



Demarest Borough  
ZONING DEPARTMENT  
118 SERPENTINE ROAD  
DEMAREST, NJ 07627  
(201) 768-0167 EXT. 110  
MGRECO@DEMARESTNJ.GOV

Application Date: 10/10/2025  
Application Number: ZA-25-0150  
Permit Number: \_\_\_\_\_  
Project Number: \_\_\_\_\_  
Fee: \$75

## Denial of Application

Date: 10/14/2025

To: SHELEG, BARBARA  
77 PINE TERRACE  
DEMAREST, NJ 07627

CC: APP EMAIL:SHELEGROUP@GMAIL.COM

RE: 77 PINE TERRACE  
BLOCK: 84.08 LOT: 10 QUAL: ZONE: R-BB

DEAR SHELEG, BARBARA,

APPLICANT CONSTRUCTED A TWO STORY ADDITION ALONG THE RIGHT SIDE OF THE HOME, INCLUDING A CAR PORT AND LIVING SPACE ABOVE.

APPLICANT CONSTRUCTED A SIDE YARD PATIO AND PERGOLA ABOVE WITH FIRE PLACE.

APPLICANT CONSTRUCTED A FRONT YARD PORCH WITH STEPS AND WALKWAY.

Your request is hereby denied based upon the following requirements:

CARPORT AND SECOND FLOOR LIVING SPACE ENCROACHES INTO THE REQUIRED FRONT YARD SETBACK.

MINIMUM FRONT YARD SETBACK = 50 FEET.

PROPOSED AND CONSTRUCTED PRINCIPAL BUILDING FRONT YARD SETBACK = 41.3 FEET.

PATIO AND PERGOLA LOCATED IN THE SIDE YARD NOT PERMITTED.

FRONT YARD PORCH NOT PERMITTED, AND ENCROACHING INTO THE FRONT YARD SETBACK.

SWIMMING POOL IN REAR YARD DOES NOT HAVE THE REQUIRED UCC POOL FENCING, PLAN SHOWS A FENCE LEAVING THE PROPERTY AND ENCROACHING ONTO A NEIGHBOR'S PROPERTY. POOL FENCE MUST BE ENTIRELY WITHIN THE PROPERTY LINES.

REAR YARD SHOWS STAIRWAY WHICH APPEARS TO ENCROACH ONTO A NEIGHBORING PROPERTY, NEED DISCUSSION ON WHY THIS IS HERE.

OWNER NEEDS FOUR VARIANCES:

- 1) FRONT YARD SETBACK
- 2) SIDE YARD ACCESSORY STRUCTURE
- 3) REQUIRED POOL FENCING
- 4) FRONT YARD PORCH

The following comments were made during the denial process:

175-5 - R-BB ZONE BULK AND AREA

No land shall be hereafter used or occupied and no building or part thereof shall hereafter be used, occupied, erected, moved or altered unless in conformity with the regulations and Limiting Schedule hereinafter specified for the district in which it is located.

AREA (minimums)

LOT AREA = 30,000 sq ft  
FRONT YARD SETBACK = 50 ft.  
REAR YARD SETBACK = 50 ft.  
SIDE YARD SETBACKS = 25 ft.

BULK (maximums)  
BUILDING COVERAGE = 15%  
BUILDING HEIGHT = 30 ft.  
LIVABLE FLOOR AREA = 22.5%  
RESIDENTIAL AND PARKING COVERAGE = 25%  
IMPROVED LOT COVERAGE = 30%

#### 19 - ENCROACHMENTS INTO YARDS

A, Residence districts. Yards referred to herein are in each case the entire yard, regardless of the minimum required yards provided in the Limiting Schedule (§ 175-16).

(1) All yards.

(c) Decks, platforms and porches, whether roofed or unroofed, enclosed or unenclosed, as structural features, shall not be permitted to encroach.

(d) Impervious surfaces are not allowed within the front setback requirement nor within 10 feet of the side or rear lot line for the full depth and width of the rear yard, except driveways and access walks to the principal building entrance(s). (See Limiting Schedule)

(3) Side yards.

(b) Accessory uses, buildings and structures shall not be permitted to encroach.

#### 24. - FENCES

§ 175-24 Fences.

All fences erected in the Borough of Demarest shall be subject to the following requirements:

N. All swimming pools now or hereafter constructed shall be enclosed by a substantial fence no less than 48 inches in height, so constructed as to prevent, within reason, any person from gaining access beneath or through such fence, and it shall have a similarly substantial self-latching and self-closing gate of the same height as the fence with latches placed four feet in height and with facilities for locking the gate when the pool is unguarded or unattended.

Sincerely,

A handwritten signature in black ink, appearing to be a cursive name, located below the word "Sincerely,".