

APPLICATION FORM VILLAGE OF RIDGEWOOD BOARD OF ADJUSTMENT

(THIS BOX FOR OFFICIAL USE ONLY)		
DATE RECEIVED: <u>DEC 30 2024</u>	BLOCK(S): <u>2501</u>	LOT(S): <u>4</u>
ADDRESS OF SUBJECT PROPERTY: <u>396 Godwin Avenue</u>		
APPLICANT NAME: <u>Jackson</u>	APPLICATION NO.: <u>ZBA 24-39</u>	

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	\$400.00	\$2000.00
<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	\$400.00	\$2000.00

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 Michael Beadon Jackson
- B. Applicant's Mailing Address 396 Godwin Avenue, Ridgewood, NJ, 07450
- C. Applicant Telephone No. [REDACTED] If unlisted, check here
- D. Applicant Email [REDACTED]
- E. Applicant's Attorney Name _____
- F. Applicant's Attorney Address _____
- G. Attorney Telephone No. _____ Attorney Email _____
- H. Property Owner's Name Michael Beadon Jackson
- I. Property Owner's Mailing Address 396 Godwin Avenue, 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 396 Godwin Avenue, Ridgewood, NJ, 07450
- B. Tax Map Block Number(s) 2501 Lot Number(s) 4
- C. Zone District(s) R1
- 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.).

The property is a single-family home located on a corner lot. The existing development on the property includes:

- A single-family residence (primary building)
- A paved driveway providing vehicular access to the property
- No other notable buildings or structures are present on the property.

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 2nd floor addition encroaches into the front and side yard setbacks.
- Proposed 3rd floor dormer addition encroaches into the front yard setback.

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 variance = section 190-102 E-2

Side yard variance = section 190-102 E-3

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))
- "D" Variance (see §190-34G(1)(a), (b) and (c))

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

12/14/24

Date



Owner

12/14/24

Date

VILLAGE OF RIDGEWOOD
ZONING BOARD OF ADJUSTMENT

Owner: Michael Beaden Jackson

Property Address: 396 Godwin Avenue, Block 2501, Lot 4

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: 12/14/24


Owner

**ZONING COMPLIANCE TABLE - VILLAGE OF RIDGEWOOD
SINGLE-FAMILY OR TWO FAMILY DWELLING - NO SUBDIVISION**

The following table is to be completed for applications seeking a zoning permit or variance for a single-family or two-family dwelling. Note that this table is NOT intended for use with subdivision applications, which require additional information. If the proposal is not regulated by any or all of the conditions in the table, then the Zoning Officer may waive the requirement to complete some or all of the table.

BLOCK 2501 **LOT** 4 **ZONE** R1 **CORNER LOT?** Yes No

CONDITION - Note Reference	REQUIRED	EXISTING	PROPOSED	COMPLIANCE
Min. lot area (square feet) ¹	16,800	11,405	11,405	No
Lot area (sq. ft.) w/in [140] feet of front lot line	16,800	11,121	11,121	No
Min. lot width at min. front yard setback (feet) ²	100'	96'	96'	No
Min. front yard setback, principal building (feet) ³	40		44.6	Yes
	40		26.1	No
Min. each side yard setback, principal building (feet) ^{3, 4}	15'	3'	3'	No
Min. total both side yard setbacks, principal building (feet) ^{3, 4, 5}	N/A	N/A	N/A	N/A
Min. rear yard setback, principal building (feet) ³	30'	71.2'	69.2'	Yes
Max. building height, principal building (feet) ⁶	30'	27' - 8 1/2'	27' - 8 1/2'	Yes
Max. building height, principal building (stories) ⁷	2 1/2	2 1/2	2 1/2	Yes

V-1
V-2

Coverage by Above-Grade Structures

Max. coverage ⁸	(percent)	20%	17.6%	17.6%	Yes
	(sq. ft.)	2,281	2,015	2,015	Yes
Max. coverage within [140] feet of front lot line ^{8, 9}	(percent)	20%	18.1%	18.1%	Yes
	(sq. ft.)	2,242.4	2,012.9	2,012.9	Yes

Coverage by All Improvements

Max. coverage ¹⁰	(percent)	45%	30.9%	30.9%	Yes
	(sq. ft.)	5,132 / 5,600	3,529	3,529	Yes
Max. coverage within [140] feet of front lot line ^{9, 10}	(percent)	45%	31.7%	31.7%	Yes
	(sq. ft.)	5,132 / 5,600	3,529.0	3,529.0	Yes

Gross Building Area - Principal Buildings

Max. gross building area ¹¹	(percent)	32%	20.4%	27%	Yes
	(sq. ft.)	3,649 / 4,060	2,335	3,083.0	Yes
Max. gross building area within [140] feet of front lot line ^{9, 11}	(percent)	32%	20.9%	27.4%	Yes
	(sq. ft.)	3,587.84 / 4,060	2,335	3,083.0	Yes

Gross Building Area - Accessory Buildings

Max. gross building area ¹¹	(percent)	N/A	N/A	N/A	N/A
	(sq. ft.)	N/A	N/A	N/A	N/A
Max. gross building area within [] feet of front lot line ^{9, 11}	(percent)	N/A	N/A	N/A	N/A
	(sq. ft.)	N/A	N/A	N/A	N/A



VILLAGE OF RIDGEWOOD

131 N. Maple Ave.
Ridgewood, NJ 07450-3287

201-670-5500 Ext 5511
201-670-5532 Fax
taxcollector@ridgewoodnj.net

CERTIFICATION OF TAXES & ASSESSMENTS

Date: 12/30/24

Block: 2501 Lot: 4

Owner: Michael Jackson

Property Location: 396 Godwin Ave

Please be advised that of this date there:
(Check one)

ARE

ARE NOT

Delinquent property taxes or delinquent assessments for improvements due on the above referenced property.



Village of Ridgewood
Tax Collector's Office
(201)670-5500 EXT. 5511



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: 396 Godwin Ave, also
 known as BLOCK 2501 LOT 4

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.
- The property is located in a residential historic district described in the Historic Plan Element of the Master Plan.

IF THE PROPERTY REFERENCED ABOVE REQUIRES REVIEW BY THE HPC, the property owner or applicant shall provide the HPC Secretary with **9 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, 12/30/2024
 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

CERTIFICATE OF PRIOR PLANNING AND ZONING BOARD ACTION

BLOCK 2501, LOT 4, 396 Godwin Ave (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.

Aimee Wondryen 12/30/24
Signature of Planning Board Secretary

Zoning Board action on: 6/9/93, 11/5/97, 4/9/19

- 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.

Aimee Wondryen 12/30/24
Signature of Zoning Board Secretary

VILLAGE OF RIDGEWOOD
ZONING BOARD OF ADJUSTMENT

OFFERED BY:

SECONDED BY:

IN THE MATTER OF THE APPLICATION OF
CONNER HARTLEY AND SARAJILL HARTLEY

WHEREAS, CONNER HARTLEY AND SARAJILL HARTLEY of 396 Godwin Avenue, Ridgewood, New Jersey (hereinafter referred to as the "Applicant") have filed an Application with the Zoning Board of Adjustment of the Village of Ridgewood (hereinafter referred to as the "BOARD") for variance relief to permit the construction of a one story addition which will result in a side yard setback of 2.69 feet, where 15 feet is required for the Property known as 396 Godwin Avenue, Ridgewood, New Jersey and shown on the Tax Map of the Village of Ridgewood as Block 2501, Lot 4 (hereinafter referred to as the Property"), and

WHEREAS, the Applicant is requesting relief from Section 190-102E(3), Article X of the Ridgewood Village Code; and

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

WHEREAS, a public hearing was held on March 12, 2019, as it pertains to the variance application; and

WHEREAS, the BOARD by voice vote granted the variance relief sought by the Applicant; and

WHEREAS, in consideration of the testimony, statements, and documents submitted

during the course of the public hearing, the BOARD made the following findings of fact:

1. The Owner's of the property are Conner Hartley and SaraJill Hartley. The property is located in the R-1 Zone.
2. There is located on the Property a two story framed dwelling unit. The Property is irregular in shape being somewhat triangular with a lawfully existing structure with a 2.87 foot side yard setback. The dwelling unit is oriented towards Godwin Avenue, but is a corner lot since it also fronts on Lake Avenue.
3. The purpose of the addition is for the Applicant to enlarge the garage to make the garage usable for motor vehicle parking, and to provide for a mud room to the rear of the garage area. The addition is one story. The Applicant is proposing that with the construction of the addition, that the remaining existing patio that is not part of the addition will be converted to a lawn area, and this is a stipulation of the Applicant's submission.
4. The Board has determined that the addition to the dwelling unit is modest in size, and basically conforms to the existing side yard nonconformity which is currently at its closest point 2.69 feet, and which the Applicant is also proposing the same.
5. Variance relief is appropriate under N.J.S. 40:55E-70(C)(1). There is a lawfully existing structure on the Property. The Property is irregular by way of shape and size. Conformity in this instance to the Zoning requirements would constitute a hardship. Basically, the lot is 11,422 square feet, where 16,800 square feet is required, and the structure is located in the only area of this irregular shaped lot, where a structure could exist, and respect most of the bulk requirements of the Village Code. It is recognized that there is another existing nonconformity that being the front

yard setback to Lake Avenue, but that is not being exacerbated by virtue of this proposal. In addition, even though the lot is substandard in size, the Applicant does conform to the requirements for gross building area, and coverage by improvements within 140 feet of the front lot line.

6. The Board has determined that the improvements as proposed and as shown on the Plans submitted will not be detrimental to the Zone Plan or Zoning Ordinance of the Village of Ridgewood. The Board has determined that the Applicant's proposal does not constitute an over development to the site. Furthermore, one of the purposes under the Zoning Ordinance of the Village of Ridgewood is to promote the use of garages for the parking of motor vehicles and to have a usable garage. In this instance, the Applicant is meeting that planning goal.

NOW THEREFORE, BE IT RESOLVED, on this 9th day of April, 2019 by the Zoning Board of Adjustment of the Village of Ridgewood that the request for variance relief by the Applicant is hereby GRANTED subject to the following conditions:

1. The Applicant shall abide by the stipulations set forth in the Findings of Fact. The stipulations include the following:
 - A. The existing patio area that is not covered by the proposed addition will be converted back to lawn;
 - B. The addition will be one story;
 - C. The Zoning Table will be corrected.
2. The Applicant shall construct the addition in accordance with the Exhibits entered into evidence during the course of the Public Hearing, and as attached to the

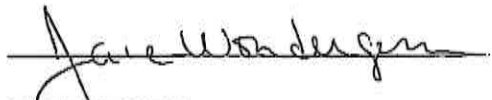
Application.

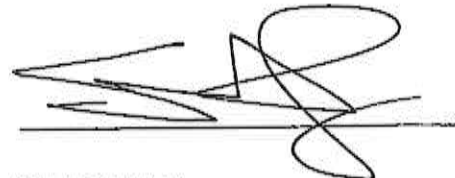
3. All construction shall be completed in accordance with all ordinances and building requirements of the Village of Ridgewood, the Uniform Construction Code of the State of New Jersey, and in accordance with the instructions of the Construction Official of the Village of Ridgewood.
4. Applicant is required to obtain a building permit, post all necessary fees and costs. No building permit shall be issued by the Village of Ridgewood for said construction on this Property until the Construction Code Official has received written verification that all fees have been paid to the Zoning Board of Adjustment of the Village of Ridgewood in regards to said Land Use Application that is the subject of this Resolution. If fees are due and owing, including fees in the escrow account for the Applicant, Applicant shall make payment forthwith in regards to same.
5. The variance relief granted by this Resolution applies only to such variance request as depicted in this Resolution.
6. In accordance with Ridgewood Village Ordinance 190-36a, the variance approval set forth herein shall expire unless the required building permits associated with said variance approval are obtained within one year of the date of the adoption of this Resolution, or within one year of the date all of the conditions precedent of

approval, if any, have been satisfied, whichever occurs later.

ADOPTED: April 9, 2019

ATTESTED:


SECRETARY


CHAIRMAN

BEW:cbp

OFFICIAL PUBLIC MONTHLY MEETING: Hartley, 396 Godwin Avenue, Block 2501, Lot 4

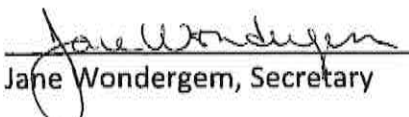
DATE OF DECISION: March 26, 2019

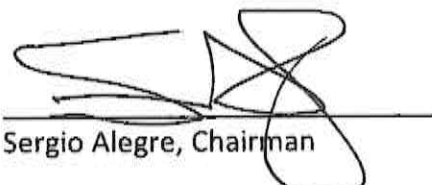
BOARD ACTION:

Board Member	Moved	Seconded	Ayes	Nays	Recused	Absent
Sergio Alegre Chairman			X			
Alyssa Matthews						X
Diana Ruhl	X		X			
Greg Brown						X
Gary Negrycz						X
Ines Bunza			X			
John Papietro		X	X			
Isaac Lebow Alternate #1			X			
Matthew Bandelt Alternate #2						X

DATE OF ADOPTION: APRIL 9, 2019

ATTESTED:


Jane Wondergem, Secretary


Sergio Alegre, Chairman

IN THE MATTER OF THE
APPLICATION OF
SCOTT and MELANNE MADDALENE

BE IT RESOLVED by the Zoning Board of Adjustment of the Village of Ridgewood, that the application of SCOTT and MELANNE MADDALENE for a variance from the strict enforcement of Section 190-102E(2)&(3), Article X of the Ridgewood Village Code in order to permit construction of a one story addition to an existing dwelling which would result in a side yard of 15 feet where a side yard of 18.6 feet is required, and would result in a front yard of 16.65 and 29 feet where a minimum front yard of 40 feet is required at property located at 396 Godwin Avenue (Block 2501, Lot 4) in an R-1 Zone, be and is hereby approved for the reasons, findings and conclusions set forth in a resolution, separate from but attached hereto, which resolution is adopted by reference and is hereby made a part of the official minutes of this Zoning Board of Adjustment, subject to the following:

- A. All other regulations of the Village of Ridgewood be complied with without exception.
- B. A building permit must be obtained before any work begins.
- C. Nothing contained in this decision shall supersede the provisions of the Uniform Construction Code of the State of New Jersey.
- D. The garage shall be fronted on Godwin Avenue.

IN THE MATTER OF THE
APPLICATION OF
SCOTT and MELANNE MADDALENE

WHEREAS, SCOTT and MELANNE MADDELENE have filed an appeal to this Board of Adjustment in order to permit construction of a one story addition to an existing dwelling which would result in a side yard of 15 feet where a side yard of 18.6 feet is required, and would result in a front yard of 16.65 and 29 feet where a minimum front yard of 40 feet is required, at property located at 396 Godwin Avenue (Block 2501, Lot 4) in an R-1 Zone; and

WHEREAS, the application was filed on July 25, 1997, seeking certain relief, requested pursuant to N.J.S.A. 40:55D-70(c); and

WHEREAS, the applicants appeared on their own behalf, testimony being taken and exhibits reviewed, at a public hearing, as required by law.

NOW, THEREFORE, BE IT RESOLVED that this Board of Adjustment make the following findings of fact:

1. All persons required to be served with Notice of hearing were duly served, and proof thereof has been duly filed with this Board.
2. Public hearing was held on October 8, 1997, at the Village Hall of the Village of Ridgewood, said meeting being scheduled, and advertised, and held pursuant to the Open Public Meetings Act.
3. The premises in question are located in an R-1 Zone.
4. Applicants are the owners of these premises by deed of February 1989, recorded in the office of the Clerk of Bergen County in Deed Book 6834 at page 296, et seq.
5. The site in question is located on the southwest

corner of Godwin Avenue and Lake Street, as shown on a survey prepared by Robert P. Boslard L.S., dated January 13, 1989.

6. There is an existing one family dwelling on the site.

7. Applicants seek to permit construction of a one story addition to an existing dwelling which would result in a side yard of 15 feet where a side yard of 18.6 feet is required, and would result in a front yard of 16.65 and 29 feet where a minimum front yard of 40 feet is required at property located at 396 Godwin Avenue (Block 2501, Lot 4) in an R-1 Zone.

8. Applicant's testimony may be summarized as follows:

A. The lot is a triangular shaped, corner lot, with existing non-conforming front and side yards.

B. The proposal will stay within existing set backs and will not increase any encroachments.

C. The garage will be fronted on Godwin Avenue.

D. The proposal will increase the aesthetic quality of the home.

E. There are no immediate neighbors on two sides of the triangle which are street fronts.

9. No objectors appeared.

THEREFORE, BE IT RESOLVED that this Board of Adjustment does make the following determinations:

1. The foregoing findings of fact, summary of testimony, and those matters which may be deemed argument, are made a part hereof as if set forth in full.

2. This is an application to vary the provisions of Section 190-102E(2)&(3), Article X of the Ridgewood Village Code, in order to permit construction of a one story addition to an existing dwelling which would result in a side yard of 15 feet where a 30 foot side yard of 18.6 feet is required, and would result in a front yard of 16.65 and 29 feet where a minimum front yard of 40 feet is required, at property located at 396 Godwin Avenue (Block 2501, Lot 4) in an R-1 Zone.

3. Such application is governed by N.J.S.A. 40:55D-70(c).

4. The property is irregular, being a triangle of land

impacted by the sharp angle of Lake Street.

5. Applicant's testimony has been summarized above.

6. The Board finds additionally:

A. That the proposed extension will have no detrimental effect on the value of any neighboring property or on the zoning plan and scheme of the Village of Ridgewood.

B. That the benefits outweigh any detriment by the grant of the variance relief requested.

C. The grant of relief here is not inconsistent with the Master Plan of the Village of Ridgewood.

D. This property is severely impacted by its size and shape.

E. Since no new encroachments will be created by this proposal, the requested relief is reasonable.

THEREFORE, BE IT RESOLVED that the application of SCOTT and MELANNE MADDALENE for a variance from the strict enforcement of Section 190-102E(2)&(3), Article X of the Ridgewood Village Code, in order to permit construction of a one story addition to an existing dwelling which would result in a side yard of 15 feet where a side yard of 18.6 is required, and would result in a front yard of 16.65 feet and 29 feet where a minimum front yard of 40 foot feet is required, at property located at 396 Godwin Avenue (Block 2501, Lot 4) in an R-1 Zone, be and is hereby approved, subject to the following:

A. All other regulations of the Village of Ridgewood be complied with, without exception.

B. A building permit must be obtained before any work begins.

C. Nothing in this decision shall supersede the provisions of the Uniform Construction Code of the State of New Jersey.

D. The garage shall be fronted on Godwin Avenue.

DATED: November 5, 1997

IN THE MATTER OF THE
APPLICATION OF
MR. and MRS. SCOTT MADDALENE

BE IT RESOLVED by the Zoning Board of Adjustment of the Village of Ridgewood, that the application of Mr. and Mrs. Scott Maddalene for a variance from the strict enforcement of Section 190-82R(1)(a), Article IX of the Ridgewood Village Code in order to permit construction of a deck which would result in a front yard of ± 11 feet where 40 feet is required and for the installation of a six (6) foot fence abutting and extending from the deck where the maximum allowed is a four (4) foot fence at property located at 396 Godwin Avenue, Block 2501, Lot 4 in an R-1 Zone be and is hereby approved for the reasons, findings and conclusions set forth in a resolution, separate from but attached hereto, which resolution is adopted by reference and is hereby made a part of the official minutes of this Zoning Board of Adjustment, subject to the following:

- A. All other regulations of the Village of Ridgewood be complied with without exception.
- B. A building permit must be obtained before any work begins.
- C. Nothing contained in this decision shall supersede the provisions of the Uniform Construction Code of the State of New Jersey.
- D. The fence hereby approved shall be painted and maintained in the same color as the house.
- E. The fence hereby approved shall be a maximum height of six feet above ground level.

IN THE MATTER OF THE
APPLICATION OF
MR. and MRS. SCOTT MADDALENE

WHEREAS, Mr. and Mrs. Scott Maddalene have filed an appeal to this Board of Adjustment in order to permit construction of a deck which would result in a front yard of ± 11 feet where 40 feet is required and for the installation of a six (6) foot fence abutting and extending from such deck where the maximum allowed is a four (4) foot fence where the maximum allowed is a four (4) foot fence at property located at 396 Godwin Avenue, Block 2501, Lot 4 in an R-1 Zone; and

WHEREAS, the application was filed on February 11, 1993 seeking certain relief, requested pursuant to N.J.S.A. 40:55D-70(c); and

WHEREAS, the applicant(s) appeared, testimony being taken and exhibits reviewed, at a public hearing, as required by law.

NOW, THEREFORE, BE IT RESOLVED that this Board of Adjustment make the following findings of fact:

1. All persons required to be served with Notice of hearing were duly served, and proof thereof has been duly filed with this Board.
2. Public hearing was held on May 19, 1993 at the Village Hall of the Village of Ridgewood, said meeting being scheduled, and advertised, and held pursuant to the Open Public Meetings

Act.

3. The premises in question are located in an R-1 Zone.

4. Applicant(s) are the owners of these premises by deed of February 16, 1989, recorded in the office of the Clerk of Bergen County in Deed Book 7275 at page 170, et seq.

5. The site in question is located on the southerly side of Godwin Avenue and fronts also on the northerly side of Lake Avenue, as shown on a plan prepared by Herbert Maddalene dated June 1, 1992.

6. There is an existing frame dwelling on the site.

7. Applicant(s) seek to permit construction of a deck which would result in a front yard of \pm 11 feet where 40 feet is required and for the installation of a six (6) foot fence abutting and extending from the deck where the maximum allowed is a four (4) foot fence at property located at 396 Godwin Avenue, Block 2501, Lot 4 in an R-1 Zone.

8. Applicant'(s') testimony may be summarized as follows:

A. Applicant's lot is unusually shaped and is substantially a triangle, with frontage on two streets creating two front yards under the Code.

B. Applicant seeks to create needed outdoor living and recreation space by erecting a deck at the rear of the house.

C. Applicant seeks to erect a six foot fence attached to the deck to screen the deck visually from Lake Street and from the traffic noise on such street.

D. The fence would only be approximately four feet above the level of the deck which is to be raised about eighteen inches above the ground.

9. No objectors appeared.

THEREFORE, BE IT RESOLVED that this Board of Adjustment does make the following determinations:

1. The foregoing findings of fact, summary of testimony, and those matters which may be deemed argument, are made a part hereof as if set forth in full.

2. This is an application to vary the provisions of

Section 190-90C(2) and 190-82R(1)(a), Article IX of the Ridgewood Village Code, in order to permit construction of a deck which would result in a front yard of \pm 11 feet where 40 feet is required and for the installation of a six (6) foot fence abutting and extending from the deck where the maximum allowed is a four (4) foot fence at property located at 396 Godwin Avenue, Block 2501, Lot 4 in an R-1 Zone.

3. Such application is governed by N.J.S.A. 40:55D-70(c).

4. The property is substantially triangular in shape, having 143.03 feet of frontage on Godwin Avenue and 190.91 feet of frontage on Lake Street.

5. Applicant'(s') testimony has been summarized above.

6. The Board finds additionally:

A. That the proposed deck and fence will have no detrimental effect on the value of any neighboring property or on the zoning plan and scheme of the Village of Ridgewood.

B. That the benefits outweigh any detriment by the grant of the variance relief requested.

C. The grant of relief here is not inconsistent with the Master Plan of the Village of Ridgewood.

THEREFORE, BE IT RESOLVED that the application of Mr. and Mrs. Scott Maddalene for a variance from the strict enforcement of Section 190-90C(2) and 190-82R(1)(a), Article IX of the Ridgewood Village Code, in order to permit construction of a deck which would result in a front yard of \pm 11 feet where 40 feet is required and for the installation of a six (6) foot fence abutting and extending from the deck where the maximum allowed is a four (4) foot fence at property located at 396 Godwin Avenue, Block 2501, Lot 4 in an R-1 Zone be and is hereby approved, subject to the following:

A. All other regulations of the Village of Ridgewood be complied with, without exception.

B. A building permit must be obtained before any work begins.

C. Nothing in this decision shall supersede the

provisions of the Uniform Construction Code of the State of New Jersey.

D. The fence hereby approved shall be painted and maintained in the same color as the house.

E. The fence hereby approved shall be a maximum height of six feet above ground level.

Dated: June 9, 1993.