

Zoning Board of Adjustment
Demarest, NJ

APPLICATION FOR VARIANCE FROM THE REQUIREMENTS OF ZONING ORDINANCE

File No: _____

Date Filed: _____

Date of Hearing: _____

Disposition: _____

To The Board of Adjustment:

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:

OR

To use an existing structure in the following manner:

The location of the property is at: (Street Address) 38 Sunset Road, Demarest NJ 07627

Designated as Block 53 and Lot 4.01 on the Assessment Map.

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

Construction of a pool patio, pergola, and retaining wall.

Date present owner acquired title to property 2/4/2021

Applicant:

Owner:

Name: Spencer Spielberg

Name: Same as Applicant

Address: 38 Sunset Road, Demarest NJ 07627

Address: _____

Phone #: 917-383-5085

Phone #: _____

Signature: _____


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:  Matthew G. Capizzi, Esq.
Attorney for Applicant

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

DESCRIPTION OF THE PROPERTY

Address: 38 Sunset Road, Demarest NJ 07627 Zone: R-D Block: 53 Lot(s): 4.01

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)
25 feet to front yard line	26.5 feet	No change feet
30 feet to rear yard line	61.4 feet	No change feet
25 feet to closest side yard (lot)	10.5 feet	No change feet
25 feet to closest side yard (street)	14.1 feet	No change feet

Required Lot Size: 10,000 square feet Existing Lot Size: 14,301 square feet

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

IMPROVED LOT COVERAGE:		
Maximum % for principal residence, vehicle access & parking	Permitted <u>3,575</u> sq. ft.	<u>25</u> %
	Proposed <u>3,646</u> sq. ft.	<u>25.5</u> % Existing and No Change.
Maximum total improved lot coverage %	Permitted <u>4,290</u> sq. ft.	<u>30</u> %
	Proposed <u>4,980</u> sq. ft.	<u>34.8</u> %
BUILDING COVERAGE:		
	Permitted <u>2,871</u> sq. ft.	<u>20</u> %
	Proposed <u>3,250</u> sq. ft.	<u>22.7</u> %
MAXIMUM LIVING AREA (FAR) N/A		
	Permitted _____ sq. ft.	_____ %
	Proposed _____ sq. ft.	_____ %

Variance Requested: Check Applicable Box(es):

- | | |
|--|--|
| <input type="checkbox"/> Front | <input checked="" type="checkbox"/> Improved Coverage |
| <input checked="" type="checkbox"/> Side (lot) As to the retaining wall. | <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 | |
| <input checked="" type="checkbox"/> Building Coverage | |

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.:

N/A

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? _____ If so, when? _____

Please describe _____

Has a variance on this property previously been denied? _____ If so, when? _____

Please describe? _____

IMPROVED COVERAGE CALCULATIONS:

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

Address:	38 Sunset Road, Demarest NJ 07627		
Zone:	R-D		
Size of Lot:	14,301 Sq. Ft.		
Required Square Footage:	10,000 Sq. Ft.		
Permitted Total Improved Coverage	4,290	Sq. Ft.	30 %
Permitted Improved Coverage: Principal Residence, Vehicle Access & Parking	3,575	Sq. Ft.	25%

<u>A. EXISTING</u>	<u>SQ. FT</u>	<u>Check if to be Demolished</u>	<u>B. PROPOSED</u>	<u>SQ. FT</u>
house	2,871 Sq. Ft.	_____	house	379 Sq. Ft.
Garage	_____	_____	Garage	_____
Patio	_____	_____	Patio	183 Sq. Ft.
Deck	_____	_____	Deck Wall	87 Sq. Ft.
Shed	_____	_____	Shed	_____
Swimming Pool	465 Sq. Ft.	_____	Swimming Pool	_____
Tennis Court	_____	_____	Tennis Court	_____
Driveway	775 Sq. Ft.	_____	Driveway <small>Pool & Eq Pad</small>	21 Sq. Ft.
Front Walkway	122 Sq. Ft.	_____	Front Walkway	12 Sq. Ft.
Side Walkway	_____	_____	Side Walkway	_____
Rear Walkway	16 Sq. Ft.	_____	Rear Walkway	_____
Other	44 Sq. Ft.	_____	Other	5 Sq. Ft. (Misc)

Existing Improved Coverage ^{4,293} _____ Sq. Ft. 30 %

Proposed New Improved Coverage 687 Sq. Ft. 4.8% %

Total Improved Coverage (A + B) = 4,980 Sq. Ft. 34.8 %

BUILDING COVERAGE (Footprint) CALCULATIONS:

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:	38 Sunset Road, Demarest NJ 07627		
Zone:	R-D		
Size of Lot:	14,301 Sq. Ft.		
Required:	10,000 Sq. Ft.		
Permitted Coverage	20	%	2,871 Sq. Ft.

A. EXISTING:

Check if to be demolished

House	<u>2,871</u> Sq. Ft.	<input type="checkbox"/>
Garage	_____ Sq. Ft.	<input type="checkbox"/>
Shed	_____ Sq. Ft.	<input type="checkbox"/>
Other	_____ Sq. Ft.	<input type="checkbox"/>

EXISTING NET COVERAGE: 2,871 Sq. Ft. (20 %)

B. PROPOSED:

New House	<u>379</u> Sq. Ft.
Addition	_____ Sq. Ft.
Garage	_____ Sq. Ft.
Shed	_____ Sq. Ft.
Other	_____ Sq. Ft.

PROPOSED NEW COVERAGE: 379 Sq. Ft. (2.7 %)

TOTAL BUILDING COVERAGE (A + B): 3,250 Sq. Ft. (22.7 %)

FLOOR AREA RATIO CALCULATIONS (Livable Floor Area)

N/A

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 net 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:	
Zone:	
Size of Lot:	
Square Foot REQUIRED:	
Permitted Livable Area	Sq. Ft. %

A. EXISTING: Check if to be demolished

House _____ Sq. Ft. _____

Heated Attic _____ Sq. Ft. _____

Other _____ Sq. Ft. _____

EXISTING NET LIVABLE AREA: _____ Sq. Ft. _____ %

B. PROPOSED:

New House _____ Sq. Ft.

Addition _____ Sq. Ft.

Heated Attic _____ Sq. Ft.

Other _____ Sq. Ft.

PROPOSED LIVABLE AREA: _____ Sq. Ft. _____ %

TOTAL LIVABLE AREA (A + B): _____ Sq. Ft. _____ %

AFFIDAVIT OF OWNERSHIP

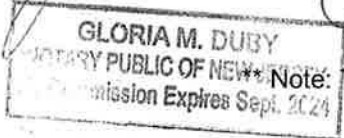
STATE OF NEW JERSEY)
) ss:
COUNTY OF BERGEN)

Spencer Spielberg of full age, being duly sworn according to law on his/her oath
deposes and says that he/she resides at 38 Sunset Road in the City of
Demarest in the County of Bergen and in the State of
_____ that he/she is the owner in fee of all that certain lot, piece or parcel of land situated
lying and being in the Borough of Demarest aforesaid and known and designated as
Block: 53, Lot: 4.01 and that he/she hereby authorizes
Matthew G. Capizzi, Esq. to make the within application in his/her behalf and that the statements
contained in said application are true.

Sworn to before me this 9th day of February, 20 24

Gloria Duby
Notary Public

DocuSigned by:
Spencer Spielberg
Owner
E46F9C17C9C49B...



(Affidavit Authorizing Representative)

**Note: This affidavit must be signed by Owner when Applicant is Agent **