

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

Case # 2013-45-Appeal

Motion by: Mr. James Hochberg

Second by: Dr. Shawn Klein

**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 October 22, 2013, the following findings of fact and conclusions are made:

1. The applicant is Yingchao Zhang and Lily Yin.
2. The property is commonly known as 212 East Northfield Road and is taxed as Block 6900 , Lot 32. 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 was represented by Elizabeth Durkin, Esq.
5. The applicant proposes to install a front yard sign in front of a single-family residence while not meeting the standards of a professional office which is permitted to have a sign in violation of Section 170-90(A)(1).
6. The following persons testified at the hearing: The applicant.
7. The following persons objected to or expressed interest the application at the hearing: none.
8. The applicant was unable to convince the Board that the interpretation of the Ordinance was appropriate but the Board was has satisfied the statutory requirements of N.J.S.A. 49:55D-70 (c)(1) for the relief sought by demonstrating that there was a hardship and safety of the public would be enhanced if a sign was permitted for a legally conducted home business of an educational consultant on the same terms as for a professional office. The applicant must obtain a sign permit and may not illuminate the sign. There cannot be a phone number on the sign as that would be advertising.

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:

An Variance from Section 170-90(A)(1) requirement that only signs of professionals be permitted 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 October 22, 2013 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:

  
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ALAN OZAROW

Dated: December 10, 2013

Prepared by: HERBERT S. FORD, ESQ.