

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

Application #: 2016-14-V
Decided: May 24, 2016
Memorialized: June 28, 2016

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 24, 2016, the following findings of fact and conclusions are made:

1. The applicants are Joshua & Farah Goldstein.
2. The property is commonly known as 16 Mayhew Drive and is taxed as Block 802, Lot 19. 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 proposes to construct an addition to a single-family residence.
5. Violations of Livingston Zoning Ordinance(s):
 - (a) Section 170-97C (2) – Front Yard Setback – 60’ required; 53.2’ proposed; 6.8’ variance requested;
 - (b) Section 170-3 (Yards) – Front Yard Setback at Porch – 54 required, 51.4’ proposed; 2.6’ variance requested
6. The following persons testified at the hearing: The Applicants, and the Applicants’ architect, Meredith Colon-Reiman.
7. The following persons objected to or expressed interest the application at the hearing: none.
8. The Board found that the Applicant has satisfied the statutory requirements of N.J.S.A. 40:55D-70(c) (1) for the relief sought by demonstrating that the pre-existing location of the house on the property constitutes a hardship.
9. The Board found that the Applicant has satisfied the statutory requirements of N.J.S.A. 40:55D-70(d) by demonstrating that variance can be granted without causing any substantial detriment to the public good, and will not substantially impair the intent and the purpose of the 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 variances from the Ordinance:

(a) A Front Yard Setback variance of six and eight-tenths feet (6.8') is granted;


(b) A Front Yard Setback variance, as measured from the porch of two and six-tenths feet (2.6') 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.

This Resolution is a memorialization of the action of the Board of Adjustment of the Township of Livingston taken on May 24, 2016 in which Board voted 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

I hereby certify this to be a true and accurate copy of the Resolution adopted by the Zoning Board of Adjustment of the Township of Livingston on May 24, 2016 by the affirmative votes of Mr. Resnick, Ms. Tabak Fass, Mr. Gillman, Ms. Hwang, Mr. Vieira, Mr. Bier and Mr. Nardone; they being all of the Members present and eligible to vote.

PLANNING ADMINISTRATOR:



JACKIE COOMBS-HOLLIS

Prepared by: Alan Ozarow, Esq.