
7. The Applicant is not proposing any change to the Building Coverage of 1,751-square feet (16.7-percent), where the maximum permitted in the R-10 Zone is 18-percent. The Applicant shall confirm that the existing 295-square foot patio is less than 1-foot above the finished grade or this shall be added to the Building Coverage.
8. The Applicant is also not proposing any change to the existing Impervious Coverage of 3,566-square feet (34.0-percent), where the maximum permitted in the R-10 Zone is 35-percent. The Applicant has not proposed any stormwater improvements; but shall connect the leaders from the expanded second floor to the existing stormwater system.
9. The Applicant has 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 and operational hours (for the generator).
10. 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.
11. 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.
12. The Applicant has not noted that they will 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.
13. The Applicant has not noted if they are proposing to remove any trees, and we defer to the City Forester for review and approval of the proposed improvements. We note that no Landscape Plan has been provided.
14. 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.

15. 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

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Copy To:

Ø PL/Zoning Chm./Atty.

Ø Applicant

Ø Boards Members

Ø 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: September 6, 2022

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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 and 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)

9/6/22
(DATE)

Copy To:
 0 PL/Zoning Chm./Atty. 0 Applicant
 0 Boards Members 0 Applicant's Atty.

COMMUNITY SERVICES

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 by:

COMMENTS: No objection

John Linson Forester 9/8/22
 (NAME) PRINT PLEASE (PRINT TITLE) (DATE)

Copy To:

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Ø Boards Members Ø Applicant's Atty.

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by:

COMMENTS: no comments

George Kostasakis RETS 9/12/22
(NAME) **PRINT PLEASE** (PRINT TITLE) (DATE)