

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

Case #2017-14-V

Motion to approve by: **Mr. Resnick**

Second to approve by: **Mr. Fass**  
**Ms.**

**FINDINGS AND CONCLUSIONS**

The Zoning Board of Adjustment of the Township of Livingston, having considered and reviewed the Application and the architectural renderings of Dugász & Brower Architects, dated February 28, 2017, and the testimony and evidence presented at the hearing on April 25, 2017, the following findings of fact and conclusions are made:

1. The Applicant is Alexandra Sunberg and Amy Cohen.
2. The property is commonly known as 21 Wychwood Road, Livingston, New Jersey and is taxed as Block 5100, Lot 26. The property is in the R-3 Zone.
3. The Applicant has satisfied the statutory criteria and procedural requirements of service and publication of notice, and there are no taxes or assessments due or in arrears.
4. The Applicants propose to construct an addition to the second floor of an existing single family residence.
5. The Application would violate Township Ordinance 170-98C(2), which requires a 50 foot front yard setback, whereas 41 feet is proposed, resulting in a 9 foot variance request.
6. The testimony of the Applicant indicated that the existing residential structure is non-conforming and the addition will not increase the front yard setback violation. The Applicant also testified that the addition will not be a detriment to the neighborhood since it will fit in with many of the other homes in the immediate neighborhood.
7. Testifying on behalf of the Applicant was John Brower, admitted as an expert in Architecture.
8. No members of the public appeared to object to the Application or ask questions of the Applicants.

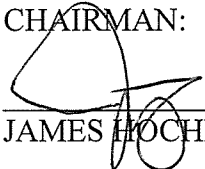
9. The Applicants have satisfied the statutory criteria of N.J.S.A. 49:55D-70(c)(2) because the proposed second floor addition will not further encroach upon the front yard than the existing structure, the addition will be an aesthetic improvement and will conform with other similar structures in the neighborhood, and will present a better alternative than the applicable Ordinance. Based upon the above findings there will be no detriment to the public good nor will there be any impairment to the Zone Plan or Zoning Ordinance, and the benefits of granting the variance will outweigh any detriment.

NOW THEREFORE, be it RESOLVED by the Zoning Board of Adjustment of the Township of Livingston that the Application herein submitted is granted and approved for the reasons stated herein. The Board grants a variance requested by the Applicant (a 9 foot front yard variance from the provisions of Ordinance Section 170-98C(2)).

This approval is subject to all other requirements of the Township Ordinances, building codes, and the right of appeal by any interested party. As required by Livingston Ordinance 170-27(A) construction must be commenced within one (1) year of the date hereof or the variances shall expire.

This Resolution is a memorialization of the action of the Board of Adjustment of the Township of Livingston taken on April 25, 2017 in which the Board voted to approve the Application unanimously in accordance with and subject to the terms and conditions set forth herein and on the record.

CHAIRMAN:

  
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JAMES HOCHBERG

Dated: 5/23/17

Prepared by: Richard W. Vallario, Esq.

PLANNING ADMINISTRATOR:

  
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JACKIE COOMBS-HOLLIS