

**RESOLUTION  
ZONING BOARD OF ADJUSTMENT  
TOWNSHIP OF LIVINGSTON  
NEW JERSEY**

Application #: 2016-48-V  
Decided: January 24, 2017  
Memorialized: February 28, 2017

**FINDINGS AND CONCLUSIONS**

The Zoning Board of Adjustment of the Township of Livingston, having considered the Application and plans filed in this matter, and the testimony and evidence presented at the hearing on January 24, 2017, the following findings of fact and conclusions are made:

1. The Applicant is: Ralph Gamba.
2. The Property is commonly known as 25 Relkin Road and is taxed as Block 5500, Lot 2. The property is in the R-3 Zone.
3. The Applicant has satisfied the statutory procedural requirements of service and publication of notice, and there are no taxes or assessments due or in arrears.
4. The Applicant proposes to construct an addition to an existing single family residence. Violations of the following Livingston Zoning Ordinances were noted:
  - (a) 170-98C (2) - Front Yard Setback – 50’ required; 18.5’ proposed; 31.5’ variance requested;
  - (b) 170-98C (3) - Side Yard Setback – 10’ allowed; 2.7’ proposed; 7.3’ variance requested.
5. The following persons testified at the hearing: The Applicant; The Applicant's architect, Frank Mileto, A.I.A.
6. The following persons objected to, or expressed interest in the application at the hearing: Peter Furdina of 1 Relkin Road (gave a statement in favor of the application).
7. The Applicant has satisfied the statutory requirements of N.J.S.A. 40:55D-70(c) (1) for the relief sought by demonstrating that the applicant has a hardship due to where the house was situated on the lot. The house as built is nonconforming. The foot print of the house will remain unchanged with regard to the three requested variances. The Board found that the lot can accommodate the proposed structure.

The Board found that by granting the variance there will be no substantial detriment resulting to the public good, nor will there be an impairment of the zoning plan or municipal zoning ordinance. Now, therefore, be it **RESOLVED** by the ZONING BOARD OF ADJUSTMENT OF

the Township of Livingston that the application herein submitted is granted the following variances from the Ordinance:


- (a) A Front Yard Setback variance of 31.5' is granted; and
- (b) A Side Yard Setback variance of 7.3' is granted.

The variances were granted subject to three conditions: 1) Any encroachments onto adjoining lots by existing onsite improvements will be removed; 2) A lot Surface Drainage Permit Application will be submitted to verify the scope of the work and any additional grading; and 3) All pipe discharges, including roof drains and sump pumps, will be depicted on drawings and will conform to the Township's Sump Pump and Pipe Drainage Control Ordinance. This approval is subject to all other requirements of the Township ordinances, building code, and the right of appeal by any interested party. Also, as required by Livingston Ordinance 170-27(A), construction must be commenced within one year of the date hereof or the variance shall expire.

Copies of the Applicant's survey showing the proposed improvements and architectural plans are attached hereto as an exhibit to indicate the final version thereof.

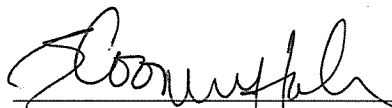
This Resolution is a memorialization of the action of the Board of Adjustment of the Township of Livingston taken on January 24, 2017 in which Board voted six in favor and none opposed to deny the application on the record.

CHAIRMAN:

  
\_\_\_\_\_  
JAMES HOCHBERG

I hereby certify this to be a true and accurate copy of the Resolution adopted by the Zoning Board of Adjustment of the Township of Livingston on January 24, 2017 by the affirmative votes of Mr. Vieira, Mr. Hochberg, Mr. Bier, Ms. Hwang, Ms. Khanna and Mr. Nardone; they being all of the Members present and eligible to vote.

PLANNING ADMINISTRATOR:

  
\_\_\_\_\_  
JACKIE COOMBS-HOLLIS

Prepared by: Alan Ozarow, Esq.