

APPLICATION FORM

VILLAGE OF RIDGEWOOD BOARD OF ADJUSTMENT

(THIS BOX FOR OFFICIAL USE ONLY)

DATE RECEIVED: RECEIVED MAR 31 2021 BLOCK(S): 8308 LOT(S): 13

ADDRESS OF SUBJECT PROPERTY: 236 Waltham Ave.

APPLICANT NAME: McCann APPLICATION NO.: _____

TYPE OF APPLICATION(S) - check all that apply	Application Fee(s)	Escrow Deposit(s)
<input checked="" type="checkbox"/> "C" Variance (§190-33) - \$200 per variance, max. \$1,000	200	800
<input type="checkbox"/> "D" Variance (§190-34) - \$1,000 each for prohibited use, expansion of nonconforming use, or density; \$500 each for building height at least 10% over maximum		
<input checked="" type="checkbox"/> Appeal of Zoning Officer Decision (§190-29)		
<input type="checkbox"/> Interpretation of Zoning Regulations (§190-30)		
<input type="checkbox"/> Certification of Nonconforming Use/Structure (§190-126G)		
<input type="checkbox"/> Minor Subdivision (§190-45)		
<input type="checkbox"/> Preliminary Major Subdivision (§190-46)		
<input type="checkbox"/> Final Major Subdivision (§190-47)		
<input type="checkbox"/> Exception from Subdivision Design Standards (§190-60)		
<input type="checkbox"/> Permit for Area on Official Map (§190-31)		
<input type="checkbox"/> Permit for Lot not Abutting Street (§190-32)		
<input type="checkbox"/> Extension of Approval (§190-36D, -45H, -46C(3), -46D, -47D, -47E, -47J, -47K, -51 or -97E)		
TOTAL	200	800

Instructions to Applicants: All applicants are required to complete the cover sheet and Parts I, II, III and IV. The various attachments must be completed if they apply to your application. If any parts of the form do not apply to your application, please state "not applicable", "none", etc. If you have any questions, please contact the Board Secretary.

PART I. APPLICANT AND OWNER INFORMATION

- A. Applicant Name Karen and Kevin McCann
- B. Applicant's Mailing Address 236 Walthery Lane, Ridgewood
- C. Applicant Telephone No. 201-213-3806 If unlisted, check here ☐
- D. Applicant Email KarenMcCann@yahoo.com
- E. Applicant's Attorney Name James R. Stevens, Gallo and Gallo
- F. Applicant's Attorney Address 666 Godwin Avenue, Midland Park
- G. Attorney Telephone No. 201-982-0659 Attorney Email Jim@GalloandGallo
law.com
- H. Property Owner's Name Karen and Kevin McCann
- I. Property Owner's Mailing Address 236 Walthery Lane Ridgewood NJ 07451
- J. Applicant's interest in land, if not owner (e.g., contract purchaser, owner's agent, etc.)
Owner

PART II. EXISTING PROPERTY INFORMATION

- A. Street Address of Property to be Developed 236 Walthery Lane, Ridgewood NJ
- B. Tax Map Block Number(s) 3308 Lot Number(s) 13
- C. Zone District(s) R-2
- D. Does the owner or applicant now own or have any interest in any other property that adjoins the premises which are the subject of this application? (check one) ☐ Yes ☒ No
- If yes, describe the adjacent property by block and lot numbers from the current tax map.
-

E. Are there any deed restrictions, protective covenants, easements, etc. affecting the subject property (check one) ☐ Yes ☒ No If yes, describe below or on a separate sheet

F. I have obtained from the Secretary of the Board a summary and/or a resolution concerning all prior decisions concerning development applications for the premises and have submitted these documents with this application. (check one) ☒ Yes ☐ No

Note: This certification must be submitted with the application or the application will be incomplete

G. Existing Use (check all that apply).

☒ Single Family Residence.

☐ Two Family Residence

☐ Other Use (Explain): _____

H. Describe the existing development of the property (buildings, paved areas, etc.).

Property consists of A Single Family home with a macadam driveway in the front of the residence with a garage within the envelope of the building. There is a rear shed which is not a permanent structure

PART III. PROPOSED DEVELOPMENT INFORMATION

A. Proposed Use (check all that apply).

☒ Single Family Residence.

☐ Two Family Residence

☐ Other Use (Explain): _____

B. Proposed Development (describe all site modifications for which approval is being sought, including buildings, paving, utilities, storm drainage, lighting, signs, landscaping, fencing, etc. and any alterations to existing improvements).

C. Required approvals or reviews by other governmental agencies other than the Board of

Adjustment, before construction may start (check all that apply). If in doubt, ask the Board Secretary for information.

- ☒ Historic Preservation Commission
- ☐ Health Department
- ☐ Construction Code Official
- ☐ Soil Movement Permit
- ☐ Retaining Wall Permit
- ☐ Flood Hazard Area Construction Approval

- ☐ Road Opening Permit
- ☐ Bergen/Passaic County
- ☐ Other Municipality
- ☐ N.J. DEP (e.g., wetlands)
- ☐ N.J. DOT (e.g., State highway)
- ☐ Other (describe below)

PART IV. PROPOSED VIOLATIONS OF THE LAND USE ORDINANCE (Chapter 190)

The following must be completed if the application is seeking a variance from the zoning regulations in Chapter 190, *Land Use and Development*.

- A. The following violations of Chapter 190 are proposed by this application (reference the proposed violations by section and paragraph number in the ordinance):

§ 190-104 E(10)
Maximum coverage
above grad: 20%
Proposed 25.42%

- B. On a separate sheet, indicate the reasons why you believe that the Board should grant relief of the above ordinance requirements, using the following criteria (check all that apply):

- ☐ Permit for Area on Official Map (see §190-31F(1) through (3))
- ☐ Permit for Lot not Abutting Street - Official Map (see §190-32F(1) and (2))
- ☒ "C" Variance (see §190-33G(1), (2) and (3); or see attached "C" variance criteria)
- ☐ "D" Variance (see §190-34G(1)(a), (b) and (c))

- see attached

APPLICATION PART IV B

The applicants propose installation of a circular above ground pool with a maximum width of 15 Feet at all point. Said pool is in conformity with all side yard and set back requirements, Applicant seeks a variance from section 190-104E (10) allowing a maximum coverage of 20% by the above-grade structures. Installation of the above ground pool will result in above ground coverage of 25.42%.

Applicant seeks the variance due to the shape and size of the property which consists of 6223 sq. feet where 10,000 feet is required. The existing size creates an undue hardship and unique circumstances where the proposed installation would in all other respect comply with the Ridgewood Code,


PART V. SIGNATURES AND AUTHORIZATIONS


The undersigned applicant and owner do hereby certify that all the statements contained in this application are true to the best of their knowledge.

The undersigned applicant and owner agree that if any of the information presented in this application changes prior to the issuance of any permits by the Village for the subject application, I/we will promptly notify the Board of such changes prior to the issuance of such permits.

The undersigned applicant and owner consent to the entering and inspection of the subject premises by the Board and its staff as necessary for the review of this application.

The undersigned agree to keep current all escrow accounts for review of this application and to pay any outstanding balances.


Applicant/Appellant 3-30-21
Date 3/30/21


Owner 3-30-21
Date 3/30/21

**VILLAGE OF RIDGEWOOD
ZONING BOARD OF ADJUSTMENT**

Owner: Karen McCann & Kevin McCann

Property Address: 236 Wattham Ave, Block , Lot
Ridgewood, NY 11450

I am the Owner of the above referenced property. I have consented to the submission of a Land Use Application to the Zoning Board of Adjustment of the Village of Ridgewood.

I hereby grant permission for Zoning Board of Adjustment Members and any of its Professionals and Experts, to enter the property for purposes of inspection in relation to the Land Use Application that I have submitted.

Dated: March 30, 2021

Karen McCann
Owner
Kevin McCann



VILLAGE OF RIDGEWOOD

131 North Maple Avenue
Ridgewood, New Jersey, 07451

Building Department

(201) 670-5500

(201) 670-5549

March 18, 2021

Mr. & Mrs. Kevin McCann
236 Walther Avenue
Ridgewood, N.J. 07450

Re: Block 3308 Lot 13
236 Walther Avenue

Dear Mr. & Mrs. McCann:

A review of your application for a building permit regarding 236 Walther Avenue, (R-2 zone) has been made. It is the opinion of the undersigned that a variance must be obtained from the Board of Adjustment for the installation of an above ground pool which would result in total coverage by above grade structure of 25.42% where 20% is the maximum permitted.

Under the provisions of § 190-104E(10) Article X of the Ridgewood Village Code, "Maximum coverage by above-grade structures: 20% of the land area of the lot".

If you have any questions, please feel free to contact me.

Very truly yours,

A handwritten signature in cursive script, reading "Paola G. Perez". The signature is written in dark ink and is positioned above the printed name and title.

Paola G. Perez
Assistant Zoning Officer

PGP



VILLAGE OF RIDGEWOOD

131 N. Maple Ave.
Ridgewood, NJ 07450

201-670-5500 Ext 511
201-670-5532 Fax
mjgilmour@ridgewoodnj.net

Mary Jo Gilmour
Tax Collector

CERTIFICATION REGARDING PAYMENT OF TAXES AND ASSESSMENTS

Date 3/22/21

Re Block 3308 Lot 13

Owner Kevin & Karen McCann

Location 236 Walther Ave.

Please be advised that of this date there

 are

☒ are not ^(check one) Jessica 3/22/21

overdue or delinquent property taxes or assessments for improvements for the above referenced property.

RIDGEWOOD TAX OFFICE
(201) 670-5500, EXT. 511



VILLAGE OF RIDGEWOOD

BERGEN COUNTY, NEW JERSEY
DEPARTMENT OF PUBLIC WORKS

DEPARTMENT OF PUBLIC WORKS
Christopher J. Rutishauser, PE, CPWM
Village Engineer, Director of Public Works

131 N. MAPLE AVENUE
RIDGEWOOD, NEW JERSEY 07451
PHONE: (201) 670-5500, Ext. 238
FAX: (201) 670-7305

FLOOD INSURANCE RATE MAP INFORMATION / CRS-320

The property located at 236 Wadsworth Ave; also known as Block 2308 Lot 13
has been located on the Village's Flood Insurance Rate Map (FIRM), dated, August 28, 2019.

The following information is provided:

Ridgewood's community number is: 340067

The address is located on panel number: 34003C0069J 34003C0088J 34003C0157J
34003C0159J 34003C0176H 34003C0177H
34003C0178H

The property is located in FIRM zone: ☒ X (Out or 500 year) ☐ AE (100 year) ☐ A (No BFE)

The main building is also located in: ☐ Floodway ☐ Repetitive Loss Area ☒ None

The main building on the property:

☐ is located in a Special Flood Hazard Area with a Base Flood Elevation of: +/- _____ (NGVD 1988), which correlates to a flood depth of +/- _____. Federal law requires that a flood insurance policy be obtained as a condition of a federally-backed mortgage or loan that is secured by the building. It is up to the lender to determine whether flood insurance is required for a property. The National Flood Insurance Program is available in Ridgewood and our Community Rating System rating is a 6 which provides a 20% discount on your insurance premium.

☒ is not located in a Special Flood Hazard Area. However, the property (above) may still be in floodplain (Letter Of Map Amendment) or subject to local drainage problems or other unmapped flood hazard. Flood insurance is available and may be obtained at non-floodplain rates. A flood insurance policy may be required by a lender.

☐ A determination of the building's exact location cannot be made at this time without an Elevation Certificate. A copy of the FIRM is attached for your information.

NOTE: This information is based on the Flood Insurance Rate Map for the Village. This letter does not imply that the referenced property will or will not be free from flooding or damage. A property not in a Special Flood Hazard Area may be damaged by a flood greater than that predicted on the FIRM or from a local drainage problem not shown on the map. This letter does not create liability on the part of the Village, or any officer or employee thereof, for any damage that results from reliance on this information.

Elevations on file: 1929 NGVD / 1988 NGVD (circle one)

Lowest Point Elevation: N/A Lowest Shingle Elevation: N/A First Floor Elevation: N/A

Dated: 3/18 /2021

Christopher J. Rutishauser for/
Christopher J. Rutishauser, PE, CPWM
Director of Public Works/Village Engineer



VILLAGE OF RIDGEWOOD
BERGEN COUNTY, NEW JERSEY
PLANNING BOARD & HISTORIC PRESERVATION COMMISSION

131 NORTH MAPLE AVENUE
RIDGEWOOD, NEW JERSEY 07450

PHONE: (201) 670-5500 x 240
FAX: (201) 670-7305

CERTIFICATE OF HISTORIC DISTRICT/SITE DESIGNATION

LOCATION OF PROPERTY: 2316 Waltham Ave, also
known as BLOCK 3308 LOT 13

☒ IS NOT subject to review by the Historic Preservation Commission.

☐ IS subject to review by the Historic Preservation Commission because:

☐ The property is located within the Village Center Historic District and/or is designated in Chapter 190-98B (2), Land Use & Development.

☐ The property is a national/state registered site or is locally identified in the master plan and the proposed improvements need variance relief.

☐ The property is located in a residential historic district described in the Historic Plan Element of the Master Plan and the proposed improvements need variance relief.

IF THE PROPERTY REFERENCED ABOVE REQUIRES REVIEW BY THE HPC, the property owner or applicant shall provide the HPC Secretary with 10 collated copies of the proposed plan, photos, drawings, and the completed HPC Application Permit. (Please request a review date from the Secretary at the time you file the application.) The HPC office is in the Engineering Division.

The property owner and/or applicant are invited to attend the meeting of the Historic Preservation Commission at which the application is reviewed.

If Planning Board or Zoning Board approval is also required, the Commission will issue a report to the appropriate Board. All other recommendations will be issued to the construction official.

Jane Wondergem, 3/18/2021
Signature of HPC Secretary - date

For further information regarding review by the Historic Preservation Commission, please call or contact Jane Wondergem at (201) 670-5500 ext: 240 or via email at: jwondergem@ridgewoodnj.net

CERTIFICATE OF PRIOR PLANNING AND ZONING BOARD ACTION

BLOCK 3308, LOT 13, 236 Walthery Avenue (STREET ADDRESS)

was the subject of:

Planning Board action on: _____

☐ A resolution is attached.

☐ A resolution is not attached. (If no resolution is available, provide a short explanation.) _____

☒ There are no records of any planning board applications for this property address.

[Signature] 3/18/21
Signature of Planning Board Secretary

Zoning Board action on: 7/27/83, 2/28/06

☒ A resolution is attached. 2/28/06

☒ A resolution is not attached. (If no resolution is available, provide a short explanation.) 7/27/83 - copy of index card

☐ There are no records of any zoning board applications for this property address.

[Signature] 3/18/21
Signature of Zoning Board Secretary

BLOCK 3308, LOT 13
236 Walthery Avenue

#83-30

Appeal of WALTER & ANNEGRETTE GREENBAUM for replacement
of existing screened porch with dwelling addition

Heard: 6/22/83

Decision: GRANTED, 7/27/83

- A. Exterior finish match existing dwelling
- B. All other V. regulations be complied with

VILLAGE OF RIDGEWOOD
ZONING BOARD OF ADJUSTMENT

OFFERED BY:

SECONDED BY:

IN THE MATTER OF THE APPLICATION OF
KEVIN AND KAREN McCANN

WHEREAS, KEVIN and KAREN McCANN, (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 3308, Lot 13, commonly known as 236 Walthery Avenue, in the Village of Ridgewood, State of New Jersey; and

WHEREAS, the applicants are requesting variance relief from Section 190-104 E (2) (3) (4) (10) & (12) of Article X of the Ridgewood Village Code to permit construction of an addition which will result in a front yard set back of 34.99 feet where 40 feet is the minimum required; a side yard set back of 7.60 feet where 10 feet is the minimum required; aggregate side yards of 15.23 feet where 16.5 feet is the minimum required; total lot coverage of 22.6% where 20% is the maximum permitted; and a floor area ratio of 33% where 30% 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 February 14, 2006 in regard to the subject application; and

WHEREAS, at said 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-2 zone and consists of a two story wood frame single family dwelling which is owned by the applicants.
2. The applicants propose to construct an addition which will result in a front yard set back of 34.99 feet where 40 feet is the minimum required; a side yard set back of 7.60 feet where 10 feet is the minimum required; aggregate side yards of 15.23 feet where 16.5 feet is the minimum required; total lot coverage of 22.6% where 20% is the maximum permitted; and a floor area ratio of 33% where 30% is the maximum permitted.
3. The proposed addition will consist of the expansion of the existing kitchen and foyer on the first floor and expansion and reconfiguration of two existing bedrooms and an added walk in closet and bathroom is proposed for the existing third bedroom on the second floor.
4. The applicants submitted architectural plans prepared by Rocco P. Orlando, A.I.A., dated September 30, 2005 at the public hearing. These plans depicted the site and floor plans and building elevations.

5. The subject property is significantly substandard in size consisting of 6,223 square feet in an area where 10,500 square feet is the minimum required which creates a hardship for the applicants' proposed addition meet or conform to the existing zone requirements.

6. The applicants' proposal maintains the existing set backs throughout the property and proposes no changes. The air conditioning condenser unit(s) shall be placed in a location conforming to the Village Ordinances.

7. The BOARD finds that the proposal is consistent with the zone plan and scheme of other residences in the immediate area of the subject property which significantly limits any negative impact that might be caused to the surrounding properties.

8. The BOARD concluded that the applicants' proposal presents the best utilization of the lot while limiting any potential negative impact it may have to the zone plan and neighboring properties which promotes sound zoning and planning.

BE IT RESOLVED on this 28th day of February 2006, 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;


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

4. All building and roofing materials shall match once construction is complete.

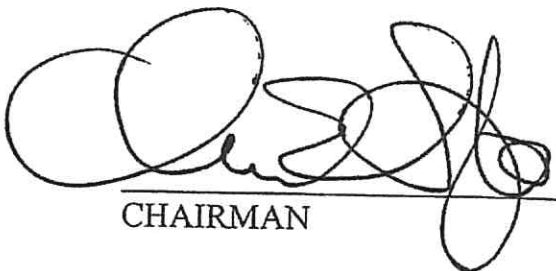
5. The variance relief granted in this Resolution shall terminate in accordance with Article VI, Section 190-36 of the Village of Ridgewood Ordinances unless any conditions or requirements stated therein have been satisfied or otherwise provided.

ADOPTED:

ATTESTED:



SECRETARY



CHAIRMAN