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May 11, 2022

Mr. Kevin Burns, Chairman  
Borough of Haddonfield Zoning Board of Adjustment  
242 Kings Highway East  
Haddonfield, New Jersey 08033

Attention: Tavis A. Karrow, Zoning Officer/Zoning Board Secretary

**Re: Borough of Haddonfield  
Terence McGovern  
9 Snowden Avenue (Block 33, Lot 41)  
Use Variance and Bulk Variance  
Application #ZBA2022-12  
Our file #04-17-Z-074**

Dear Board Members:

We have reviewed a use variance and bulk variance submission, received April 18, 2022, consisting of the following:

Sheet	Title	Date	Latest Revision Date
1 of 1	Site Plan	04-07-22	----
A1	First & Second Floor Plans	03-08-22	----
A2	Third Floor Plan & Front Elevation	03-08-22	----
A3	Rear & Right Side Elevations	03-08-22	----

The plan was prepared and signed by Clifton W. Quay, P.E., P.P., Stantec, 1000 Midlantic Drive, Suite 300 W., Mount Laurel, NJ 08054, (856) 234-0800. The plans should be sealed by a licensed professional according to State Regulations.

The architectural plans were prepared by Thomas B. Wagner, A.I.A., Architecture Interior Design Preservation Consulting, PO Box 2071, Haddonfield, NJ 08033, (856) 795-4550. The plans should be signed and sealed by a licensed professional according to State Regulations.

**I. GENERAL INFORMATION**

**Applicant/Owner:** Terrence McGovern  
9 Snowden Avenue  
Haddonfield, NJ 08033

- Proposal:** The applicant proposes to construct a semi-detached, two-unit townhome on the property.
- Zoning:** R-9 Residential Single-Family Detached/Semi- Detached

## II. SUBMISSION INFORMATION

In accordance with Section 135-74, the following submission items are required. These items shall be provided or a waiver requested with appropriate justification.

- Item 9. Names and addresses of all property owners within 200 ft. of the property.
- Item 12. Key map not less than 1"=1000' showing the location of subject property relative to surrounding streets, municipal boundaries, features on Official Zoning Map and zoning district boundaries within 500 ft.
- Item 15. Signature blocks for Board Chair, Secretary, Engineer, and Borough Clerk.
- Item 18. Date of property survey.
- Item 23. Size and location of existing or proposed structures and their dimensioned setbacks along with the size and location of existing buildings within 200 ft.
- Item 29. Lot lines, block and lot numbers, and property owners within 200 ft.

## CONCLUSION

Items underlined have not been provided. This application is deemed complete subject to the granting of the above waivers by the Zoning Board.

## III. ZONING REQUIREMENTS

- A. **Use:** The applicant's proposed multi-family unit use is not in conformance with the permitted principal uses of the R-9 zone per section 135-34. The applicant has the burden of demonstrating 'Special Reasons; for granting the use variance as well as offering an 'enhanced quality of proof' which states that the variance is not inconsistent with the intent and purpose of the master plan and zoning ordinance (Positive Criteria). The applicant should also demonstrate that the requested relief can be granted without substantial detriment to the public good and will not impair the intent and purpose of the zone plan and zoning ordinance (Negative Criteria).

"Special Reasons", the applicant should demonstrate that the proposed use carries out the purposes of zoning as listed in 40:55D-2 of the Municipal Land Use Law or that the refusal to allow the project would impose an undue hardship on the applicant. The applicant must present support for the first test within a Statement of Reasons contending that the proposed use promotes the purpose of zoning. The applicant shall provide a Statement of Reasons at the Zoning Board hearing. In lieu of the Statement of Reasons,

the applicant should provide a statement regarding the undue hardship which must relate to the land in question or unique conditions of the site.

With respect to the first portion of the Negative Criteria, the applicant must demonstrate that the requested relief can be granted without substantial detriment to the public good. The applicant must demonstrate that the proposed use will not have a negative impact on the adjacent properties, and that it will not cause such damage to the character of the neighborhood as to constitute “substantial detriment to the public good”. The applicant shall provide testimony at the Zoning Board hearing.

In the second prong of the Negative Criteria, the applicant must demonstrate that the requested relief will not impair the intent and purpose of the zone plan and zoning ordinance. Testimony should be provided as to why the proposal will not impair the intent and purpose of the R-9 Zone and the Borough Master Plan.

**B. Area and Bulk Requirements:**

Code Reference	Item	Required	Existing	Proposed	Status
135-34.D(1)(a)	Lot Area	4,000 sf	3,761 sf.	3,761 sf.	<b>P/P</b>
135-34.D(1)(b)	Lot Width	40 ft.	50 ft.	50 ft.	<b>C/C</b>
135-34.D(1)(c)	Lot Frontage	40 ft.	50 ft.	50 ft.	<b>C/C</b>
135-34.D(1)(d)	Lot Depth	100 ft.	75.39 ft.	75.39 ft.	<b>P/P</b>
135-34.D(4)(a)	Building Coverage	30%	33%	45.2%	<b>P/V</b>
135-34.D(4)(b)	Impervious Coverage	50%	66.1%	50%	<b>P/C</b>
	Principal Structure				
135-34.D(2)(a)	Front Yard	0 ft.	0 ft.	0 ft. (see note 1)	<b>C/C</b>
135-34.D(2)(b)	One Side Yard	4 ft.	4.01 ft.	5 ft.	<b>C/C</b>
135-34.D(2)(c)	Aggregate Side Yard	16 ft.	30.47 ft.	10 ft.	<b>C/V</b>
135-34.D(2)(d)	Rear Yard	25 ft.	24.31 ft.	27.22 ft.	<b>P/C</b>
135-34.D(5)(a)	Building Height	2.5 stories	2 stories	3 stories	<b>C/V</b>
135-34.D(5)(b)	Building Height	32 ft.	< 32 ft.	< 32 ft.	<b>C/C</b>
	Accessory Structure				
135-34.D(3)(b)	Rear Yard	5 ft.	3.87 ft.	N/A	<b>P/ NA</b>
135-34.D(3)(c)	Side Yard	5 ft.	2.80 ft.	N/A	<b>P/NA</b>
135-34.D(6)(a)	Accessory Height	18 ft.	Unknown	N/A	<b>P/N/A</b>
135-86.B(1)	Off-Street Parking	2.0 spaces	2 spaces	2 spaces	<b>C/C</b>

C - Conformance.  
 P - Pre-existing condition.  
 V - Variance required.  
 NA – Not applicable.

C. **Notes:**

1. Per Section 135-34.D.2.A the front yard setback is determined utilizing attachment 7 of the Code. This attachment indicates that the required front yard setback is determined by analyzing the existing front yard setbacks of adjoining properties within 160 feet (for R-9) of the subject property. The applicant estimates that the front yard setback along the street is 0 feet. The actual front yard setback will be verified during the site plan phase of this project.

IV. **USE VARIANCE COMMENTS**

1. The applicant should address the impact of the application on the following:
  - a. Compatibility of the proposed use with surrounding uses; and
  - b. Mitigating factors for the use variance.
2. The applicant should address the following items for the Board to be able to evaluate the impact of the proposed application on the neighboring properties and the Borough:
  - a. That the use will not injure or detract from the use of neighboring property.
  - b. That the use will not detract from the character of the neighborhood.
  - c. That the property is suitable for the intended use.
  - d. That the use will serve the best interests of the Borough.
  - e. That the use will not adversely affect public sewers and facilities such as water, sewer, police, and fire protection.
  - f. That the use will not adversely affect the drainage facilities in the adjacent neighborhood.
  - g. That the use will not adversely affect the safe flow of highway traffic and that adequate roadway accesses are provided to protect roadways from undue congestion and hazards.

V. **VARIANCES REQUIRED**

1. Section 135-34.D.1.a – A minimum lot size of 4,000 square feet is required, whereas 3,761 square feet exists and is proposed (pre-existing condition).

2. Section 135-34.D.1.d – A minimum lot depth of 100 feet is required, whereas 75.39 exists and is proposed (pre-existing condition).
3. Section 135-134.D.2.c – An aggregate side yard of 16 feet is required, whereas 10 feet is proposed.
4. Section 135-34-D.4.a – A maximum building coverage of 30% is permitted, whereas 33% exists, and 45.2% is proposed.
5. Section 135-34-D.5.a – A maximum height of 2.5 stories and 32 feet is permitted, whereas the applicant proposed 3.0 stories and 32 feet.
6. Section 135-34.E.5.a – A minimum garage door setback from the façade of 5 feet is required, whereas 0 feet is proposed.
7. Section 135-34.E.5.b – The garage bay doors may not be any more than 40% of the total length of the building façade. The applicant requests a variance to exceed 40%.

## **VI. GENERAL COMMENTS**

1. Section 135-86.C requires each off-street parking space measure 18 feet in length. This length should be measured from the face of the garage to the property line. The plans only provide 5.57 feet. If approved, vehicles will block the sidewalk.
2. Per Section 135-84.A(1), landscaping shall be provided as part of the site plan design, when submitted.
3. The applicant should confirm that the building constructed on site will be substantially consistent with the architectural rendering provided to the Board.
4. The applicant requests waiver of site plan. A site plan submission will be required should approvals be granted. The site plans shall address sidewalk repairs and/or replacement, grading, drainage, landscaping, lighting, and construction details.
5. Testimony shall be provided on utilities. Any changes to existing utilities shall be shown on the site plan.
6. It appears that this project will generate an Affordable Housing obligation. It is anticipated this obligation will be 2.5% of the equalized assessed value of the proposed improvements. The applicant should be aware that it is their burden to satisfy this obligation.

## VII. SUMMARY OF VARIANCES AND WAIVERS

<b>Variations:</b>	Section 135-34.D(1)a -	Lot size
	Section 135-34.D(1)d -	Lot depth
	Section 135-34.D(2)c -	Aggregate side yard
	Section 135-34.D(4)a -	Building coverage
	Section 135-34.D(5)a -	Max height
	Section 135-34.E(5)a	Garage door setback
	Section 135-34.E(5)b	Percent of building façade which consists of garage bay doors
<b>Waivers:</b>	Section 135-84.A(1) -	Landscaping
	Section 135-86.C -	Parking space depth

## VIII. APPROVAL PROCESS

If the Zoning Board should grant final approval to this project, the following is applicable:

1. The applicant's engineer must make appropriate revisions to the plan pursuant to the Zoning Board action.
2. Two (2) copies of the final plan and a digital copy shall be submitted to the Borough of Haddonfield for review, approval, and signature.
3. Installation and approval of, or posting of performance guarantees for the installation of, those improvements which are necessary to protect adjacent property and the public interest in the event that the development of the site was not completed (if applicable).
4. Submission of an individual lot grading plan to the Haddonfield Borough Engineer in accordance with Section 135-93.2 for review and approval prior to issuance of a building permit.
5. The applicant must contact the Zoning Board office to settle any outstanding review escrow accounts prior to this office reviewing revised plans or signing off on approved plans.

## IX. OUTSIDE AGENCY APPROVALS

This plan may be subject to the review and approval of outside agencies. Evidence of any applicable outside agency approvals must be submitted to the Borough Zoning Department and this office prior to the final signature of plans.

When plans are resubmitted, they are to be accompanied with a point-by-point response to all underlined items.

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If you have any questions regarding this matter, please do not hesitate to call.

Sincerely yours,  
**REMINGTON & VERNICK ENGINEERS, INC.**

A handwritten signature in cursive script that reads "Melanie J. Adamson".

Melanie J. Adamson, P.E., P.P., C.M.E.  
Board Engineer

cc: Terrence McGovern  
Clifton W. Quay, P.E., P.P.  
Damien O. Del Duca, Esquire  
Jennifer Johnson, Zoning Board Solicitor  
Ed Toussaint, Construction Code Official  
Board Members (e-mail)