

# VARIANCE APPLICATION

BOROUGH OF DEMAREST

~~ZONING BOARD OF ADJUSTMENT~~

118 Serpentine Road, Demarest, NJ 07627



Joint Planning Board

File No: \_\_\_\_\_

Date Filed: \_\_\_\_\_

Date of Hearing: \_\_\_\_\_

Disposition: \_\_\_\_\_

To The ~~Board of Adjustment~~: Joint Planning Board

Application is hereby made for a variation from the requirements of Section(s)

N.J.S.A. 40:55d-70 \_\_\_\_ of Chapter 175 (Zoning Ordinance) \_\_\_\_ to construct the following:

The Applicant seeks to construct a new single-family dwelling, in-ground pool, and other associated improvements at the Property.

OR

To use an existing structure in the following manner:

Single-family residence.

The location of the property is at: (Street Address) 17 Laurel Road, Demarest NJ

Designated as Block 1.02 and Lot 20 on the Assessment Map.

The reason this new construction or this new use is desired is:

Date present owner acquired title to property See attached Property Deed.

Applicant:

Name: Ilan Cohen c/o Matthew G. Capizzi, Esq.

Address: 205 Fairview Avenue, Westwood NJ 07675

Phone #: 201-266-8300

Signature: \_\_\_\_\_

Owner:

Name: Same as Applicant

Address: \_\_\_\_\_

Phone #: \_\_\_\_\_

Signature: \_\_\_\_\_

The owner and/or applicant will be represented at the Public Hearing by:

Name: Matthew G. Capizzi, Esq.

Address: 205 Fairview Avenue, Westwood NJ 07675

Phone #: 201-266-8300

Signature: [Handwritten Signature]

**PLEASE NOTE:  
THE APPLICANT OR THEIR REPRESENTATIVE MUST PERSONALLY ATTEND THE HEARING**

**DESCRIPTION OF THE PROPERTY**

Address: 17 Laurel Road Zone: D Block: 1.02 Lot(s): 20

Existing Buildings: Include ALL accessory buildings, structures, garage, shed, swimming pool, deck, patio, and tennis court (etc.)

**SETBACKS:**

REQUIRED	EXISTING (closest point)	APPLICATION PROPOSED (closest point)
<u>25'</u> feet to front yard line	<u>          </u> feet <small>As to Laurel Road: 27.3' As to Prescott Street: 41.6'</small>	<u>          </u> feet <small>As to Laurel Road: 27.8' As to Prescott Street: 27.2'</small>
<u>30'</u> feet to rear yard line	<u>17.9</u> feet	<u>30</u> feet
<u>10'</u> feet to closest side yard (lot)	<u>32</u> feet	<u>11.3</u> feet
<u>N/A</u> feet to closest side yard (street)	<u>          </u> feet	<u>          </u> feet

Required Lot Size: 10,000 square feet Existing Lot Size: 9,914 square feet

Fill in the following *Proposed Net Totals* from your worksheet: (entire table must be completed)

<b>IMPROVED LOT COVERAGE:</b>		
Maximum % for principal residence, vehicle access & parking	Permitted <u>2,500</u> sq. ft.	<u>25</u> %
	Proposed <u>2,320</u> sq. ft.	<u>23.4</u> %
Maximum total improved lot coverage %	Permitted <u>3,000</u> sq. ft.	<u>30</u> %
	Proposed <u>3,116</u> sq. ft.	<u>31.4</u> %
<b>BUILDING COVERAGE:</b>		
	Permitted <u>2,000</u> sq. ft.	<u>20</u> %
	Proposed <u>1,972</u> sq. ft.	<u>19.9</u> %
<b>MAXIMUM LIVING AREA (FAR)</b>		
	Permitted <u>3,000</u> sq. ft.	<u>30</u> %
	Proposed <u>2,974</u> sq. ft.	<u>30</u> %

Variance Requested: Check Applicable Box(es):

- |  |  |
|--|--|
| <input type="checkbox"/> Front                     | <input checked="" type="checkbox"/> Improved Coverage  |
| <input type="checkbox"/> Side (lot)                | <input type="checkbox"/> Maximum Living Area/ FAR (D variance)                                     |
| <input type="checkbox"/> Side (street -corner lot) | <input type="checkbox"/> Use (D variance)  |
| <input type="checkbox"/> Rear                      | Other:   |
| <input type="checkbox"/> Building Coverage         | <input checked="" type="checkbox"/> - Minimum Lot Area   |
|  | - Pool/Pool Equipment, AC Units and Pads, Generator and Pads, and Covered Patio Encroach Side Yard |
|  | - Side Yard Setback as to Window Wells   |
|  | - Wall Along Driveway Not Permitted in the Front Yard  |

Present use of buildings on the property is:

Single-family residence.

Describe deed restrictions or easements on property if any; these include but are not limited to storm drains, sidewalk, open space, streams, brooks, etc.:

Character of buildings within the 200-foot property line (i.e., residential, commercial, etc.)

Residential

Is (a) lot, (b) present building or (c) use of lot or buildings now non-conforming to the Demarest Zoning Ordinance or other Demarest Ordinances? If so, please describe:

Has a variance been previously granted on this property? No. If so, when? \_\_\_\_\_

Please describe \_\_\_\_\_

Has a variance on this property previously been denied? No. If so, when? \_\_\_\_\_

Please describe? \_\_\_\_\_

**IMPROVED COVERAGE CALCULATIONS:**

Definition: A material that prevents absorption of storm water into the ground.

See attached coverage breakdown prepared by McClellan Engineering dated 4/14/2025.

Address:	17 Laurel Road, Demarest NJ		
Zone:	D		
Size of Lot:	9,914 Sq. Ft.		
Required Square Footage:	10,000 Sq. Ft.		
Permitted Total Improved Coverage	<u>3,000</u>	Sq. Ft.	<u>30</u> %
Permitted Improved Coverage: Principal Residence, Vehicle Access & Parking	<u>2,500</u>	Sq. Ft.	<u>25%</u>

<u>A. EXISTING</u>	<u>SQ. FT</u>	Check if to be Demolished	<u>B. PROPOSED</u>	<u>SQ. FT</u>
house	_____	<input type="checkbox"/>	house	_____
Garage	_____	<input type="checkbox"/>	Garage	_____
Patio	_____	<input type="checkbox"/>	Patio	_____
Deck	_____	<input type="checkbox"/>	Deck	_____
Shed	_____	<input type="checkbox"/>	Shed	_____
Swimming Pool	_____	<input type="checkbox"/>	Swimming Pool	_____
Tennis Court	_____	<input type="checkbox"/>	Tennis Court	_____
Driveway	_____	<input type="checkbox"/>	Driveway	_____
Front Walkway	_____	<input type="checkbox"/>	Front Walkway	_____
Side Walkway	_____	<input type="checkbox"/>	Side Walkway	_____
Rear Walkway	_____	<input type="checkbox"/>	Rear Walkway	_____
Other	_____	<input type="checkbox"/>	Other	_____

See attached coverage breakdown prepared by McClellan Engineering dated 4/14/2025.

Existing Improved Coverage \_\_\_\_\_ Sq. Ft. \_\_\_\_\_%

Proposed New Improved Coverage \_\_\_\_\_ Sq. Ft. \_\_\_\_\_%

Total Improved Coverage (A + B) = \_\_\_\_\_ Sq. Ft. \_\_\_\_\_%

**BUILDING COVERAGE (Footprint) CALCULATIONS:**

See attached coverage breakdown  
 prepared by McClellan Engineering  
 dated 4/14/2025.

Coverage, Maximum – The percentage of the plot or lot area covered by the principal building and the accessory use building(s) and/or structure(s).

Address:	17 Laurel Road, Demarest NJ	
Zone:	D	
Size of Lot:	9,914 Sq. Ft.	
Required:	10,000 Sq. Ft.	
Permitted Coverage	<u>20</u> %	<u>2,000</u> Sq. Ft.

**A. EXISTING:**

Check if to be demolished

House \_\_\_\_\_ Sq. Ft.

Garage \_\_\_\_\_ Sq. Ft.

Shed \_\_\_\_\_ Sq. Ft.

Other \_\_\_\_\_ Sq. Ft.

EXISTING NET COVERAGE: \_\_\_\_\_ Sq. Ft. ( \_\_\_\_\_ %)

**B. PROPOSED:**

New House \_\_\_\_\_ Sq. Ft.

Addition \_\_\_\_\_ Sq. Ft.

Garage \_\_\_\_\_ Sq. Ft.

Shed \_\_\_\_\_ Sq. Ft.

Other \_\_\_\_\_ Sq. Ft.

PROPOSED NEW COVERAGE: \_\_\_\_\_ Sq. Ft. ( \_\_\_\_\_ %)

TOTAL BUILDING COVERAGE (A + B): \_\_\_\_\_ Sq. Ft. ( \_\_\_\_\_ %)

# McCLELLAN ENGINEERING

Sean P. McClellan P.E. | 84 Gettysburg Way Lincoln Park, New Jersey 07035 | Phone: 862-668-1160 |  
[McClellanEngineering@gmail.com](mailto:McClellanEngineering@gmail.com)

April 14, 2025

Capizzi Law Office  
205 Fairview Avenue  
Westwood, New Jersey 07675

## Re: Coverage Breakdown 17 Laurel Street Demarest Block 1.02 Lot 20

Lot Area – 9914 sf  
Required Lot Size 10,000 sf  
Lot Zone R-D(Single Family Residential)

### Lot Coverage Calculations

#### **Existing**

Dwelling – 808 sf

Shed – 96 sf

Total Building – 904 sf / 9914 = 9.1%

Allowed 20%

Open Porch/Steps – 68 sf

AC Pad – 6 sf

Retaining Wall – 14 sf

Walk/Steps – 286 sf

Patio – 188 sf

Driveway – 432 sf

Total Coverage – 1900 sf / 9914 = 19.2%

Allowed 30%

#### **Proposed**

Dwelling – 1764 sf

Balcony – 20 sf

Covered Patio – 154 sf

Covered Porch – 34 sf

Total Building – 1972 sf / 9914 = 19.9%

Allowed 20%

Front Walk/Steps – 78 sf

AC Pad – 28 sf

Retaining Wall – 28 sf

Window Wells – 52 sf

Pool/Coping – 336 sf

Pool Equipment -32 sf

Rear Steps – 34sf

Driveway – 556 sf

Total Coverage – 3116 sf / 9914 = 31.4%

Allowed 30% Variance Required

§175-27 IMPROVED LOT COVERAGE - The part of the site that is covered by buildings or accessory buildings; impervious or pervious tennis courts, basketball courts, decks, swimming pool decks, patios, firepits, hot tubs or other recreational structures or improvements; impervious or pervious parking areas, driveways, walls, walkways, pavers or similar improvements; and any other structures or impervious surfaces. Total improved lot coverage shall not exceed 30% of the lot area. The percentage of the lot to be used for the principal residential use and all vehicle access and parking areas shall be not greater than 25%. Any portion of the 30% of lot coverage not devoted to the residence proper, parking and vehicular access may be used for outdoor appurtenances such as patio, deck, swimming pool or other recreational uses. This limitation shall apply to all residential districts and zones regulating single-family homes.

**FLOOR AREA RATIO CALCULATIONS (Livable Floor Area)**

The aggregate of all floors included within the outer walls of the building, excluding basements, garages and other unheated areas and including only such floor area under a sloping ceiling for which the headroom is not less than five (5) feet six (6) inches and then only if at least seventy-five percent (75%) of such floor area has a ceiling height of not less than seven (7) feet, six (6) inches and if any such floor that is situated above another story has access to the floor by a permanent, built-in stairway and has a permanent complete floor and a means of heating to seventy-five degrees Fahrenheit (75F) at all times.

Address:	17 Laurel Road, Demarest NJ
Zone:	D
Size of Lot:	9,914 Sq. Ft.
Square Foot REQUIRED:	10,000 Sq. Ft.
Permitted Livable Area	3,000 Sq. Ft. 30 %

**A. EXISTING:**

Check if to be demolished

House \_\_\_\_\_ Sq. Ft.

Heated Attic \_\_\_\_\_ Sq. Ft.

Other \_\_\_\_\_ Sq. Ft.

**EXISTING NET LIVABLE AREA:** 0 Sq. Ft. 0 %

**B. PROPOSED:**

New House 2,974 Sq. Ft.

Addition 0 Sq. Ft.

Heated Attic 0 Sq. Ft.

Other 0 Sq. Ft.

**PROPOSED LIVABLE AREA:** \_\_\_\_\_ Sq. Ft. \_\_\_\_\_ %

**TOTAL LIVABLE AREA (A + B):** 2,974 Sq. Ft. 30% %