

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

Case # 2014- 4 -V

Motion by: Mr. Gilman

Second by: Mr. Meinhardt

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 February 25, 2014, the following findings of fact and conclusions are made:

1. The applicant is Vladimir and Inna Krin.
2. The property is commonly known as 7 North Hillside Avenue and is taxed as Block 700, Lot 30. The property is in the R-2 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 was represented by Stephen Geffner, Esq.
5. The applicant proposes to construct an addition to a single-family residence.
6. Violations of Livingston Zoning Ordinances:
 - (a) Section 170-87I(1) Side Street / Corner Lot Setback – 50' required, 34.28' proposed; 15.72' variance requested;
7. The following persons testified at the hearing: The applicant, Michael Lanzafama, PE, PP and John Rubenstein, AIA.
8. The following persons objected to or expressed interest the application at the hearing: none.
9. The applicant has satisfied the statutory requirements of N.J.S.A. 49:55D-70 (c)(1) for the relief sought by demonstrating that there is a hardship due to the steep slope and topography of the lot which made expansion in the rear not feasible.

Based upon the above findings, there will be no 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 variance from the Ordinance:

A Side Street / Corner Lot Setback variance of fifteen and seventy two one hundredths feet (15.72') is granted.

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.

In addition the Board imposed the following conditions to the approval:

The shed must be removed prior to issuance of a Certificate of Occupancy;

The applicant shall perpetually replace any existing trees or shrubbery that is currently a buffer between the addition, street and homes on the adjacent street.

The applicant has acknowledged that the approval does not include approval or variance to connect to the storm water main as proposed in its plans, which connection may only be done in conformity with Township Ordinance and regulations.

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.

The Resolution is a memorialization of the action of the Board of Adjustment of the Township of Livingston taken on February 25, 2014 in which Board voted to seven in favor and none opposed to approve the application in accordance with and subject to the conditions and terms set forth herein on the record.

CHAIRMAN:



JAMES HOCHBERG

Dated: March 25, 2014

Prepared by: Herbert S. Ford, Esq.