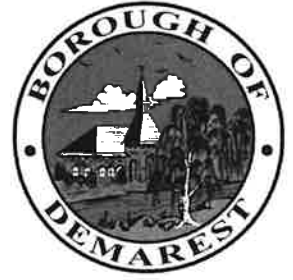


VARIANCE APPLICATION
BOROUGH OF DEMAREST
ZONING BOARD OF ADJUSTMENT

118 Serpentine Road, Demarest, NJ 07627



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:
The Applicant seeks to appeal the Zoning Determination dated July 24, 2024, and, in alternative, seeks the variance relief necessary to construct the proposed in-ground pool and sports court 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 Duck Pond Road

Designated as Block 120.01 and Lot 3.01 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: Tomer Edry
Address: 220 East 65th Street, Apt. 21L, New York, NY 10065

Phone #: _____

Signature: _____

Owner:

Name: Zmanny LLC c/o Tomer Edry, Member
Address: 220 East 65th Street, Apt. 21L, New York, NY 10065

Phone #: _____

Signature: _____

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

Name: Matthew G. Capizzi, Esq.
Phone #: 201-266-8300

Address: 205 Fairview Avenue, Westwood NJ 07675

Signature: *[Handwritten Signature]* Matthew G. Capizzi, Esq.
Attorney for Applicant/owner.

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

DESCRIPTION OF THE PROPERTY

Address: 17 Duck Pond Road Zone: A Block: 120.01 Lot(s): 3.01

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) |
|--|--------------------------|--------------------------------------|
| <u>54.1</u> feet to front yard line | <u>14.2</u> feet | <u>169.6</u> feet |
| <u>50</u> feet to rear yard line | <u>31.2</u> feet | <u>50.19</u> feet |
| <u>25</u> feet to closest side yard (lot) | <u>33.3</u> feet | <u>75.15</u> feet |
| <u>50</u> feet to closest side yard (street) | <u>N/A</u> feet | <u>N/A</u> feet |

Required Lot Size: 40,000 square feet Existing Lot Size: 107,360 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>26,840</u> sq. ft. | <u>25</u> % |
| | Proposed <u>14,150</u> sq. ft. | <u>13.18</u> % |
| Maximum total improved lot coverage % | Permitted <u>32,208</u> sq. ft. | <u>30</u> % |
| | Proposed <u>25,401</u> sq. ft. | <u>23.66</u> % |
| BUILDING COVERAGE: | | |
| | Permitted <u>16,104</u> sq. ft. | <u>15</u> % |
| | Proposed <u>7,612</u> sq. ft. | <u>7.09</u> % |
| MAXIMUM LIVING AREA (FAR) | | |
| | Permitted <u>24,156</u> sq. ft. | <u>22.5</u> % |
| | Proposed <u>9,383</u> sq. ft. | <u>8.74</u> % |

Variance Requested: Check Applicable Box(es):

- | | |
|--|--|
| <input type="checkbox"/> Front | <input 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: Appeal of Zoning Officer's |
| <input type="checkbox"/> Building Coverage | Determination: Accessory Structures 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.:

See attached Engineering Site Plan consisting of one (1) sheet dated June 17, 2024.

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.

| | | | |
|--|--------------------------------------|---------|-------------|
| Address: | 17 Duck Pond Road, Demarest NJ 07627 | | |
| Zone: | C | | |
| Size of Lot: | 107,360.23 Sq. Ft. | | |
| Required Square Footage: | 40,000 Sq. Ft. | | |
| Permitted Total Improved Coverage | <u>32,208</u> | Sq. Ft. | <u>30</u> % |
| Permitted Improved Coverage: Principal Residence, Vehicle Access & Parking | <u>26,840</u> | Sq. Ft. | <u>25</u> |

| <u>A. EXISTING</u> | <u>SQ. FT</u> | Check if to be <u>Demolished</u> | <u>B. PROPOSED</u> | <u>SQ. FT</u> |
|-----------------------|---------------|--|-----------------------------|---------------|
| house | <u>7,435</u> | <input type="checkbox"/> | house | _____ |
| Garage | _____ | <input type="checkbox"/> | Garage | _____ |
| Patio / Steps | <u>3,233</u> | <input type="checkbox"/> | Patio | _____ |
| Deck | _____ | <input type="checkbox"/> | Deck- Pervious Sports Court | <u>6,050</u> |
| Shed Walls | <u>400</u> | <input type="checkbox"/> | Shed | _____ |
| Swimming Pool | _____ | <input type="checkbox"/> | Swimming Pool | <u>888</u> |
| Tennis Court | _____ | <input type="checkbox"/> | Tennis Court | _____ |
| Driveway | <u>7,320</u> | <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 A/C & Generator | <u>77</u> | <input type="checkbox"/> | Other | _____ |

Existing Improved Coverage ^{18,465} Sq. Ft. ^{17.20} %

Proposed New Improved Coverage ^{6,938} Sq. Ft. ^{6.46} %

Total Improved Coverage (A + B) = 25,403 Sq. Ft. 23.66 %

N/A

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: | |
| Zone: | |
| Size of Lot: | |
| Required: | |
| Permitted Coverage | _____ % _____ 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. (_____ %)

N/A

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: | |
| 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. _____ %