

6/1/06

Mr. Duncan offered the following Resolution and moved for its adoption:

**RESOLUTION APPROVING BULK VARIANCES
FOR COLEMAN AT 53 SHREWSBURY AVENUE**

WHEREAS, the applicant, JANET COLEMAN, is the owner of 53 Shrewsbury Avenue, Highlands, New Jersey (Block 49, Lot 8); and

WHEREAS, the applicant has filed an application to renovate the first floor and add a second floor addition to the single-family home; and

WHEREAS, all jurisdictional requirements have been met, and proper notice has been given pursuant to the Municipal Land Use Law and Borough Ordinances, and the Board has jurisdiction to hear this application; and

WHEREAS, the Board considered the application at a public hearing at a meeting on May 4, 2006; and

WHEREAS, the Board heard the testimony of the applicant, JANET L. COLEMAN, and her son, ROBERT COLEMAN;

WHEREAS, no persons appeared in objection or to ask questions regarding the application; and

WHEREAS, the applicant submitted the following documents in evidence:

- A-1: Variance application dated May 2005;
- A-2: Zoning Officer denial letter dated 1/27/05;
- A-3: 8/18/03 survey by THOMAS FINNEGAN;

A-4: Flood elevation certificate reflecting base flood elevation of 12 feet in the VE Zone.

A-5: 3 pages of architectural plans by MICHAEL SAVARESE dated 11/12/03 (recently revised, though no revision date appears thereon); and

WHEREAS, the Board, after considering the evidence and testimony, has made the following factual findings and conclusions:

1. The applicant is the owner of a single-family home in the R-2.02 Zone.

2. The current home has two bedrooms, one bath, a living room, dining room and kitchen. The home is partially demolished, the inside having been gutted. It is not habitable.

3. The applicant proposes to make no structural changes to the first floor (the living room, dining room, kitchen, bath and den will remain). The applicant proposes to add stairs and construct a second floor housing three bedrooms.

4. The footprint of the home will not change.

5. As a result of the master bath jutting out from the building, the side yard will be 7.6 feet.

6. The applicant seeks side yard variances of 8 inches on the north side and 6 inches on the south side.

7. The front line of the applicant's house will be in the same location after construction as it is today.

8. The applicant's home does not protrude into the front yard any more than others on her side of the block.

9. The deck which appears on the 2003 survey has already been removed.

10. The applicant proposes no new curbs or sidewalks.

11. The plans reflect the bottom of the floor joists being lower than provided by ordinance. The plans shall be changed to reflect 13 feet as the lowest level of the bottom of the floor joists.

12. The proposed changes to this home will not require a height variance.

13. The property provides on-site parking for two cars, in a stacked configuration.

14. This home was in deplorable condition. The proposed changes by the applicant will be a substantial and significant improvement to the property and the neighborhood. In fact, an existing eyesore will be removed.

15. The variances sought are de minimus, both being under one foot variation from the requirements in the zone.

16. The Board determines that the applicant's proposed plans will create a much more aesthetically pleasing home than was and is in that location.

17. The proposed addition will not be a substantial detriment to the public good and will not be a substantial impairment to the intent and purpose of the zone plan and zoning ordinance.

WHEREAS, the application was heard by the Board at its meeting on May 4, 2006, and this resolution shall memorialize the Board's action taken at the May 4, 2006, meeting;

NOW, THEREFORE, BE IT RESOLVED by the Zoning Board of Adjustment of the Borough of Highlands that the application of JANET L. COLEMAN to renovate the first floor and construction a second story addition to her home at 53 Shrewsbury Avenue (Block 49, Lot 8), as defined on the plans submitted and referenced herein, be and is hereby approved, and variances are hereby granted of 8 inches on the northern side yard and 6 inches on the southern side yard;

AND BE IT FURTHER RESOLVED that this approval is subject to the following conditions:

(1) The finished floor elevation shall be at least 13 feet, in conformance with the flood plain requirements.

(2) This approval is conditioned on the applicant obtaining flood review approval.

(3) The height of the home shall not exceed that permitted in the zone.

(4) In the event new curbs or sidewalks are desired or installed, new details for the same shall be required before any permits are issued.

(5) The architectural plans shall be modified to reflect the revision date by the architect.

Seconded by Ms. Ryan and adopted on the following roll call vote:

ROLL CALL:

AYES: Mr. Duncan, Mr. Braswell, Mr. Francy, Ms. Ryan, Mr. Mullen, Mr. Fox

NAYES: None

ABSTAIN: None

DATE: June 1, 2006

CAROLYN CUMMINS, BOARD SECRETARY

I hereby certify this to be a true copy of the Resolution adopted by the Zoning Board of the Borough of Highlands on June 1, 2006.

BOARD SECRETARY