

**STAFF REPORT COMMENTS**

**Address:** 23 Whittredge Road

**Application:** ZB-22-2142– (c) – variances for building coverage & side-yard combined to construct 2 - 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   
**DATE :** September 6, 2022  
**SUBJECT :** Zoning Board application #ZB-22-2142  
23 Whittredge Road; Brandon & Layne Logigian  
Variances to construct a rear two-story addition, construct a second story addition above the existing foyer powder room and sun room, and construct new front dormers  
**COPY TO:** File

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The application is filed as a direct application having no prior zoning review. The property was recently renovated by a developer which work did not require any variances as the renovation was limited to the interior of the structure. The existing patio was constructed by the developer and was made to meet the definition of patio, i.e., not more than 1 foot above grade, by regrading around the perimeter of the patio. A grading permit was issued for the regrading. The applicant has provided two sheets of engineering plans prepared by John Ferrante, PE, dated 5-24-2022, and 9 sheets of architectural plans prepared by David M. Rosed, AIA, of Rosen Kelly Conway Architecture and Design revised to 08.26.22. I am unable to find a record of any variance granted for the family room behind the garage having a side yard setback of 7.3 feet whereas 17 feet is now required and 15 feet was previously required. The City does have a record of an addition being built which was stated to have a cost of \$19,000 but the record does not indicate what the addition was and there is no date entered on the permit record card. 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 left side yard setback proposed of 7.3 feet at the raised roof above the garage and 10.4 feet at the proposed front dormers above the existing garage whereas 17 feet is required. The existing left side yard setback at the family room behind the garage is 7.3 feet.**
- 2. For the total side yard percentage proposed of 31.7% whereas 40% is required**
- 3. For building coverage proposed of 17.7% whereas 14% is the maximum permitted**

I personally recall the existing A/C on the left side of the family room being in place when the renovation and new patio work was being conducted. I am not able to determine when the unit was installed. The exact side yard setback at the existing unit is not provided but appears to be slightly less than 5 feet whereas 10 feet is now required. Should the applicant need to replace the unit, it will have to be relocated to a conforming location at that time unless a variance is granted in this application for the insufficient left side yard setback. The mechanical equipment on the right side of the house is all conforming, both existing and proposed.

**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.**

<b>Copy To:</b>	
<input type="checkbox"/> PL/Zoning Chm./Atty.	<input type="checkbox"/> Applicant
<input type="checkbox"/> Boards Members	<input type="checkbox"/> 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)*

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 19, 2022

**LOCATION:** 23 Whittredge Road      **BLOCK:** 2609      **LOT:** 17

**APPLICATION:** Brandon & Layne Logigian      **FILE NO.:** ZB-22-2142

**PROJECT:** (c) – variances for building coverage & side-yard combined to construct 2 – 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: **September 9, 2022** (Please email cnicola@cityofsummit.org if you are unable to meet this date.)

**COMMENTS:**

Build to code \_\_\_\_\_

**Eric P. Evers**

**Fire Chief**

**August 24, 2022**

DO NOT WRITE BELOW THIS LINE, PLEASE

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

**Copy To:**  
θ PL/Zoning Chm./Atty.      θ Applicant  
θ Boards Members            θ 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)

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by:

**COMMENTS:** No Objections  
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Sgt Charles Daly      Traffic Sergeant      8/22/22  
(NAME) PRINT PLEASE      (PRINT TITLE)      (DATE)

## Memorandum

To: Zoning Board

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

Date: September 14, 2022

Subject: 23 Whittredge Road  
Block 2609, Lot 17  
Summit, Union County, NJ

Summit No.: ZB-22-2142

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We have reviewed the revised application and associated submissions prepared by Brandon and Layne Logigian, Applicants, for the subject property as referenced below:

- a. Application to Zoning Board of Adjustment dated Revised August 20, 2022;
- b. Application for Development- Worksheet;
- c. Appendix E-2 Zoning Board Application Checklist dated August 30, 2022;
- d. Project Narrative-Reasons in Support of the Variances, consisting of two (2) pages, prepared by Rosen Kelly Conway, dated May 24, 2022, Revised August 30, 2022;
- e. Tax Payment Status Certification, signed, dated March 10, 2021;
- f. Application for a Certified List of Property Owners dated 3/22/22;
- g. Lot Grading Plan, consisting of two (2) sheets, prepared by John Ferrante, P.E. of E 2 Project Management LLC, signed, dated 05/23/2022; and
- h. Architectural Plan entitled, "Logigian Residence, 23 Whittredge Road, Summit, NJ", consisting of nine (9) sheets, prepared by David M. Rosen, AIA, LEED AP of Rosen Kelly Conway, signed August 26, 2022, dated 05/23/22, last revised 08/26/22.

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

1. The 17,182-square foot (0.39-acre) property is located approximately 250-feet west of the intersection with Hobart Avenue. The property is on the south side of Whittredge Road.
2. The property is in the R-25 Zone, with surrounding properties to the east in the same Zone, to the northeast in R-43 Zone and southwest in R-10 Zone.

3. The Applicant has submitted an existing conditions plan based on a survey conducted April 6, 2022. The property is improved with a two-story single-family home, driveway, two-car, front-facing attached garage, patio, walkways, and related site improvements.
4. The property is rectangular in shape, with frontage along Whittredge Road of 90-feet, and an average depth of 191-feet.
5. The Applicant is requesting a variance for building coverage and side yard combined setback to construct a two-story addition, and "...any other variances determined by the Zoning Officer". The project consists of a two-story addition in the rear of the house for an enlarged kitchen on the first floor and a new primary bedroom suite on the second floor. Other improvements include a new portico, a new side entry, and new dormers for the front facade. The existing patio will be removed and replaced with a new patio. An existing walkway on the left side of the property will be removed.
6. The Applicant notes a Limit of Disturbance of 6,030-square feet or 35-percent of the property on Figure-1.
7. The Applicant has submitted a separate Grading Plan on Fig-1, and we take no exception. The property slopes down from the easterly property line from elevations ranging from 101-feet to 93-feet. There are steep slopes noted on the plans on the southwest side of the property.
8. The Applicant provides a Steep Slope Disturbance Table on Figure-1, with proposed steep disturbance of 291-square feet for areas greater or equal to 15%, and we take no exception.
9. The Applicant is proposing a slight decrease of 4-square feet of Building Coverage from the existing non-conforming 3,048-square feet (17.7-percent) to 3,044-square feet (17.7-percent), where the maximum permitted in the R-25 Zone is 14-percent.
10. The Applicant is proposing to increase the existing Impervious Coverage 377-square feet from 4,715-square feet (27.4-percent) to 5,092-square feet (29.6-percent), where the maximum permitted in the R-25 Zone is 30-percent. The Applicant has proposed a 4" SDR 35 PVC roof drain connecting to a 6.5-foot diameter by 6-foot-deep drywell in an excavation measuring 8.5-foot square by 10-foot deep with a pop-up emitter. The drywell is located 22-feet from the closest property line. The Applicant has provided drywell calculations and we take no exception. The Applicant shall not direct stormwater towards neighboring properties.
11. The Applicant has provided a soil erosion sediment control plan and noted that soil erosion and sediment control measures will be installed prior to construction and maintained throughout construction until permanent protection is established.
12. The Applicant has noted there is no change to the water supply, sewer and gas services. The Applicant noted that the existing overhead electric service will be removed and proposed underground service will be installed to an existing utility pole outside the southerly property line. We defer to the City Building Department for the requirement of permits for electrical work and the local electric utility for connecting to the existing pole. Additionally, the Applicant shall clarify

- if the existing utility pole is on an adjacent property, as the trench work will encroach outside of the Applicant's property line.
13. The Applicant shall properly remove all construction and demolition (C&D) debris per the Ordinance requirements.
  14. The Applicant has noted the location of the existing AC units and is proposing an addition AC unit and a generator at this time. All mechanical equipment shall comply with the Ordinance for setbacks and screening.
  15. The Applicant has noted on Figure-1, Sheet A (Existing Conditions and Demolition Plan) that they are removing an existing tree along the west side of the property. However, in the general notes #22, it is stated that "There is no tree removal proposed". The Applicant to correct this discrepancy. We defer to the City Forester for review and approval of the proposed improvements. We note that a Landscape Plan has not been provided.
  16. 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.
  17. 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.
  18. The Applicant shall remove all excavated and excess soil from the site and shall not use excess soils elsewhere on site.
  19. 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.
  20. 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/ds/lb



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

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Tom Conway, Chair, HPC  
Environmental Commission (if Applicable)

**FROM:** Chris Nicola, Land Use Assistant, DCS

**DATE:** August 19, 2022

**LOCATION:** 23 Whittredge Road      **BLOCK:** 2609      **LOT:** 17

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**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.





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

**Copy To:**

PL/Zoning Chm./Atty.

Applicant

Boards Members

Applicant's Atty.

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by:

**COMMENTS:** No objection

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John Linson

Forester

8/25/22

(NAME) PRINT PLEASE

(PRINT TITLE)

(DATE)

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⊖ Boards Members            ⊖ Applicant's Atty.

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by:

**COMMENTS:** No Comments

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Chris Nicola      HPC      8/22/22  
(NAME) PRINT PLEASE      (PRINT TITLE)      (DATE)