

APPLICATION FORM VILLAGE OF RIDGEWOOD BOARD OF ADJUSTMENT

(THIS BOX FOR OFFICIAL USE ONLY)

DATE RECEIVED **RECEIVED FEB 10 2025** BLOCK(S): 2904 LOT(S): 16

ADDRESS OF SUBJECT PROPERTY: 525 N. Maple Avenue

APPLICANT NAME: Maxwell APPLICATION NO.: ZBA 25-10

| 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 | \$200.00 | |
| <input checked="" 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 | \$1,000.00 | |
| <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 | | |

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 Harold & Elizabeth Maxwell
- B. Applicant's Mailing Address 525 N. Maple Avenue, Ridgewood
- C. Applicant Telephone No. _____ If unlisted, check here
- D. Applicant Email _____
- E. Applicant's Attorney Name Bruce R. Rosenberg, Esq.
- F. Applicant's Attorney Address 21 Main Street Suite 101 Hackensack, NJ 07601
- G. Attorney Telephone No. 201-487-3800 Attorney Email brosenberg@winnebanta.com
- H. Property Owner's Name Harold & Elizabeth Maxwell
- I. Property Owner's Mailing Address 525 N. Maple 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 525 N. Maple Ave. (Corner Mulberry Pl.
- B. Tax Map Block Number(s) 2904 Lot Number(s) 16
- 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.

N/A

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.).

Two-family dwelling, with one dwelling unit in vintage two-story frame structure, and second dwelling unit in single-story frame wing. Driveway at left side of property connects to rear-facing garage door in single-story garage wing.

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.

Convert existing garage to family room, raising roof height. Replace existing garage with new freestanding two-car garage.

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 checked="" type="checkbox"/> Historic Preservation Commission | <input type="checkbox"/> Road Opening Permit |
| <input type="checkbox"/> Health Department | <input type="checkbox"/> Bergen/Passaic County |
| <input checked="" type="checkbox"/> Construction Code Official | <input type="checkbox"/> Other Municipality |
| <input checked="" type="checkbox"/> Soil Movement Permit (to be confirmed) | <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):

Expansion of legally-existing non-conforming two-family dwelling (190-104A.)

Existing orientation of property is not in conformance with definition of "lot line, rear" wherein rear lot line is defined that lot line opposite the shortest front lot line. This creates a violation of (190-104E. (5) rear yard of 22.7' where 30 ' is required.

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))

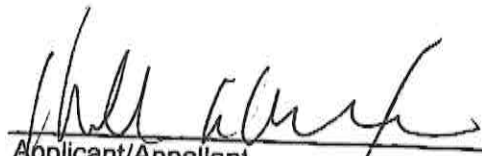
PART V. SIGNATURES AND AUTHORIZATIONS

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.

 1/15/25
Applicant/Appellant Date

Elizabeth A. Maxwell 1/15/25

 1/15/25
Owner Date



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, ExL 238
FAX: (201) 670-7305

FLOOD INSURANCE RATE MAP INFORMATION / CRS-320

The property located at 525 N Maple Ave, also known as Block 2904 Lot 14 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 +/- 93.00 (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: 105.48 Lowest Shingle Elevation: _____ First Floor Elevation: 107.70

Dated: 11/15/2024

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: 525 N. Maple Avenue, also
 known as BLOCK 2904 LOT 16

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, 11/15/2024
 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 2904, LOT 16, 525 N Maple Ave (STREET ADDRESS)

was the subject of:

Planning Board action on: May 14, 1999

- 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.

Jane Wondrasch 11/15/24
Signature of Planning Board Secretary

Zoning Board action on: May 18, 1970, Nov 26, 1975, May 12, 2020

- A resolution is attached. 1970 + 2020
- A resolution is not attached. (If no resolution is available, provide a short explanation.) 1975 - copy of index card

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

Jane Wondrasch 11/15/24
Signature of Zoning Board Secretary

BLOCK 2904, LOTS 16 and 17 GRANTED and RECOMMENDED TO
525 and 531 N. Maple Ave. BOARD OF COMMISSIONERS --

5-18-70

Dr. Harvey L. Small
(Samuel M. Lyon, Jr., Esq., Agent)

To convert an existing dwelling into a professional bldg. within a residential district. Also, to create a parking area on a transitional lot to be used with the proposed professional bldg. within a residential district. Application was for relief in two areas. One was granted, and the other, since it related to the use, could only be recommended to the Governing Body -- RECOMMENDED FAVORABLY TO THE GOVERNING BODY.

BLOCK 2904, LOT 16
525 N. Maple Avenue

#75-28

Appeal of HARVEY L. SMALL for construction of two additions to existing dwelling and garage

9-30-75 filed

10-22-75 heard

10/22/75 - Taken under advisement

11/26/75 - GRANTED w/ condition

Condition: "Both of such additions shall be erected in accord with the plot plan submitted with the application."

VILLAGE OF RIDGEWOOD

RESOLUTION

By _____ Councilman _____ Secured by _____ Commissioner Adelinger

WHEREAS, By resolution dated May 18, 1970, the Board of Adjustment of the Village of Ridgewood recommended that a use variance to permit the conversion of an existing dwelling to professional office use on lot 16, Block 2904, 525 North Maple Avenue, be granted to Dr. Harvey L. Small and further granted a variance to permit parking for 16 cars on lot 17, Block 2904, 524 North Maple Avenue, contingent upon the approval of the said variance; and

WHEREAS, the Planning Board after due deliberation did pass a resolution dated June 15, 1970, granting approval of a site plan submitted by the said Dr. Harvey L. Small for premises known as lot 16, in Block 2904, located at 525 N. Maple Avenue and lot 17 in Block 2904, located at 524 N. Maple Avenue, which approval is conditioned upon the affirmative action of the Board of Commissioners in granting final approval for the use variance previously recommended by the Board of Adjustment, and subject to all the terms and conditions of their approval; and

WHEREAS, attached hereto and incorporated herein are copies of the resolutions of the Planning Board and the Board of Adjustment with respect to this matter; and

WHEREAS, the Board of Commissioners having carefully considered both of the attached resolutions, does concur with the findings of the Planning Board and the Board of Adjustment in their actions with respect to the proposed use variance;

NOW, THEREFORE, BE IT RESOLVED, That the Board of Commissioners does hereby grant and hereby grant a use variance to Dr. Harvey L. Small for the conversion of an existing dwelling to a professional office building on lot 16, in Block 2904, otherwise known as 525 N. Maple Avenue, in a district otherwise zoned for R-2 residence district and in which the proposed use is prohibited, subject to all the terms and conditions set forth in the resolutions of the Planning Board dated June 15, 1970, and the Board of Adjustment dated May 18, 1970.

Village of Ridgewood
Planning Board
June 15, 1970
1970-222

SITE PLAN RESOLUTION
Dr. Small

WHEREAS, application has been made by Harvey L. Small for approval of a site plan of Lots 16 and 17 in Block 2904, for the proposed conversion of an existing dwelling to a professional office building on Lot 16, located at 525 N. Maple Avenue, and the provision of parking for 18 cars on Lot 17, located at 531 N. Maple Avenue; and

WHEREAS, reports on said site plan have been received from the Village Engineering Department, the Village planning consultant, and the attorney for the Planning Board; and

WHEREAS, the Site Plan Committee of the Village of Ridgewood Planning Board has reviewed the said site plan and has submitted to the Board its report containing the following findings:

1. The premises in question are located in the R-2 Single-Family Residence Zone District. Lot 16 in Block 2904 is owned by Harvey L. and Cynthia R. Small, and Lot 17 in Block 2904 is owned by Irving August, nominee for Dr. Harvey L. Small, Harold B. Sherr and Elliott Gordon. Lot 17 is a transitional lot.
2. The proposed use of Lot 16 is not permitted in the R-2 Zone District and the proposed parking for Lot 17 is prohibited by the transitional lot regulation.
3. On appeal by the applicant, the Board of Adjustment of the Village of Ridgewood on April 20, 1970, held a hearing and by resolution dated May 18, 1970, a copy of which is attached hereto and the factual determinations of which are incorporated herein and made a part hereof, granted the variance for Lot 17 conditioned upon the approval of a use variance for Lot 16 and recommended such use variance to the governing body of the Village of Ridgewood.
4. The plan as proposed will not violate the provisions of the Zoning Ordinance or the Master Plan of the Village of Ridgewood and those conditions imposed by the Board of Adjustment over which the Planning Board has jurisdiction have been met.

NOW, THEREFORE, BE IT RESOLVED: That pursuant to Sections 809 and 7705 and Article 7 of the Village of Ridgewood Zoning Ordinance No. 1516, the Planning Board does hereby grant approval of the site plan as prepared by Vincent D'Amore, architect, dated June 2, 1970, and revised to June 17, 1970, and directs the secretary to forward a copy of this resolution to the

BOARD OF ADJUSTMENT
VILLAGE OF RIDGEWOOD

IN THE MATTER OF THE APPLICATION
OF
HARVEY L. SMALL

R E S O L U T I O N

WHEREAS, HARVEY L. SMALL has appealed to this Board of Adjustment for a variance from the provisions of Section 1402 of Article 14 of Ordinance No. 1316 with respect to premises shown as Lot 16 in Block 2904 on the Ridgewood tax map and commonly known as 525 North Maple Avenue, Ridgewood, New Jersey, and for a variance from the provisions of Section 1102 of Article 11 of Ordinance No. 1316 with respect to premises shown as Lot 17 in Block 2904 on the Ridgewood tax map and commonly known as 531 North Maple Avenue, Ridgewood, New Jersey, by an appeal filed March 30, 1970; and

WHEREAS, said appeals were taken from decisions of the Zoning Officer of the Village of Ridgewood, determining that the proposed conversion of an existing dwelling on Lot 16 to a professional building is not a permitted use in the R-2 residence district and that construction of a proposed parking area on Lot 17 to accommodate the proposed use on Lot 16 is not permitted;

WHEREAS, said appeal was duly heard by this Board of Adjustment on April 20, 1970, at which time the applicant appeared by counsel Samuel N. Lyon, Jr., Esquire, and testimony was taken and exhibits were received in connection with the application;

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

1. All persons required to be served with notice of the hearing were duly served and proof thereof has been filed with the Board.
2. Lots 16 and 17 in Block 2904 are both located in the R-2 residence zone.
3. Lot 17 is a transitional lot.
4. The record owners of the premises identified as Lot 16 in Block 2904 are Harvey L. Small and Cynthia E. Small, his wife, by virtue of a certain deed dated March 31, 1993, and recorded in the office of the Clerk of Bergen County in Deed Book 3420 at page 77.
5. The record owners of the premises identified as Lot 17 in Block 2904 are Irving August (nominee for Drs. Harvey L. Small, Harold B. Shorr and Elliott Gordon), by virtue of a certain deed dated March 13, 1970, and recorded in the office of the Clerk of Bergen County in Deed Book 5399 at page 309.
6. There is presently erected upon Lot 16 a large one-family residential dwelling in which there is presently maintained a medical office for the practice of dentistry by Dr. Harvey L. Small.
7. The applicants propose to improve the premises at 525 North Maple Avenue (Lot 16 in Block 2904) by the erection of a small addition to the presently existing dwelling and thereby to

with a plan filed with the application.

8. It is proposed to abandon the residential use of the structure on Lot 16 and to devote the same solely to professional use as a medical office building.
9. It is proposed to provide parking for the proposed medical office building to be maintained on Lot 16 by using the rear portion of Lot 17 in Block 2904.
10. Lot 17 in Block 2904 is adjacent and contiguous to Lot 16 and is located to the north thereof and has erected thereon a one-family residential dwelling. The lot in question is a transitional lot under present zoning and use of the same for parking and residential use simultaneously would constitute a violation of Section 1102 of Ordinance 1315.
11. There was evidence to indicate that Lot 22 in Block 1509 across Maple Avenue from the premises under appeal was no longer devoted solely to residential use.
12. There was also evidence that premises identified as Lot 18, and formerly occupied as an ice cream store, had been changed in use and become a parking lot for cars in connection with an automobile dealership located further to the north of the premises under appeal. The use of this premises for a used car lot resulted in the installation of substantially increased lighting facilities which, while within the reasonable limits imposed by the building department, still constitute an excessive

place in the neighborhood, and in particular upon the premises under appeal.

13. There was also evidence to indicate that by reason of the location of the automobile dealership on Lot 20 in Block 2904, which is one lot removed from the parking lot on Lot 18, a public address system on Lot 20 was frequently used to communicate with employees working on Lot 18.
14. Lot 19 presently accommodates a food market.
15. Across Maple Avenue on Lot 21 in Block 1509 there is presently located a professional building. There is also located a Sunoco gas station adjacent to the medical building on the west side of Maple Avenue. In the immediate area there is also to be found a store and warehouse of a building supply and lumber yard.
16. Contrary to the business uses on Maple Avenue the premises fronting Mulberry Place, which intersects North Maple Avenue immediately to the south of Lot 16, and the premises fronting Bennett Place, which parallels North Maple Avenue and runs approximately at right angles to Mulberry Place, are residential in character and the rear lines of these properties; namely, Lots 13, 14 and 15, abut the rear lines of Lots 16 and 17, which are the premises under appeal.

17. There was testimony indicating that lightning to be installed on the premises under appeal would not remain on all night.
18. There was testimony tending to establish that the proposed development of the building on Lot 16 in a residential character without any substantial modification of its present residential appearance would result in no substantially adverse affect upon adjacent residential properties. Maple Avenue is a county road and the applicant gave notice to the Bergen County Planning Board, which by letter addressed to the Board of Adjustment and dated April 15, made certain recommendations and comments with respect to the proposed development of Lots 16 and 17.
19. Applicants indicated that the lots in question; namely, 16 and 17, in Block 2906, would ultimately be joined in one common ownership.

BE IT FURTHER RESOLVED, that this Board of Adjustment does hereby make the following determinations.

- (a) The foregoing facts are made a part hereof as if set forth in full.
- (b) The character of the neighborhood in which the premises under appeal are located, to the extent that it is regarded as the area on either side of North Maple Avenue, has substantially altered since the residential dwelling on Lot 16 was purchased by the applicant in 1953. The increased number of business uses has so changed the area that a residential use of Lot 16

other presently existing non-residential uses.

- (c) Contrariwise, the premises to the north of Lot 16 and to the rear (east) of Lots 16 and 17 are still residential in character and are likely to remain so for the future.
- (d) Lots 16 and 17 to the extent they are developed as proposed will, as hereinafter conditioned, constitute desirable buffer properties between residences fronting Barrett Place and Mulberry Place and the business and professional uses on Maple Avenue.
- (e) The requested variance from the provision of Section 1102 of Ordinance No. 1316 as it affects Lot 17 in Block 2904 may be granted, as hereinafter conditioned, without substantial impairment of the intent and purpose of the zone plan and ordinance and without substantial detriment to the public good.
- (f) Denial of the requested variance from the provisions of Section 1102 of Ordinance No. 1316 would result in exceptional and undue hardship upon the owner of Lot 17 in Block 2904 without in any substantial way furthering the intent and purpose of the zone plan and ordinance.
- (g) The requested variance to use Lot 17 as a parking area for vehicles in connection with a medical professional office on Lot 16 while maintaining a residential use on Lot 17 is hereby GRANTED on condition that:

(i) Title to Lots 16 and 17 shall be vested in one common owner and shall be so maintained for so long as parking is maintained on Lot 17. Proof of such common ownership shall be furnished to the attorney for the governing body hereafter.

(ii) All lighting hereafter installed on Lot 17 shall be subject to such conditions as to location, candle power, number, and hours of illumination as the Planning Board and governing body may hereafter fix to the end that all residential properties in the area shall be preserved from any undue or unreasonable interference in their residential use and enjoyment by reason of incursion of lighting or of glare from such lighting. Adequate screening to prevent similar incursion or glare from headlights shall also be furnished and maintained.

(iii) The variance to use Lot 17 as a parking area is conditioned upon the grant of the appropriate use variance with respect to Lot 16 in Block 2904.

BE IT FURTHER RESOLVED, that this Board of Adjustment does hereby make the following additional Determinations:

(a) Lot 16 in Block 2904 is well suited by reason of its location and by virtue of the substantial change in the character of the neighborhood along Maple Avenue, to be used as a professional building.

- (b) The requested variance from the provisions of Section 1401 of Ordinance No. 1316 as it affects Lot 16 in Block 2904, may be GRANTED, as hereinafter conditioned, without substantial impairment of the intent and purpose of the zone plan and ordinance and without substantial detriment to the public good.
- (c) Adequate special reasons exist by reason of the change in the character of the neighborhood to justify the grant of the requested use variance to use the premises on Lot 16 in Block 2904 as a medical professional building.
- (d) The requested variance to so use Lot 16 in Block 2904 is hereby recommended favorably to the governing body of the Village of Ridgewood on the following conditions:
- (i) Title to Lots 16 and 17 shall be vested in one common owner, and shall be so maintained for so long as the premises are used for professional medical building and transitional parking lot respectively.
 - (ii) All lighting hereafter installed on Lot 16 in Block 2904, shall be subject to such conditions as to location, candle power, number, and hours of illumination as the Planning Board and governing body may hereafter fix to the end that all residential properties in the area, particularly those fronting Mulberry Place and Barnett Place shall be preserved from any undue or unreasonable interference in their residential use and enjoyment by reason of any incursion of lighting or glare from such lighting.

screening to prevent similar incursion or glare from headlights shall also be furnished and maintained.

(iii) Any professional or other signs hereafter erected upon Lot 16 shall be so created as to face Maple Avenue to the end that the Mulberry Place frontage of the building shall appear substantially residential in character.

(iv) The building on the premises is to be modified in accord with the plot plan filed with the application (which plans are made a part hereof) to the end that the same will, as may be, continue to maintain its residential appearance.

(v) Parking facilities on Lot 16 (used in conjunction with Lot 17) are to be so provided as to make it unnecessary to back passenger vehicles into Maple Avenue.

(vi) The proposed driveway to be located on Lot 16 is to be widened adequately or moved southerly sufficiently to provide a 20 foot wide drive rather than an 18 foot wide drive where the same enters Maple Avenue.

(vii) A permit for access to Maple Avenue is to be obtained from the Bergen County Supervisor of Roads.

(viii) Notification shall be given to the Bergen County Shade Tree Commission in the event any shade tree along Maple Avenue requires removal.

HEREBY CERTIFY THAT THIS IS A TRUE
COPY OF A RESOLUTION PASSED BY THE

[Handwritten Signature]

RIDGEWOOD PLANNING BOARD

| | | |
|-------------------------------------|---|-------------------------------|
| IN THE MATTER OF THE APPLICATION OF |) | |
| MICHEL MOURAVIEFF FOR PRELIMINARY |) | RESOLUTION OF |
| MEMORIALIZATION |) | AS TO "OFFICIAL ACTION" |
| AND FINAL SITE PLAN APPROVAL WITH |) | GRANTING PRELIMINARY AND |
| VARIANCE RELIEF AS TO LOT 16 IN |) | FINAL SITE PLAN APPROVAL WITH |
| BLOCK 2904 |) | VARIANCE RELIEF ON |
| | | APRIL 20, 1999 |

WHEREAS, Michael Mouravieff (hereinafter referred to as the "Applicant"), 154 Unadilla Road, Ridgewood, New Jersey, is the contract purchaser of property located at 525 N. Maple Avenue, known as Lot 16 in Block 2904, (hereinafter referred to as the "Property") as shown on Sheet #29 of the current Tax Assessment Map of the Village of Ridgewood; and

WHEREAS, consent to the application has been received from the property owner, Harvey Small; and

WHEREAS, the Applicant has applied to the Planning Board of the Village of Ridgewood (hereinafter referred to as the "Board") for site plan approval to construct a small addition to a dental office/cottage practice in a residential zone; and

WHEREAS, the application also seeks approval of variance relief for minimum sidewalk width (§190-81B), minimum depth of parking space(s) (§190-90B), minimum aisle width (§190-90C), maximum permitted encroachment into front yard setback by steps (§190-104E(2)) and §190-119A(4)(g)), maximum illumination level at residential property line (§119-119F), and maximum ratio of professional office floor area to total dwelling floor area (§190-124C(3)); and

WHEREAS, approval is also sought for the provision of five (5) proposed parking

spaces, plus a landscaped area reserved for two (2) future parking spaces rather than the seven (7) spaces required for the home professional office (§190-124C(9) and §190-121E); and

WHEREAS, approval is also sought for a soil permit for the movement of 52 cubic yards of soil; and

WHEREAS, the application was deemed complete and accepted as a site plan application with variances on March 31, 1999; and

WHEREAS, the application was considered by the Board at its meeting of April 20, 1999, proper notice having been given in accordance with law for the public hearing portions of the matter; and

WHEREAS, on April 20, 1999, the Board determined to grant the requested site plan, certain variance approval and soil movement, subject to the imposition of certain conditions and memorialization of its action; and

WHEREAS, the Board now wishes to memorialize its action of April 20, 1999.

NOW, THEREFORE, BE IT RESOLVED by the Planning Board of the Village of Ridgewood as follows:

1. The Record. The record in this matter shall consist of:

a. The initial Application for site plan approval filed on February 4, 1999 and all exhibits attached thereto, together with subsequent filings on March 3, 1999 and March 10, 1999 of the tax payment certification and affidavit of owner regarding no easements, covenants or restrictions;

b. The Site Plan, entitled "Michel Mouravieff, 525 North Maple Avenue, Block 2904, Lot 16, Ridgewood, Bergen County, New Jersey," prepared by Andrew Marshall, Jr., P.E.

& L.S., Ridgewood, New Jersey, dated December 28, 1998, last revised March 24, 1999;

c. A seven (7) sheet set of architectural drawings entitled, "Proposed Offices for Dr. Michel Mouravieff," prepared by M. Michael Gorenstein, Architect-Planner, One Wight Place, Tenafly, New Jersey, dated January 7, 1999, last revised January 23, 1999 (Sheets A-1 through A-6) and January 25, 1999 (Sheet A-7). Said plans consisting of the following sheets:

- A-1 Demolition Plan, Foundation Plan
- A-2 Floor Plan, Roof Plan
- A-3 Equipment Outlet Plan, Reflected Ceiling Plan
- A-4 Elevations
- A-5 Sections
- A-6 Sections
- A-7 Notes

d. Review memoranda prepared by Blais L. Brancheau, Planning Consultant to the Board, including but not limited to memos dated March 31 and April 19, 1999;

e. Memoranda to the Board and Applicant prepared by Jeffrey S. Harke, P.E., Village Engineer, including but not limited to a memo dated April 16, 1999;

f. Report of Ridgewood Historic Commission dated January 11, 1999;

g. Prior resolutions (1970 and 1975) affecting the subject Property adopted by the Village Board of Commissioners, Planning Board and Board of Adjustment.

h. Inter-office correspondence to the Planning Board from Chief of Police for the Village dated February 26, 1999;

i. All other correspondence received from Village agencies and departments pertaining to this application and all other documents on file with the Planning Board Clerk;

j. All presentations, exhibits, testimony and discussions made or introduced at the meeting of April 20, 1999;

2. Findings and Conclusions. The Board hereby makes the following findings of fact and conclusions of law based upon the record:
- a. The subject Property is located on the northeasterly corner of North Maple Avenue and Mulberry Place, being located in the R-2 single family zone.
 - b. The Property is currently improved with an existing dwelling and professional dental office, together with various site improvements. Initial site plan approval and use variance approval was issued in 1970 by various Village agencies.
 - c. The within application seeks approval to add a small addition of 188 square feet to the existing professional office component of the dwelling. Additional proposed improvements include expansion of the paved parking area, minor modification to the existing driveway, installation of a walkway and handicap-accessible ramp, exterior lighting modifications and installation of a seepage pit for the retention of storm water runoff.
 - d. The Applicant provided the Board with background testimony regarding his practice and the property itself. He currently has a dental practice located on Ridgewood Avenue and seeks to move his practice and his home to the subject Property. He explained that his practice is limited to cosmetic and reconstructive dentistry and that he, in fact, would be the only dentist practicing on the Property. He projected that the typical appointment would last one to four hours, that there would be three employees required for the practice, including a dental hygienist who would be working on one hour appointment time frames. Dr. Mouravieff confirmed that no patients would be seen on Fridays and Saturdays and that he limited those days for preparation of paperwork. He advised the Board that the request for office expansion was due to his need for additional space for sterilization and x-ray diagnostic equipment. He also

touched upon various other site improvements proposed by way of the site plan, including lighting modifications, the handicap entrance ramp, variance for parking and landscaping issues.

e. Expert testimony was received from the Applicant's engineer, Andrew Marshall, Jr., P.E. & L.S. Mr. Marshall testified in support of the requested variances for number of parking spaces, the addition of one lighting fixture to the rear of the property, deviation from the maximum "professional office floor area to total dwelling floor area", encroachment into the front yard by steps, and the variances related to parking space size and driveway width.

f. The Applicant also presented expert testimony from his architect, Michael Gorenstein, A.I.A. Mr. Gorenstein's focus of testimony was with regard to the installation of the requested handicap ramp, its affect on aesthetics, possible landscaping options and other mitigating factors.

g. The Board takes note that the following violations of the Village Land Use Ordinance are proposed by way of this application:

- (i) Minimum sidewalk width. §190-81B requires sidewalks to be at least four feet wide. The proposed sidewalk between the parking area and the professional office entrance is only 3.33 feet wide (3' - 4").
- (ii) Minimum depth of parking space. §190-90B requires the depth of parking spaces to be at least 20 feet, unless a 2 foot overhang area is provided, in which case the space depth must be at least 18 feet. The proposed parking spaces are 18 feet deep, but a hemlock hedge at the end of the parking spaces does not allow for vehicle overhangs, thus a 20 foot space depth is technically required by Code.
- (iii) Minimum aisle width. §190-90C requires the width of aisles for 90 degree parking spaces to be at least 24 feet. The proposed aisle

is only 23 feet wide.

- (iv) Maximum permitted encroachment into front yard by steps. §190-104E(2) requires a minimum front yard of 40 feet. §190-119A(4)(g) permits unenclosed steps to encroach up to 5 feet into a required front yard. The steps and proposed accessible ramp encroach 7 feet into the Mulberry Place front yard.
- (v) Maximum illumination level at residential property line. §190-119F limits the illumination from site lighting fixtures to no more than 1.0 footcandle at any residential property line. It is estimated from the footcandle contour which has been provided by the Applicant that the illumination level at the residential property line to the east is as high as 2.5 footcandles.
- (vi) Maximum ratio of professional office floor area to total dwelling floor area. §190-124C(3) limits the habitable floor area of home professional offices to no more than 25% of the total habitable floor area of the dwelling. The proposed home professional office habitable floor area is approximately 1,036 square feet, which is 28.5% of the total habitable floor area of the dwelling.
- (vii) Required parking spaces for home professional office. §190-124C(9) requires seven (7) parking spaces for the referenced home professional dental office. §190-121E allows the Planning Board to approve the construction of less parking than otherwise required if the Applicant reserves a landscaped area that could be used to bring the number of spaces into compliance and if the Applicant demonstrates that the particular use does not need the number of required spaces. The proposed plans show five (5) parking spaces, plus a landscaped reserved for two (2) future parking spaces.

h. N.J.S.A. 40:55D-70(c)(2) allows the Planning Board to grant the requested relief when the benefits of the deviation substantially outweigh the detriments and when the purposes of the Municipal Land Use Law would be advanced by such a deviation. This is commonly referred to as the positive criteria required to satisfy the burden of proof for such variance relief. In addition, the Applicant must demonstrate satisfaction of the negative criteria,

that is it must be demonstrated that there would be no detriment to the public good and that the deviation would not substantially impair the intent of the zone plan or ordinance of the Village.

The Board notes that in addition to the lay and expert testimony received on behalf of the Applicant, that several members of the public spoke in support of the application. However, these neighbors voiced concern with regard to potential mitigation of possible detriments which would be created by certain of the requested variances.

i. Based upon the aforesaid testimony and specific findings of the Board, the following action is taken with regard to the variances:

1. Sidewalk width and front yard encroachment. The Board hereby grants the requested variance relief for these deviations, subject to the Applicant developing a landscaping plan that is acceptable to the Village Engineer which will serve to mitigate the potential negative aesthetic impact of the sidewalk, ramp and steps in the front yard area of Mulberry Place. It is noted that the Applicant and his engineer stipulated that they were willing to do "whatever was necessary to mitigate the concerns" regarding the aesthetics.

2. Minimum parking space depth and minimum aisle width. The Board finds that these violations are fairly de minimus in nature. However, in support of approval of the requested variances, the Applicant must remove the existing hemlock hedge and replace same with a decorative solid screening fence which will allow for proper aisle width and vehicular overhang. The Board finds, based upon advice from its engineer and planning consultant, that the existing hemlock hedge will suffer from the proposed site construction due to the close proximity of pavement to the roots and trunk. Additionally, the Board notes that hemlocks have fared poorly in many areas in recent years due to various insect infestations, and

may have to be replaced eventually, regardless of pavement expansion. The new screening must be submitted for review and approval by the Village Engineer and Planning Consultant.

3. Maximum lighting illumination. The Board finds that the proposed illumination level at the residential property line to the east of 2.5 footcandles is unacceptable. The Board finds that the proposed mounting height of the rear yard light of 14 feet can, in all likelihood, be lowered, subject to the approval of the Village Engineer. Additionally, the light must be fully shielded to comply with the ordinance requirement of an intensity of no more than 1.0 footcandle at any residential property line. The existing building floodlights shall be removed and the ultimate lighting design approved by the Village Engineer to ensure that there is no off-site spillage.

4. Maximum ratio of professional office floor area to total dwelling floor area. The Board hereby finds the testimony of Dr. Mouravieff to be credible as it relates to the explanation of his cosmetic and reconstructive dental practice. It further finds the proposed office expansion to be fairly minor in extent and notes the Applicant's willingness to address other site improvement concerns expressed by the Board, its professionals and neighborhood residents. This variance is specifically limited to the stipulation that Dr. Mouravieff will be the sole licensed dentist practicing on the subject Property, and that he will be residing in the residential portion of the structure. In the event these conditions are violated, the variance will be deemed null and void.

5. Required number of parking spaces. The neighborhood residents who spoke in connection with the application referenced their sincere appreciation for the Applicant's attempt to keep the Property as green as possible. They spoke in favor of the

request for deviation for five proposed parking spaces plus a designated landscaped area for two reserved future parking spaces. During the course of the hearing, the Applicant presented satisfactory proofs to the Board to demonstrate that seven spaces are not needed at the present time for this use. Pursuant to §190-120E, the Board is afforded the ability to approve construction of less parking than otherwise required due to satisfactory proof that the Applicant can bring the site into compliance if and when the use demands the same. The Applicant also agreed on the record to make his garage space available if and when the same is required for employees' use. The Board is satisfied that the five proposed spaces will be sufficient to service the Applicant's dental practice. The Applicant has no permission to expand the parking area beyond the designated five spaces without returning to the Board on an amended application for site plan approval, at which time the Board will consider the benefits and detriments involved in any modification of the parking area.

j. The Applicant has also agreed, and the Board incorporates his stipulation into this Resolution, to comply with the recommendations contained in the April 19, 1999 memorandum of Blais L. Brancheau, Planning Consultant to the Board, and April 16, 1999 memorandum from Jeffrey S. Hartke, Village Engineer. Specifically, the Applicant will cause compliance with the following comments:

- (i) As previously stated, the subject property will be limited in use to one dental practitioner, specifically, Dr. Mouravieff. This condition is in strict compliance with §190-124C(6) of the Village Code.
- (ii) The barrier-free parking space designated on the plan shall be made van-accessible as required by A.D.A. guidelines.
- (iii) The proposed roof drains shall be connected to the onsite drainage system. The plans shall be revised to portray the correct building

envelope. The minimum side yard and rear yard have been reversed. Additionally, the zoning table should be revised to show the correct coverage. §190-124C(5) of the Code limits "the total ground coverage of any above-grade structures in parking areas." The coverage area indicated does not include all of the building area nor the parking area.

(iv) The specification for the driveway pavement shall be increased to 1-1/2" thick I-5 Surface Course, 4" thick Stabilized Base Course, with 4" Dense Graded Aggregate, if soil conditions warrant.

(v) Duration of illumination on the site shall be limited as agreed to by the Applicant and his experts. Although the Code permits business hour lighting to extend until 9:00 p.m., the Applicant has specifically agreed to extinguish the exterior lights no later than 6:30 p.m.

Based upon the foregoing recitation of findings and conclusions, the Board hereby finds that the application can be approved with the referenced modifications and imposition of conditions.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Board of the Village of Ridgewood hereby memorialize its action of April 20, 1999 and approves the application of Michel Mouravieff for site plan approval, together with certain variance relief and soil movement as contained in the body of this Resolution, subject to the following conditions:

1. The Applicant shall obtain all other necessary governmental approvals and permits and shall perform all acts of compliance which may be required under applicable federal, state, county and local statutes, regulations and ordinances. The Applicant shall submit to the Planning Board copies of all permits and approvals or, in the alternative, written verification that no permits or approvals are required. The Board reserves the right to require further review of this application in the event that another governmental entity requires "substantial modifications or revisions" to the plan as approved.

2. The plan shall be amended herewith to include all required changes noted herein and those which may be further required by the Village engineer and Planning Consultant.

3. All conditions and stipulations of approval contained in the body of this Resolution are included herein as if they were repeated at length. The Applicant agrees to be bound by all such conditions.

4. The Applicant shall post any and all necessary escrows and fees required in connection with this application, approval, subsequent inspections and any other work encompassed by way of the approval. If applicable, the Applicant shall immediately current any negative balances in the legal and engineering escrows posted for review of the application. The Applicant shall further agree to keep all future accounts current.

5. Notice of this decision shall be published in the official newspaper of the Village of Ridgewood.

BE IT RESOLVED, that the members of this Planning Board who voted in favor of said site plan approval and variance decision at its official public meeting held on the 20th day of April, 1999 do hereby MEMORIALIZE AND CONFIRM the foregoing findings of fact, determinations and decision set forth in this resolution of memorialization as the "official action" taken by this Planning Board on said date in accordance with the provisions of N.J.S.A. 40:55D-10(g)(2) of the New Jersey Municipal Land Use Law this 18thth day of May, 1999.

P.B. RESOLUTION _____

I hereby certify that this resolution of memorialization consisting of ten pages was duly adopted by a majority vote of the members of the Ridgewood Planning Board who voted in favor of said approval decision, a quorum of the membership being present, at the official public meeting of said Planning Board held on the 18th day of May, 1999.

BARBARA CARLTON, Recording Secretary
and Clerk of the Planning Board of the Village
of Ridgewood

Official Public Monthly Meeting:
May 18, 1999

**VILLAGE OF RIDGEWOOD
ZONING BOARD OF ADJUSTMENT**

OFFERED BY:

SECONDED BY:

**IN THE MATTER OF THE APPLICATION OF
MICHEL MOURAVIEFF AND LINDA M. MOURAVIEFF**

WHEREAS, MICHEL MOURAVIEFF AND LINDA M. MOURAVIEFF of 525 North Maple Avenue, Ridgewood, New Jersey (hereinafter referred to as the "Applicant") have made an application to the Zoning Board of Adjustment of the Village of Ridgewood (hereinafter referred to as the "BOARD") for use variance relief to permit the conversion of an existing professional office suite into a second dwelling unit for the Property known as 525 North Maple Avenue, Ridgewood, New Jersey and shown on the Tax Map of the Village of Ridgewood as Block 2904, Lot 16 (hereinafter referred to as the Property"), and

WHEREAS, the Applicant is requesting relief from Section 190-34A Article VI and 190-104 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, public hearings were held on April 9, 2019, February 11, 2020 and March 10, 2020 as it pertains to the use variance application; and

WHEREAS, the BOARD reviewed the Exhibits as more particularly listed on Schedule A which were entered into evidence, and accepted testimony in support of the proposal from Applicant as well as the Applicant's Expert Witness, Peter Steck, PP; 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 owners of the property are Michel Mouravieff and Linda M. Mouravieff. A two story single family residence and a one story attached doctor's office with associated parking is located on the Property. The property is located in the R-2 Zone.
2. Dr. Michel Mouravieff, a Dentist, and his Wife Linda M. Mouravieff reside in the single family dwelling unit on the Property. Originally the prior owner Dr. Harvey L. Small received variance relief in 1970 and 1975 to permit medical office use of the premises as well as two additions to the structure that was located on the Property. The Applicant received approvals from the Ridgewood Planning Board in 1999 whereby he was granted site plan and soil movement approval and certain variance relief to permit the construction of a small addition to the dental office on the Property, and to use and occupy the improvements as a professional office. One of the conditions of that Resolution was that Dr. Mouravieff would be the sole licensed Dentist practicing on the Property, and that he would be residing in the residential portion of the structure. After those approvals, the Applicant purchased the Property and has conducted a dental practice on the Property for more than 15 years while living there.
3. The original single family dwelling unit was known as the "Terhune Home" was constructed in the 19th Century and it was actually relocated to its present location and restored.

4. In their initial Application, the Applicant sought approval for the elimination of certain conditions in the prior Resolution to permit a third party Dentist to occupy a dental office in the structure, while the Applicant still resided in the residential dwelling.
5. The Applicant has amended their Application to request the ability to lease the professional office area to a third party for use and occupancy as a residential apartment, thereby creating a two family home on the Property. The Applicant does not propose to perform alterations or construction to the existing structure other than making interior modifications to convert the professional office space to a second dwelling unit. A two family use is not a permitted use in the R-2 Zone and therefore, the Applicant seeks a use variance pursuant to N.J.S.A. 40:55D-70(d)(1), and Section 190-34A of the Village Code from the requirements set forth in Section 190-104 of the Village Code. In addition, the Applicant seeks to continue with certain existing nonconforming conditions on the Property which are as follows:
 - A. Front yard setback on North Maple Avenue is 42.6 feet, where 44.375 feet is required;
 - B. Front yard setback to Mulberry Place is 39.8 feet, where 40 feet is required;
 - C. Rear yard setback is 26.6 feet, where 30 feet is required.
6. The Board recognizes that the lot itself is oversized being 25,041.7 square feet, where 14,700 square feet is required. It has a side yard setback of 45 feet, where 10 feet is required, total coverage by above grade structures of 15%, where 20% is the maximum permitted, maximum gross principal building area of 4,500 square feet,

where the maximum of 5,008 square feet is permitted, maximum improvement coverage of the total lot of 31.07%, where 35% is the maximum permitted.

7. The structure itself has historic characteristics, and from a planning perspective, should be preserved.
8. The Applicant's request to permit a second dwelling unit in the 900 square foot dental office will result in abandonment and elimination of the prior use variance granted to the Applicant for use as a dental office, and by virtue of the Applicant's proposal, the commercial use of a portion of this Property is eliminated. The existing commercial use is not a permitted use in the R-2 Zone.
9. The Board has reviewed the Applicant's proposal in comparison to the surrounding conditions that exist, and has made the following findings:
 - A. This Property is next to the R-5 Zone that permits multi-family residential units, and there is in fact garden apartments bordering this Property;
 - B. There are commercial uses within the immediate vicinity including a bank that borders the Property.
10. The Board has reviewed this Application from a planning perspective, and has made the following findings of fact:
 - A. Based upon the historic nature of the structure, it is appropriate to preserve this structure and not have the Property redeveloped;
 - B. The Property is located in what could be considered a transition area between residential uses and commercial uses;
 - C. By converting this to an additional residential unit, the Property is closer to what the R-2 Zone is intended for, namely a residential use;

- D. The Property is oversized, and the residential use as proposed can be accommodated;
- E. From a use standpoint, the second residential use on the Property will be much less intense of a use than the dentist office. There will be less activity, less traffic and the use will be more in keeping with the Zone the Property is in. It is recognized that the current use is nonconforming and was granted approval by way of a variance. Elimination of this type of use and substituting a use that is more in keeping with the R-2 Zone, has a positive impact from a planning perspective.
11. The Board has determined that use variance relief is appropriate in this instance based upon the fact that the residential use proposed is more appropriate than the current professional use, the Property is near a multi-family use, this use is less intense, the historic structure can be preserved, the proposed use fits within the neighborhood scheme, and the Property itself is particularly suited for the use. The foregoing reasons also serve as a basis to support the finding that variance relief can be granted in this instance without substantial detriment to the Zone Plan or Zoning Ordinances of the Village of Ridgewood. To the contrary, the use as proposed is more in keeping with the R-2 Zone residential use than the current use that was created by a use variance. In addition, it is recognized that preserving the historic aspect of this Property and its structure, meets one of the purposes of the Municipal Land Use Law.
12. Based upon the foregoing reasons, the Board has determined that use variance relief is appropriate in this instance.

13. The Applicant seeks variances from the minimum front yard and minimum rear yard setbacks as previously listed in this Resolution. These are pre-existing nonconforming conditions. Because there is a change proposed in the use, variance relief is required. The Board has determined that variance relief is appropriate in this instance because as previously referenced, the purposes of the Municipal Land Use Law are being promoted and advanced as it pertains to this proposed variance relief, and the benefits of granting these variances substantially outweigh the detriments. The Board further recognizes that this is a lawfully existing structure that is not being expanded, and that the proposed use will be less intense than the current use. By virtue of the less intense use, the setback deficiencies can easily be accommodated with the residential use proposed. For the reasons previously enumerated in this Resolution, there is no substantial impairment to the intent and purpose of the Zone Plan and Zoning Ordinances of the Village of Ridgewood, and there is no substantial detriment to the public welfare.

NOW THEREFORE, BE IT RESOLVED, on this 12th day of May, 2020 by the Zoning Board of Adjustment of the Village of Ridgewood that the Applicant's request for variance relief to permit the conversion of the professional office to a second dwelling unit and residential use, and to grant variance relief for the minimum front yard and minimum rear yard setbacks that exists is hereby GRANTED subject to the following conditions:


1. By virtue of this approval, the prior commercial use approval as granted by use variances in prior Resolutions affecting this Property, have now been eliminated. The use of a portion of the structure for a commercial use, is now abandoned.

2. The structure cannot be expanded in any manner whatsoever. The new residential unit shall be constructed within the area and confines of the professional office which is approximately 900 square feet. It will contain a maximum of two bedrooms. This unit cannot be expanded to within the interior of the other existing single family unit.
3. The conditions set forth in this Resolution shall run with the land as restrictive covenants that must be adhered to by all successors in title. For that purpose, an appropriate deed shall be recorded in the Bergen County Clerk's Office confirming this restrictive covenant. Said deed shall be prepared by the Applicant's Attorney, and shall be submitted to the Board Attorney for review and approval.
4. The variance relief granted by this Resolution applies only to such variance request as depicted in this Resolution.
5. All construction for the interior of the unit for purposes of converting the unit from a dentist's office to a residential unit shall be in accordance with all pertinent requirements of the Construction Code, and all necessary permits shall be obtained by the Applicant relative to same.

ADOPTED: May 12, 2020

ATTESTED:


SECRETARY


CHAIRMAN

BEW:cbp
(Ridgewood.Mouravieff.)

OFFICIAL PUBLIC MONTHLY MEETING: Mouravieff 525 North Maple Avenue,
Block 2904, Lot 16

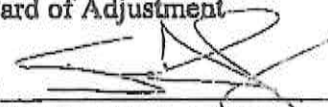
DATE OF DECISION: March 10, 2020

BOARD ACTION:

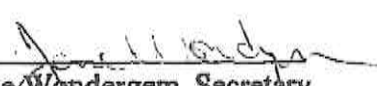
| Board Member | Moved | Seconded | Ayes | Nays | Recuse | Abstain | Absent |
|--------------------------------|-------|----------|------|------|--------|---------|--------|
| Sergio Alegre Chairman | | | | X | | | |
| Diana Ruhl | | | X | | | | |
| Greg Brown | X | | X | | | | |
| Gary Negrycz | | | X | | | | |
| John Papietro | | | | X | | | |
| Isaac Lebow | | | | | | | X |
| Matthew Bendelt | | X | X | | | | |
| Daniel Perlman Alternate #1 | | | X | | | | |

DATE OF ADOPTION: MAY 12, 2020

Village of Ridgewood Zoning
Board of Adjustment

By 
Sergio Alegre, Chairman

ATTESTED:


Jane Wondergem, Secretary

SCHEDULE A

**APPLICATION OF MICHEL MOURAVIEFF AND LINDA MOURAVIEFF
TO THE VILLAGE OF RIDGEWOOD ZONING BOARD OF ADJUSTMENT
EXHIBIT LIST**

EXHIBITS MARKED AT APRIL 9, 2019 HEARING:

- Exhibit A-1 Application Form -One or Two-Family Dwellings, Village of Ridgewood Board of Adjustment, with attachments consisting of Addendum to Application (2 pages), Resolutions and records from prior application to the Ridgewood Planning Board and Board of Commissioners (24 pages), Historic Atlas Map (1 page), and Photographs (2 pages)
- Exhibit A-2 Zoning Compliance Table
- Exhibit A-3 Variance Application Checklist
- Exhibit A-4 Letter dated March 28, 2019 from Robert J. Inghima, Jr., Esq., attorney for Applicants, to Jane Wondergem, Secretary, Ridgewood Board of Adjustment, setting forth amendment of application
- Exhibit A-5 Plat of Survey of Premises located at 525 North Maple Avenue dated October 16, 2018 prepared by Paul J. Troast, P.L.S.
- Exhibit A-6 Existing Office Plan for Mouravieff Office 525 N. Maple Avenue (Sheet A-1) dated September 7, 2018, prepared by Michael Gorenstein, Architect
- Exhibit A-7 Letter dated April 3, 2019 from Robert J. Inghima, Jr., Esq., attorney for Applicants, to Jane Wondergem, Secretary, Ridgewood Board of Adjustment, together with copy of Affidavit of Mailing for April 9, 2019 hearing
- Exhibit A-8 Photographs of existing home
- Exhibit A-9 Photographs of dental office suite
- Exhibit A-10 Copies of Village of Ridgewood Tax Map Sheets 15, 29 & 31
- Exhibit A-11 Composite Tax Map Exhibit comprised of portions of Sheets 15, 29 & 31
- Exhibit A-12 Village of Ridgewood Zone Map
- Exhibit A-13 Close-up of Area of Exhibit A-12 showing subject premises
- Exhibit A-14 Aerial Photographs of Site and Environs from Bing Maps

**APPLICATION OF MICHEL MOURAVIEFF AND LINDA MOURAVIEFF
TO THE VILLAGE OF RIDGEWOOD ZONING BOARD OF ADJUSTMENT
EXHIBIT LIST (CONTINUED)**

EXHIBITS MARKED AT FEBRUARY 11, 2020 HEARING:

- Exhibit A-15 Amended Application – One- or Two-Family Dwellings, Village of Ridgewood Board of Adjustment, with two-page Addendum to Amended Application, filed January 21, 2020
- Exhibit A-16 Official Minutes of the April 9, 2019 Meeting of the Village of Ridgewood Zoning Board of Adjustment
- Exhibit A-17 Affidavit of Mailing dated February 7, 2020
- Exhibit A-18 Architectural Plan entitled "Proposed Interior Renovations to 525 N. Maple Avenue, Ridgewood, New Jersey" (Sheet A-1; Schematic Floor Plan and Schematic Site Plan) dated January 20, 2020, prepared by M. Michael Gorenstein, Architect

EXHIBITS TO BE MARKED AT MARCH 10, 2020 HEARING:

- Exhibit A-19 Revised Zoning Compliance Table with attached copies of Tax Assessor Property Information Card and Survey (Exhibit A-5) with respect to Subject Premises
- Exhibit A-20 Curriculum Vitae of Peter G. Steck, P.P.
- Exhibit A-21 Three-page document entitled "Application of Michel and Linda Mouravieff for two-family use" containing maps, photographs, survey and floor plan of site