

APPLICATION FORM VILLAGE OF RIDGEWOOD BOARD OF ADJUSTMENT

(THIS BOX FOR OFFICIAL USE ONLY)

RECEIVED NOV 22 2023

DATE RECEIVED: _____ BLOCK(S): 2312 LOT(S): 1

ADDRESS OF SUBJECT PROPERTY: 210 Orchard Pl

APPLICANT NAME: COHEN APPLICATION NO.: ZBA23-51

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 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 Jonathan Cohen & Danielle Cohen
- B. Applicant's Mailing Address 210 Orchard Place
- C. Applicant Telephone No. _____ If unlisted, check here
- D. Applicant Email jcohen07652@gmail.com
- E. Applicant's Attorney Name Matthew Weiss / Gail L. Price Price, Meese, Shulman & D'Arminio
- F. Applicant's Attorney Address 50 Tice Blvd Ste 380 Woodcliff Lake NJ 07677
- G. Attorney Telephone No. 201-391-3737 Attorney Email mweiss@pricemees.com
- H. Property Owner's Name Jonathan Cohen & Danielle Cohen
- I. Property Owner's Mailing Address 210 Orchard Pl, Ridgewood, NJ 07450
- J. Applicant's interest in land, if not owner (e.g., contract purchaser, owner's agent, etc.)

PART II. EXISTING PROPERTY INFORMATION

- A. Street Address of Property to be Developed 210 Orchard Pl, Ridgewood, NJ 07450
- B. Tax Map Block Number(s) 2312 Lot Number(s) 1
- C. Zone District(s) R-2 Single Family
- 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.).

One-story single family residence, concrete walk to home from Orchard Pl, paver walk to home from Briarcliff Rd, driveway providing access from Orchard Pl, detached garage.

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).

Proposed two-story addition in front and back of existing residence, proposed second-story addition to existing residence, relocation of a portion of existing concrete walkway to the east, proposed paver patio in back of proposed two-story addition, proposed portico in front of existing residence.

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.

- | | |
|--|---|
| <input type="checkbox"/> Historic Preservation Commission | <input type="checkbox"/> Road Opening Permit |
| <input type="checkbox"/> Health Department | <input type="checkbox"/> Bergen/Passaic County |
| <input type="checkbox"/> Construction Code Official | <input type="checkbox"/> Other Municipality |
| <input type="checkbox"/> Soil Movement Permit | <input type="checkbox"/> N.J. DEP (e.g., wetlands) |
| <input type="checkbox"/> Retaining Wall Permit | <input type="checkbox"/> N.J. DOT (e.g., State highway) |
| <input type="checkbox"/> Flood Hazard Area Construction Approval | <input type="checkbox"/> 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):

Front Yard Setback (from Briarcliff Rd) - 190-104E(2)

- 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))

ARGUMENTS IN FAVOR OF (C) VARIANCE

- §190-104E(2) Minimum Front Yard Setback (Briarcliff Rd)
 - 40 ft allowed, 20.4 ft proposed
 - This is an existing non-conforming condition, though the Applicant is adding a second story above the existing home so the condition will not be mitigated at all. However, this variance is required solely because the home is a corner lot. The address is 210 Orchard Pl; if the lot were not also fronting Briarcliff Rd (from which it has no access), the setback requirement on that lot line would be the side yard one instead, which is 10 ft minimum. The existing and proposed conditions would meet the side yard requirement from that lot line if applicable. The fact that this is a corner lot is not within the Applicant's control but does create a hardship. Granting this variance would not be a substantial detriment to the public good or substantially impair the intent and purpose of the zone plan and zoning ordinance.

VILLAGE OF RIDGEWOOD
ZONING BOARD OF ADJUSTMENT

Owner: Jonathan Cohen / Danielle Cohen

Property Address: 210 Orchard Place, Block 232, Lot 1

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: OCT 27 2023

Jonathan Cohen / Danielle Cohen
Jonathan Cohen / Danielle Cohen
Owner

Survey Affidavit



STATE OF NEW JERSEY
COUNTY OF Bergen

} SS:

Jonathan Cohen & Danielle Cohen
say(s) under oath:

1. **Representations.** If only one person signs this Affidavit, the word "we" shall mean "I." The statements in this Affidavit are true to the best of our knowledge, information and belief.
2. **Property.** We are the present owners (or duly authorized officers, partners, or members of the present owner), of Property located at 210 Orchard Place (called this "Property"), which ~~we~~ now do
3. **Survey.** We have examined the attached survey of this Property dated 6/1/23 made by Bive March Assoc.
4. **No Change.** The survey shows this Property in its present condition. There have been no changes in the boundary lines of this Property. There have been no changes in the principle building, accessory building, fences, driveway, sidewalks, patios, decks. There has been no installation of any new improvements such as a shed, patio, deck, relocation of sidewalk, patios or decks.
5. **Reliance.** We are aware that the Village of Ridgewood, Zoning Board of Adjustment will rely on the truthfulness and the statements made in this Affidavit in connection with the Variance Application that is submitted to the Zoning Board of Adjustment of the Village of Ridgewood.

Signed and sworn to before me on (date)


Jonathan Cohen

Danielle Cohen

The Ridgewood Zoning Board of Adjustment has the power to hear requests for variance relief under the Municipal Land Use Law. In applying for a variance, you must meet the criteria set forth in N.J.S.A. 40:55D-70(C).

“40:55D-70. Powers

c. (1) Where: (a) by reason of exceptional narrowness, shallowness or shape of a specific piece of property, or (b) by reason of exceptional topographic conditions or physical features uniquely affecting a specific piece of property, or (c) by reason of an extraordinary and exceptional situation uniquely affecting a specific piece of property or the structures lawfully existing thereon, the strict application of any regulation pursuant to article 8 of this act [40:55D-62 et seq.] would result in peculiar and exceptional practical difficulties to, or exceptional practical difficulties to, or exceptional and undue hardship upon, the developer of such property, grant, upon an application or an appeal relating to such property, a variance from such strict application of such regulation so as to relieve such difficulties or hardship; (2) where in an application or appeal relating to a specific piece of property the purposes of this act or the purposes of the “Educational Facilities Construction and Financing Act,” P.L.2000, c.72 (C.18A:7G-1 et al.), would be advanced by a deviation from the zoning ordinance requirements and the benefits of the deviation would substantially outweigh any detriment, grant a variance to allow departure from regulations pursuant to article 8 of this act [40:55D-62 et seq.]; provided, however, that the fact that a proposed use is an inherently beneficial use shall not be dispositive of a decision on a variance under this subsection and provided that no variance from those departures enumerated in subsection d. of this section shall be granted under this subsection; and provided further that the proposed development does not require approval by the planning board of a subdivision, site plan or conditional use, in conjunction with which the planning board has power to review a request for a variance pursuant to subsection a. of section 47 of this act [40:55D-60]; and

No variance or other relief may be granted under the terms of this section, including a variance or other relief involving an inherently beneficial use, without a showing that such variance or other relief can be granted without substantial detriment to the public good and will not substantially impair the intent and the purpose of the zone plan and zoning ordinance. In respect to any airport safety zones delineated under the “Air Safety and Zoning Act of 1983,” P.L. 1983. C.260 (C.6:1-80 et seq.), no variance or other relief may be granted under the terms of this section, permitting the creation or establishment of a nonconforming use which would be prohibited under standards promulgated pursuant to that act, except upon issuance of a permit by the Commissioner of Transportation. An applicant under this section may be referred to any appropriate person or agency for its report; provided that such reference shall not extend the period of time within which the zoning board of adjustment shall act”.

Please realize that under the pertinent New Jersey Land Use Law, the term “hardship” does not mean a personal hardship, but rather a hardship pertaining to the property itself. In connection

CERTIFICATE OF PRIOR PLANNING AND ZONING BOARD ACTION

BLOCK 2312, LOT 1, 210 Orchard Pl (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.

A. Wondrym 9/13/23
Signature of Planning Board Secretary

Zoning 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 zoning board applications for this property address.

A. Wondrym 9/13/23
Signature of Zoning Board Secretary



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 210 Orchard Pl, also known as Block 2312 Lot 1 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: 9/13/2023 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 2240

CERTIFICATE OF HISTORIC DISTRICT/SITE DESIGNATION

LOCATION OF PROPERTY: 210 Orchard Pt., also

known as BLOCK 2312 LOT 1

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, 9/13/2023
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: 2240 or via email at: jwondergem@ridgewoodnj.net