



RVE HQ:
 2059 Springdale Road
 Cherry Hill, NJ 08003
 O: (856) 795-9595
 F: (856) 795-1882

September 13, 2022

Borough of Haddonfield
 Zoning Board of Adjustment
 Kevin Burns, Chairman
 242 Kings Highway East
 Haddonfield, NJ 08033

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

Re: Use Variance
15 Potter St., LLC
115 Washington Avenue
Block 76, Lot 3
Application #ZBA2022-28
Our file #04-17-Z-093

Dear Board Members:

We have reviewed a use variance submission, received September 2022, consisting of the following:

Sheet	Title	Date	Latest Revision Date
S1	Current Survey	05-13-22	----
S2	Existing Site Plan	07-20-22	----
S3	New Site Plan	07-20-22	----
----	Building Description and Value Calculation	08-22-58	----
----	Property Evaluations Co. Inc.	----	----
----	Residential Property Record Card	----	----
----	Residential Property Record Card	10-12-82	----
----	Property Evaluations Co. Inc.	----	----
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Sheets S1, S2, & S3 was prepared by Edwin J. Jesiolowski, R.A., 136 Merion Avenue, Haddonfield, New Jersey 08033, (856) 429-3486. The survey was signed by Richard S. Humphries, P.L.S. of Walter H. Macnamara Association, Inc.

I. GENERAL INFORMATION

Applicant/Owner: 15 Potter Street., LLC
c/o Dove Gottardi
115 Washington Avenue
Haddonfield, NJ 08033
(856) 465-7536

Proposal: The applicant is proposing a use variance to create a two-family residence in a zone that only allows single- family detached homes.

Zoning: R-6 Residential Single Family Detached

II. SUBMISSION INFORMATION

In accordance with Section 135-74 and Exhibit 1 of the Haddonfield Land Development Ordinance the following required items have not been submitted. The item numbers refer to the list in the Land Development Ordinance. We have not reviewed items 1-9, 13, and 57-62 that are the jurisdiction of the Borough Zoning Officer.

- Item 11. Title block denoting type of application, tax map sheet, county, municipality, block, lot and street address.
- Item 14. North arrow to top of sheet, scale and graphic scale.
- Item 15. Signature blocks for Board Chair, Secretary, Engineer, and Borough Clerk.
- Item 21. Acreage of subject property to the nearest tenth in square feet.
- 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.
- Item 30. All existing street, Rights-of-Way, and easements on the subject property and within 200 ft.
- Item 31. All watercourses, floodplains, wetlands, wooded areas, or other natural features within 200 ft. of existing or proposed streets.
- Item 32. Nature, extent and boundary limits of wooded areas, dripline of all trees with 4" DBH and other significant features off the property.
- Item 34. Existing and proposed contours at one-foot intervals on subject property and within 200 ft.

- Item 35. Grading plan.
- Item 36. Existing drainage system on site and within 200 ft., including any larger tract on which the property is a part along with a drainage divide map.
- Item 39. Existing and proposed utilities, with details for sanitary sewer, water, telephone, cable TV, and electric onsite and within 200 ft.
- Item 44. Spot and finished elevations at all property corners, corners of all structures and existing or proposed first floor elevations.
- Item 49. Landscape and buffer plans showing existing and proposed landscaping, fences, landscaping to be removed, common and botanical names, and maintenance program.
- Item 50. Lighting plan and details including the location, height and type of standards, radius of light, and intensity in footcandles.
- Item 51. Solid waste storage and disposal plan.
- Item 53. Sight triangles.
- Item 54. Traffic study.
- Item 55. Vehicular and pedestrian circulation patterns.
- Item 56. Parking plan indicating loading/unloading areas, parking spaces, size and type, aisle width, internal collectors, curb cuts, drives and driveways, and all ingress and egress areas with dimensions including compliance with barrier-free codes.

CONCLUSION

The underlined items 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 use is not in conformance with the permitted principal uses of the R-6 zone per Section 135-31.A. 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-6 Zone and the Borough Master Plan.

B. Area and Bulk Requirements:

Code Reference	Item	Required	Existing	Proposed	Status
135-31.D(1)(a)	Lot Area	6,000 sf	16,838 sf.	16,838 sf.	C
135-31.D(1)(c)	Lot Frontage	60 ft.	110 ft.	110 ft.	C
135-31.D(1)(d)	Lot Depth	100 ft.	> 100 ft.	> 100 ft.	C
135-31.D(4)(a)	Building Coverage	22%	17.6%	17.6%	C
135-31.D(4)(b)	Impervious Coverage	35%	32.07%	32.42%	C
	Principal Structure				
135-31.D(2)(a)	Front Yard	30 ft.	26.67 ft.	26.67 ft.	P
135-31.D(2)(b)	One Side Yard	10 ft.	13.6 ft.	13.6 ft.	C
135-31.D(2)(c)	Combined Side Yard	25 ft.	69.55 ft.	69.55 ft.	C
135-31.D(2)(d)	Rear Yard	40 ft.	TBD	TBD	TBD
135-31.D(5)(a)	Building Height	2.5 stories	2.5 stories	2.5 stories	C
135-31.D(5)(b)	Building Height	33.5 ft.	< 33.5 ft.	< 33.5 ft.	C
135-86.B(1)	Off-Street Parking	4.0 spaces	TBD	TBD	TBD

C - Conformance.

P - Pre-existing condition.

TBD - To be provided by the applicant’s professionals to determine compliance of parking standards.

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. PERFORMANCE STANDARDS

1. Per Section 135-31.A, multi-family residence is not a permitted use in the R-6 zone. The applicant has requested a use variance.
2. Testimony shall be provided of the location of existing utilities and if there are any changes to the utilities.
3. The applicant shall testify of any changes to the exterior of the building.
4. The applicant states that two 3-bedroom units are proposed, one unit to be located on the first floor and a second unit on the second floor. Per Ordinance Section 135-86.B(1) a minimum of two spaces are required for each apartment unit resulting in a parking demand of four (4) parking spaces. The applicant provide testimony and depict clearly on the plan the location and size of all parking spaces. A waiver may be required.

5. Per Section 135-87.A(1), lighting areas shall be provided at intersections, along walkways, at entryways and exits, between buildings and in parking areas. Existing lighting is not shown for review.
6. Per Section 220-19.M(1), trash enclosures should be screened from adjoining properties and public streets in materials compatible with the architectural treatment of the principal structure. Testimony should be provided on solid waste removal.
7. This above comment is limited to a use variance application only. A site plan is required and shall address at a minimum the site plan related comments in this letter.
8. It appears that this project may 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.

VI. SUMMARY OF VARIANCES AND WAIVERS

Variances:	Section 135-31.A -	Use
Waivers:	Section 135-74 - Section 135-86.B(1) -	Submission information Number of parking spaces

VII. 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. 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.

VIII. 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.

Any others as necessary

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

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

Sincerely yours,

REMINGTON & VERNICK ENGINEERS



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

MJA/dp/mcb

cc: 15 Potter Street., LLC
Ed Jesiolowski, R.A.
Jennifer Johnson, Zoning Board Solicitor
Ed Toussaint, Construction Code Official
Board Members (e-mail)