

2020 Zoning Board of Adjustment Annual report

The Zoning Board of Adjustment (ZBA) is required to review its actions on an annual basis. This report is submitted in accordance with the requirements of the New Jersey Municipal Land Use Law (MLUL), N.J.S.A. 40:55D 70.1, set forth below.

40:55D 70.1: Report on variance applications, amendment recommendations.

The board of adjustment shall, at least once a year review its decisions on applications and appeals for variances and prepare and adopt by resolution a report on its findings on zoning ordinance provisions which were the subject of variance requests and its recommendations for zoning ordinance amendment or revision, if any. The board of adjustment shall send copies of the report and resolution to the governing body and planning board.

Applications:

1. 582 Jobel Dr: A variance from Section 135-27(D)(4)(a) which permits maximum building coverage of 15% and 15.6% is proposed. A variance from Section 135-27(D)(4)(b) which limits total impervious coverage to 25% and 34.2% is proposed (and 32% +/- existing).
Approved
2. 319 Marne: A variance from Section 135-32(D)(2)(b) which requires a minimum single side yard of 10' and 8.35' is proposed (and existing). A variance from Section 135-32(D)(4)(a) which limits building coverage to 25% and 31.3% is proposed (28% existing). A variance from Section 135-32(D)(2)(b) which limits total impervious coverage to 40% and 57% is proposed (54% existing). **Approved**
3. 1115 Greenmount: A variance from Section 135-28(D)(2)(a) which requires a 35' front yard setback and 33 feet 5 inches is proposed. A variance from Section 135-28(D)(2)(b) which requires a single side yard setback of 18' and 8 feet 8 inches is proposed (and existing). A variance from Section 135-28(D)(2)(c) which requires a combined side yard setback of 40 feet and 23 feet is proposed (and existing). **Approved**
4. 53 Kings Highway East: Was the Zoning Officer's issuance of a zoning permit proper.
Affirmed
5. 421 N Haddon Ave: Use variance for relief from Section 135-38(D) which prohibits a Personal Services type III use in the Downtown D-4 zone. A variance from Section 135-86(B)(2.2) which requires three (3) parking spaces per 1,000 square feet and only two (2) are proposed and (existing). **Approved**
6. 119 Lincoln Ave: Relief from Section 135-32(D)(1)(b) which requires 50-foot frontage and 49.04 feet is proposed (and existing). Relief from Section 135-32(D)(2)(b) which requires a minimum single side yard setback of 10 feet and 3.9 feet is proposed (and existing). Relief

from Section 135-32(D)(2)(c) which requires minimum combined side yards of 20 feet and 18.75 feet is proposed (and existing). Relief from Section 135-86(B)(6)(b) which requires all driveways to be set back not less than 3 feet from the side lot line and Applicant proposes approximately 6 inches which was the pre-existing condition. **Approved**

7. 211 E. Cottage: Reversal of zoning officer's decision and issuance of zoning permit. **Reversed.**
8. 66 Linden Ave: A variance from Section 135-31(D)(4)(b) which limits total impervious coverage to 35% and 39.46% is proposed and 42.2% is existing. **Approved**
9. 335 Marne Ave: Variance relief from Section 135-32(D)(2)(b) which requires single side yard setback of 10' and 8.6' is proposed (and existing). **Approved**
10. 7 N Haddon Ave: Use variance for relief from Section 135-38(D) which prohibits a Personal Services type III use in the Downtown D-4 zone. A variance from Section 135-86(B)(2.2) which requires three (3) parking spaces per 1,000 square feet and none are proposed nor existing. *Site plan waiver*. **Approved**
11. 413 N Haddon Ave. Use variance for relief from Section 135-38(D) which prohibits a Personal Services type III use in the Downtown D-4 zone. A variance from Section 135-86(B)(2.2) which requires three (3) parking spaces per 1,000 square feet and only two (2) are proposed and (existing). *Site plan waiver*. **Approved**
12. 136 Hopkins Ave: Relief from Section 135-32(D)(2)(b) which requires a minimum single side yard setback for garage of five (5) feet and three (3) feet is proposed. Relief from Section 135-86(B)(6)(b) which requires all driveways to be set back not less than three (3) feet from the side lot line and Applicant proposes approximately 6 inches which is a pre-existing condition. **Approved**
14. 418 Washington Ave: Relief from Section 135-31(D)(2) which requires a minimum front yard setback of thirty (30) feet and 20.02' is proposed (and existing). **Approved**
15. 33 Kings Highway East: Use variance for relief from Section 135-38(D) which prohibits a Personal Services type III use in the Downtown D-4 zone. **Approved**
16. 120 Marne Ave: A variance relief from Section 135-86 (B) (6) (b) which requires all driveways to be set back not less than three (3) feet from the side lot line and approximately 1' to 3.5' is proposed (and existing). A variance from Section 135-32 (D) (4) (b) which limits impervious coverage to 40% and 65% is proposed (and existing). **Approved**
17. 44 Jefferson Ave: A variance from Section 135-30 (D) (3) (b) which requires a minimum single side yard setback for accessory buildings of 5' and 1.33' is proposed (and existing). A variance from Section 135-30 (D) (5) (a) which permits a maximum building height for accessory buildings of 18' and 21' is proposed (and existing). **Approved**

18. 509 E. Park: Reversal of Zoning Officer's decision and revocation of zoning permit.

Affirmed

19. 640 Farragut Ave: A variance from Section 135-29D(2)(b) which requires a minimum single side yard setback of fifteen (15) feet and 5.54' is proposed (and existing), A variance from Section 135-29D(2)(c) which requires a minimum combined side yard of 35' and 15.30' is proposed (and existing). A variance from Section 135-29D(2)(d) which requires a minimum rear yard setback of 45' and 19.17' is proposed (and existing). **Approved**

20. 428 Lakeview: A variance from Section 135-32D(2)(a) which requires a combined side yard setback of 20' and 13' is proposed (and existing). A variance from Section 135-32D(2)(a) which limits maximum building coverage to 25% and 31.7% is proposed (28.9% existing). A variance from Section 135-32D(4)(b) which limits total impervious coverage to 40% and 43% is proposed (and 45.5% is existing). A variance from Section 135-86B(1) which requires two (2) parking spaces and one (1) is proposed (and existing). A variance from Section 135-86B(7) which prohibits parking in the area between the building's actual front setback line and any street.

Approved

21. 123 Potter Ave: A variance from Section 135-32(D)(4)(a) which permits maximum building coverage of 25% and 31.7% is proposed and 28.7% is existing. A variance from Section 135-32(D)(4)(b) which permits maximum impervious coverage to 40% and 45% is proposed and 41.9% is existing. **Approved**

22. 51 S. Hinchman: A variance from Section 135-27 (D)(4)(b) which limits maximum impervious coverage to 25% and 28.6% is proposed. **Approved**

23. 205 W. Redman Ave: A variance from Section 135-31 D(4)(a) which limits total building coverage to 22% and 23.6% is proposed (and existing). A variance from Section 135-31 D(4)(b) which limits total impervious coverage to 35% and 37.3% is proposed (and existing). **Approved**

24. 116 Colonial Ave: A variance from Section 135-34D(2)(b) which requires a minimum side yard setback of four (4) feet and 2.23 feet is proposed (and existing). A variance from Section 135-86B(6)(c) which prohibits parking in front of the front building line of the principal building; Applicant proposes to park in front of the carriage house which would currently be the principal building on the lot. A variance from Section 135-86 B(1)(b) which requires a minimum of two (2) off-street parking spaces and one (1) space is proposed (and existing). **Approved**

25. 6 Kings Highway East: Use variance relief from Section 135-38D(4)(b)(1), Attachment 3, to allow office use on first floor. **Approved**

26. 18 Pennbrook Dr: A variance from Section 135-31D(3)(a) which requires a front yard setback as determined by the analysis set forth in Attachment 7 to Chapter 135, 19.98' feet is proposed (and existing). **Approved**

27. 8 Birchall Dr: A variance from Section 135-31 D(2)(b) which requires a minimum side yard setback of ten (10') feet and 6.2 is proposed (132' existing). A variance from Section 135-31D(2)(c) which requires a combined side yard setback of twenty-five (25') feet and 22.4 feet is proposed (29,4' existing). A variance from Section 135-31 D(2)(d) which requires a minimum rear yard setback of forty (40') feet and 35.31 feet is proposed (43.71' existing). **Approved**

28. 265 Kings Highway West: Variance relief from Section 135-27(D)(4), which allows maximum impervious coverage of 25% and 29% is proposed (33 66% existing). **Approved**

29. 212 Linden Ave: A variance from Section 135-30D(4)(a) which limits maximum building coverage to 20% and 20.8% is proposed. A variance from Section 135-30D(2)(d) which requires a minimum rear yard setback of forty (40) feet and thirty (30) feet is proposed. **Approved**

30. 425 Westminster Ave: A variance from Section 135-28D(4)(a) which limits building coverage to 18% and 19.8% is proposed (and 18.2% existing). A variance from Section 135-28D(2)(b) which requires a minimum single side yard setback of 18' and 12.9' is proposed (and 25.90' existing). A variance from Section 135-28D(2)(c) which requires combined side yards of 40', 28.37' is proposed (41.52' existing). **Approved**

31. 457 Station Ave: A variance from Section 135-28(D)(4)(b) which limits total impervious coverage to 28% and 35.64% is proposed (and 29.4% is existing). A variance from Section 135-28(D)(4)(a) which limits total building coverage to 18% and 19.01% is proposed (and 15.84% is existing). A variance from Section 135-28(D)(1)(c) which requires a minimum frontage of 100' and 75' is proposed (and existing). A variance from Section 135-28(D)(2)(b) which requires a minimum single side yard setback of 18' and 11.7' is proposed (and existing). **Denied**

32. 9 Snowden Ave: Use variance relief from Section 135-34A(1), to permit multi-family dwelling where only single family detached dwelling is permitted. A variance from Section 135-34D(1)(a) which requires a minimum lot size of 4000 square feet and 3,761 square feet is proposed (and existing). A variance from 135-34D(1)(d) which requires minimum lot depth of 100 feet and 75.39 feet is proposed (and existing). A variance from Section 135-34D(2)(c) which requires combined side yards of 16 feet and 8 feet is proposed. A variance from Section 135-34(d)(5) which limits the number of stories to 2.5 and 3 is proposed. A variance from Section 135-34(d)(4)(a) which limits total building coverage to 30% and 46.9% is proposed (32.2% existing). A variance from Section 135-34E(5) which requires garage doors to be set back at least 5 feet on the building's facade that faces the street and to not consume more than 40% of the total length of the building's facade. A variance from Section 135-86(b) which requires two parking spaces per dwelling unit up to (four bedrooms) and one space per unit is proposed. **Denied**

Recommendations to the Borough of Haddonfield Commissioners:

1. To amend the ordinance so that a variance is not required where either no changes to existing nonconformities or a reduction in non-conformities are proposed and all other changes comply with the ordinance.
2. To allow the Zoning Board to decide, based upon evidence presented, whether proposed surface coverings are pervious or impervious.
3. To eliminate "pools" from the Haddonfield Code definition of Coverage, Impervious.
4. To amend the ordinance for required parking, so that a variance is not required where an approved use is requested and no parking is available on the location's property.