

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

Case # 2010-57-V

Motion by: Mr. Gillman

Second by: Ms. Atteridge

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 April 26, 2011, the following findings of fact and conclusions are made:

1. The applicant is Daniel Saland and Gillian Alexander.
2. The property is commonly known as 29 Briar Cliff Road is taxed as Block 1600 Lot 26. The property is in the R-4 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 has installed a shed next to a single family residence.
5. Violation of Livingston Zoning Ordinance
(a) Section 170-87(E)(1)(d)(4) Accessory Structure Side Yard Setback (5' required, 3.2' proposed; 1.8' variance requested).
6. The following persons testified at the hearing: The applicant.
7. The Board determined that the applicant did satisfied the statutory requirements N.J.S.A. 49:55D-70 (c)(1) for the relief sought by demonstrating that an undue or exceptional hardship would be imposed upon the applicant due the topography of the lot which was narrow for the zone and was entitled to relief under applicable law.

Based upon the above findings, there will be no detriment resulting to the public good, and there will be no impairment of the zoning plan or municipal zoning ordinance, the following variance was granted. Now, therefore, be it **RESOLVED** by the ZONING BOARD OF ADJUSTMENT of the Township of Livingston that the application herein submitted is granted as follows:

An accessory structure side yard variance of one and eight tenths (1.8) feet is granted.

The Resolution is a memorialization of the action of the Board of Adjustment of the Township of Livingston taken on April 26, 2011 in which Board voted with in favor to grant the application.

CHAIRMAN:



ALAN OZAROW

Dated: May 26, 2011
Prepared by: Herbert S. Ford, Esq.