

VILLAGE OF RIDGEWOOD
ZONING BOARD OF ADJUSTMENT

OFFERED BY:

SECONDED BY:

IN THE MATTER OF THE APPLICATION OF
RICHARD J. and LINDSEY D. BARCLAY

WHEREAS, RICHARD J. and LINDSEY D. BARCLAY, (hereinafter "applicants") filed an application to the Zoning Board of Adjustment of the Village of Ridgewood (hereinafter "BOARD") for variance relief on property located at Block 4010, Lot 14, commonly known as 143 Brookside Avenue, in the Village of Ridgewood, State of New Jersey; and

WHEREAS, the applicants are requesting variance relief from Section 190-104E (1) (3) (11) & (13) and 190-119H (1) of Article X of the Ridgewood Village Code to permit the construction of a two story addition and detached garage which will result in a height above grade to the ridge of the addition of 32 feet where 30 feet is the maximum permitted and a side yard set back to the side steps of the addition of 19.7 feet where 21.33 feet is the minimum required. The addition and the garage will result in a lot coverage within 140 feet of the front lot line of 21.3 % where 20% is the maximum permitted and a floor area ratio within 140 feet of the front lot line of 30.7% where 30% is the maximum permitted and a total coverage by improvements of 42.75% where 40%

is the maximum permitted. The detached garage is proposed with a height above grade of 17 feet where 15 feet is the maximum permitted; and

WHEREAS, notice of the application was published and served in accordance with the Municipal Land Use Laws of the State of New Jersey; and

WHEREAS, a public hearing was held on December 14, 2004 in regard to the subject application; and

WHEREAS, at said public hearing, the BOARD, by voice vote, granted the variance relief sought by the applicants; and

WHEREAS, in consideration of the testimony, statements, and documents submitted during the course of the public hearing, the BOARD makes the following findings of fact and conclusions:

1. The subject property is located in the R-1 zone and consists of a two and one half story Victorian style single family dwelling which is owned by the applicants. It is also located in the Brookside Historic Preservation District.

2. The applicants propose to construct a two story addition to the rear northeasterly corner of their residence and a new three car garage to the southeasterly corner of the subject lot.

3. The proposal will result in the following variances:

A. a height of the residence above grade of 32 feet where 30 feet is the maximum permitted;

B. a side yard set back to the side steps of the addition of 19.7 feet where 21.33 feet is the permitted minimum distance;

C. a lot coverage ratio of 30.7% within 140 feet of the front yard property line where 30% is the maximum permitted;

D. a total coverage by improvement ration of 42.75 % where 40% is the maximum permitted; and

E. a height above grade for the detached garage of 17 feet where 15 feet is the maximum permitted.

4. The BOARD recognizes the property has a substandard lot width that creates a hardship for the applicants to make the proposed addition to the residence conform with the side yard set back requirements of the R-1 zone. The proposal requests 1.6 foot encroachment into the side yard set back area which given the lot width the Board finds to be "de minimus".

5. The applicant testified the property is encumbered by a 10 foot wide driveway easement running across the rear of the property. This easement provides access to other lots to the south of the subject property.

6. The BOARD is aware the macadamed area in the above referenced easement is included in the calculation to determine the total lot coverage by improvement ratio. The easement is a condition that exists on the property for the benefit of other lots.

7. If the lot coverage by improvement calculation did not include the driveway easement, the ratio would be 34%, below the maximum permitted 40%, and a variance would not be required.

8. The BOARD considered the lot coverage within 140 feet differential that is being requested. The property meets the lot coverage for the total lot area requirements, but is only 1.3% over the maximum within the first 140 feet of the front property line when the lot width is substandard at 89 feet. The BOARD finds the proposal does not over utilize the lot, and any excessive percentage is due to the non conforming lot width.

9. Further testimony from the applicant supported the request to exceed the 125 feet required maximum above grade height for the proposed garage. The additional 2 feet in height is requested to match the architectural features of the residence, particularly the hip roof and the "three window" style dormer.

10. The BOARD is in receipt of the Historic Preservation Commission report dated December 14, 2004, which favorably recommends the three car garage as proposed.

11. Testimony revealed many other garages in the neighboring area exceed or equal the height which is proposed by this application and are of similar carriage house style.

12. The BOARD finds that the variance requests, if granted, will not negatively impact the surrounding properties or the zone plan in the Brookside Historic Preservation District. The proposed addition and garage will enhance the architectural and aesthetic appearance of the applicants' residence and property and improve its utilization consistent with the historic character of the area.

13. The BOARD finds that the proposed addition benefits the subject property and surrounding neighborhood. It adds or positively influences the aesthetic appearance of the residence without overburdening the property which promotes sound planning and zoning.

10. The impact of permitting the proposed addition benefits the neighboring properties and therefore will not substantially impair the intent and purpose of the zone plan of the Village and not negatively impact the surrounding neighborhood.

BE IT RESOLVED on this 11th day of January, 200~~5~~, by the Zoning Board of Adjustment of the Village of Ridgewood that the request for variance relief by the above applicant is hereby GRANTED subject to the following conditions:

1. Applicant is required to obtain a building permit and post all necessary fees and costs with the Village prior to any construction;

2. All construction shall be completed in accordance with all ordinances and building requirements of the Village of Ridgewood, the Uniform Construction Code of the State of New Jersey, and in accordance with the instructions of the Construction Official of the Village; and

3. The variance relief granted by this Resolution applies only to such variance requests as depicted in this Resolution.

4. All building materials should be like kind materials and match the existing siding and roofing on the subject residence

ADOPTED:

ATTESTED:



SECRETARY



CHAIRMAN