

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

Case # 2014-27-V

Motion by: Mr. Jack Gilman

Second by: Mr. Christopher Bardi

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 May 27, 2014, the following findings of fact and conclusions are made:

1. The applicant is Kevo Development Corp for Marc Farbstein, owner.
2. The applicant is represented by Stephen Geffner, Esq.
3. The property is commonly known as 22 Chelsea Drive and is taxed as Block 2401, Lot 11. The property is in the R-2 Cluster Zone.
4. 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.
5. The applicant proposes to construct a new single-family residence on the lot.
6. Violation of Livingston Zoning Ordinances:
 - (a) Section 170-87BB2 Habitable Floor Area – 10,000 square feet allowed, 11,155 square feet proposed; 1,155 square feet variance requested.
7. The following persons testified at the hearing: Robert E. Zampolin, AIA, Bradley Newman, landscape architect, and Michael Lanzafama, PP.
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)(2) for the relief sought by demonstrating that the proposed addition and other changes to the residence was a better planning and zoning result than compliance with the Ordinance. The Board found due to the topography of the lot that the additional square footage of the residence due to the height of the ceilings would not be noticeable from the street and the residence would fit into the neighborhood.

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 Habitable Floor Area variance of 1,115 square feet 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.

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 May 27, 2014 in which Board voted all in favor to approve the application in accordance with and subject to the conditions and terms set forth herein on the record.

CHAIRMAN:



JAMES HOCHBERG

Dated: June 24, 2014

Prepared by: HERBERT S. FORD, ESQ.