

AGENDA  
BOARD OF ADJUSTMENT  
BOROUGH OF ALLENDALE  
500 West Crescent Avenue  
Allendale, New Jersey 07401

A Regular Meeting of the Allendale Zoning Board of Adjustment will be held in the Municipal Building, 500 West Crescent Avenue, Allendale, New Jersey 07401 on November 15, 2017 at 8:00p.m. Formal action will be taken on the items on the agenda.

1. Call to Order
2. Open Public Meetings Act
3. Roll call
4. Approval of Minutes
  - a. October 25, 2017 Regular Session
5. Resolution:
  - a. ZBA 17-07: Recommending Adoption of an Ordinance to Update the Zoning Board of Adjustment's Application Checklist Requirements
6. Resolution Memorializing Variance Approval:
  - a. Application File No: ZBA 2017-07  
Applicant: Donald & Sara Doraski  
Address: 30 Harreton Road, Allendale, New Jersey 07401  
Block: 509 Lot: 5  
Application: Variance – Minimum Right Side Setback (270-64B)  
Variance – Minimum Front Yard Setback (270-54B)  
Variance – Pre-Existing Non-Conforming Structure (270-37A)
7. Public Hearing of Applications:
  - a. Application File No: ZBA 2017-06 (*carried from October 25, 2017 meeting*)  
Applicant: Craig & Courtney Cagney  
Address: 320 Park Avenue, Allendale, New Jersey 07401  
Block: 2206 Lot: 1  
Application: Variance – Minimum Front Yard Setback – Corner Lot (270-22)  
Variance – Minimum Rear Yard Setback (270-54D)  
Variance – Maximum Driveways – 2 – (270-18B.4)  
Variance – Pre-Existing Non-Conforming Structure (270-37A)  
Variance – Fences (270-31)
8. Open to the Public for Comment
9. Other
10. Meeting adjournment

Posted on Borough Website & Borough Bulletin Board

**\*\*AGENDA & AGENDA MATERIALS SUBJECT TO CHANGE\*\***

**RESOLUTION  
ZONING BOARD OF ADJUSTMENT  
BOROUGH OF ALLENDALE  
BERGEN COUNTY, NJ**

DATE: 11/15/2017

RESOLUTION: ZBA 17-07

Carried  Defeated  Tabled

Zoning Board of Adjustment	Motion	Second	Yes	No	Abstain	Absent
<b>Chamberlain</b>						
<b>Hart</b>						
<b>Jones</b>						
<b>Manning</b>						
<b>Sirico</b>						
<b>Weidner</b>						
<b>Tengi, Chair</b>						
<b>Stephen – (Alt#1)</b>						
<b>Redling – (Alt#2)</b>						

**RECOMMENDATION FOR ADOPTION OF AN ORDINANCE  
TO UPDATE THE ZONING BOARD OF ADJUSTMENT'S  
APPLICATION CHECKLIST REQUIREMENTS**

WHEREAS, the Zoning Board of Adjustment of the Borough of Allendale has prepared and approved a checklist for submissions of development applications for use in connection with applications before the Zoning Board of Adjustment; (See copy of checklist attached)

WHEREAS, the Zoning Board of Adjustment, from time to time, reviews said application and considers changes to update the checklist's requirements; and

WHEREAS, the Zoning Board of Adjustment has reviewed the current development application and wishes to add a requirement of a pdf electronic submission to the application checklist; and

WHEREAS, N.J.S.A. 40:55D-10.3 requires the checklist to be adopted by ordinance by the Mayor and Council.

**RESOLUTION  
ZONING BOARD OF ADJUSTMENT  
BOROUGH OF ALLENDALE  
BERGEN COUNTY, NJ**

**DATE: 11/15/2017**

**RESOLUTION: ZBA 17-07**

NOW, THEREFORE, BE IT RESOLVED by the Zoning Board of Adjustment of the Borough of Allendale that it recommends adoption of an ordinance by the Mayor and Council to amend, supplement, and revise Chapter 40 of the Code of the Borough of Allendale entitled Land Use Procedures to require a pdf electronic submission on the development application checklist.

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I hereby certify the above to be a true copy of a Resolution adopted by the Zoning Board of Adjustment of the Borough of Allendale on November 15, 2017.

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Michelle Ryan  
Secretary to the Zoning Board of Adjustment

**BOROUGH OF ALLENDALE**  
**BOARD OF ADJUSTMENT**

**Instructions to applicants**

After receiving denial letter from Construction Official, applicant will pick up application packet and check list from Secretary.

Applicant will submit to the Secretary everything as indicated on the check list. Each item on the list must be checked to indicate compliance. Check list is to be signed by applicant.

If application is deemed complete, the applicant will be given a hearing date and advised to send notices to residents within 200 ft. and advertise in newspaper.

When proof of service and proof of publication is received, applicant will be placed on agenda.

ALLENDALE BOARD OF ADJUSTMENT  
APPLICATION CHECK LIST

NAME \_\_\_\_\_ LOT \_\_\_\_\_ BLOCK \_\_\_\_\_

ADDRESS \_\_\_\_\_

ZONE \_\_\_\_\_ DATE \_\_\_\_\_

TYPE VARIANCE \_\_\_\_\_

BRIEF DESCRIPTION OF APPLICATION \_\_\_\_\_

\_\_\_\_\_

SPECIFIC VARIANCE REQUIRED \_\_\_\_\_

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<u>ADMINISTRATIVE REQUIREMENTS</u>	<u>STATUS</u>
1. Application form complete	_____
2. Fee paid	_____
3. Denial by Building Inspector	_____
4. Affidavit of Service	_____
5. Proof of Publication	_____
6. Taxes Current	_____
7. Plot Plan	_____
8. Maps	_____
9. Photographs	_____
10. Email address	_____
11. Miscellaneous	_____

REQUIRED MATERIALS AND CHECKLIST FOR  
ALLENDALE ZONING BOARD OF ADJUSTMENT HEARINGS

This checklist and attached sample drawings are provided to ensure that you or your attorney are prepared for your hearing and that your application is complete. All items should be supplied to the extent that they are applicable to the specific application. If information is insufficient or missing, the board may deem your application incomplete and adjourn your hearing until it receives all necessary documentation. Please create 12 packets of the below information.

I. PROVIDE AN ACCURATE SURVEY FOR THE PROPERTY IN QUESTION WHICH CONTAINS THE FOLLOWING INFORMATION:

- \_\_\_ 1. Footprint of existing buildings or structures.
- \_\_\_ 2. Precise distances from all property lines to closest point of principal building including steps, deck or other extensions of the building.
- \_\_\_ 3. The location and precise distances of accessory buildings, such as garages and sheds, to property lines and the principal building or structure.
- \_\_\_ 4. The location and dimensions of steps, patios, driveways, decks, pools and all other improved impervious areas and their precise distances to nearest property line and structures.
- \_\_\_ 5. An accurate depiction of the proposed construction or alteration including the information requested in 1, 2, 3 and 4 above.
- \_\_\_ 6. The precise distances from all property lines to the closest point of the proposed construction.

II. AN ENLARGED TAX MAP DEPICTING PROPERTY IN QUESTION AND ITS RELATIONSHIP TO NEIGHBORING PROPERTIES.

- \_\_\_ 1. The precise distances from the existing buildings or structure in question to the closest point of all neighboring buildings and structures.
- \_\_\_ 2. The precise distances from the proposed construction to the closest point of all neighboring buildings and structures.

III. STRUCTURAL DIMENSIONS:

- \_\_\_ 1. All dimensions of existing building or structure.
- \_\_\_ 2. All dimensions of proposed building or structure.
- \_\_\_ 3. Height of existing building or structure.\*

\_\_\_\_ 4. Height of proposed building or structure.\*  
\*(height to be measured from lowest point of the ground that abuts the foundation of the structure to the highest point on the roof.)

\_\_\_\_ 5. Front, rear and side elevations of the proposed structure.

#### IV. FLOOR PLANS.

\_\_\_\_ 1. Floor plans of the existing interior of the building containing all relevant dimensions.

\_\_\_\_ 2. Floor plans of the interior of the proposed construction containing all relevant dimensions.

\_\_\_\_ 3. Precise square footage of the existing building.

\_\_\_\_ 4. Precise square footage of the proposed construction.

\_\_\_\_ 5. Floor area ratio calculation pursuant to Section 270-63 of the zoning ordinance (required for all applications)

#### V. PHOTOGRAPHS.

\_\_\_\_ 1. Photographs of the property in question and existing improvements may be helpful to the Board in presenting your information.

\_\_\_\_ 2. Photographs of views from the existing building or structure to neighboring properties and buildings which show existing plantings or other buffers are also helpful and may be requested by the Board.

(All photographs should be taken by you or someone who can testify to the Board as to when they were taken and that the photographs represent an accurate depiction of what they saw at the time.)

#### VI. LANDSCAPING AND LAND FEATURES.

\_\_\_\_ 1. The survey, plat or plan should locate and describe any proposed landscaping to be done in connection with the application.

\_\_\_\_ 2. The location of any unusual property features should be indicated, such as flood plain, streams, wooded areas, rock outcroppings or steep slopes.

#### VII. PREVIOUS APPLICATIONS.

\_\_\_\_ 1. Applicants should be prepared to discuss prior applications to the Zoning Board of Adjustment and Planning Board and the results thereof.

VIII. Any additional information which may be deemed necessary by the Zoning Board, its Consultants or Borough departments and agencies.

NOTE: ALL DIMENSIONS AND DISTANCES MUST BE DEPICTED TO SCALE ON DRAWINGS AND PLANS.

Any questions regarding your hearing or the checklist should be directed to the Board of Adjustment Secretary at the Borough of Allendale Municipal Building (818-4400) x200. Please submit twelve (12) packets with copies of all drawings and plans to the Zoning Board of Adjustment office at least ten (10) days prior to the hearing. It is suggested that the property owner refer to the appropriate building code to assure proper engineering and construction techniques, or to secure the services of a local, reputable architect and/or engineer.

NOTICE OF APPEAL AND VARIANCE APPLICATION FORM  
BOROUGH OF ALLENDALE, NEW JERSEY

TO THE APPLICANT: COMPLETE SECTIONS IN FULL FOR RELIEF REQUESTED  
NOTICE OF APPEAL OF  
ZONING ENFORCEMENT OFFICER'S DECISION

TO THE ZONING ENFORCEMENT OFFICER:

The petition of \_\_\_\_\_  
shows that on or about the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_  
an application to the Zoning Enforcement Officer (or Building Inspector) for the purpose of  
(describe intended action) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

on the premises located at (street address) \_\_\_\_\_

\_\_\_\_\_ Block \_\_\_\_\_ Lot \_\_\_\_\_  
as shown on the Municipal Tax Maps and owned, or optioned, by the applicant was made; that  
after due consideration the Zoning Enforcement Officer did on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_  
decline to issue said permit for the reasons stated in the attached copy of the Zoning Enforcement  
Officer's Refusal of Permit Form.

Applicant, feeling aggrieved at the action of the Zoning Enforcement Officer, files this notice of  
appeal with said Officer, together with the required fee of \_\_\_\_\_, and requests that  
action of the Zoning Enforcement Officer be reversed or modified as the facts may be  
determined, and applicant further requests that a day be fixed for hearing on this appeal and  
states that the proper notice will be given to all owners of property situated within two hundred  
(200) feet of the property specified above, and others as required by Statute.

APPLICATION FOR VARIANCE

TO THE BOARD OF ADJUSTMENT:

An application is hereby made for a (Hardship) (floor area ratio) (Use) variance from the terms  
of Article(s) and Section(s) \_\_\_\_\_  
\_\_\_\_\_ of the Zoning Ordinance so as to  
permit \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Signature of Applicant

DESCRIPTION OF PROPOSED STRUCTURE OR USE

PREMISES AFFECTED known as Lot(s) \_\_\_\_\_ Block(s) \_\_\_\_\_  
Street Address \_\_\_\_\_  
Applicant \_\_\_\_\_ Address \_\_\_\_\_  
Owner \_\_\_\_\_ Address \_\_\_\_\_  
Lessee \_\_\_\_\_ Address \_\_\_\_\_  
Last Previous Occupancy \_\_\_\_\_  
Size of Lot \_\_\_\_\_  
Floor area ratio calculation \_\_\_\_\_  
Percentage of lot occupied by building(s) \_\_\_\_\_  
Height of building(s) \_\_\_\_\_ stories \_\_\_\_\_ feet \_\_\_\_\_  
Set back from front property line \_\_\_\_\_ ft. From side (if corner lot) \_\_\_\_\_ ft.  
Zoning requirements – Frontage \_\_\_\_\_, side yards \_\_\_\_\_, set-back \_\_\_\_\_, rear yard \_\_\_\_\_  
“Prevailing set-back” of adjoining buildings within one block \_\_\_\_\_  
Has there been any previous appeal involving these premises? \_\_\_\_\_  
If so, state character of appeal and date of disposition \_\_\_\_\_

Proposed use: \_\_\_\_\_  
\_\_\_\_\_

This application for a use variance includes an application for subdivision \_\_\_\_\_, site plan \_\_\_\_\_, conditional use \_\_\_\_\_ approval.

ATTACHED HERETO AND MADE A PART OF THIS APPLICATION I SUBMIT THE FOLLOWING: (NOTE: All of these papers must be submitted with application.)

- (a) The original Building Application, signed by the Building Official and/or a true copy of the Official order issued by the Building Official and signed by him, where applicable.
- (b) Twelve (12) copies of a map showing all lots within 200 feet of the property; if buildings exist thereon the map shall be a certified “location map” and clearly indicate such buildings and their approximate location, together with “prevailing set-back” dimensions.
- (c) Twelve (12) copies of a Plot Plan and clearly indicate such buildings thereon with all front, side and rear yard dimensions.
- (d) One (1) copy of List of Property owners served, indicating method of service on each, date of service, together with copies of the post office receipts, if any.
- (e) Twelve (12) copies of Subdivision, Site Plan, or Conditional Use application, when applicable.

(File all copies with Secretary of the Board of Adjustment when only a variance is sought.)

Date: \_\_\_\_\_  
Signature of Applicant or Agent \_\_\_\_\_

BOROUGH OF ALLENDALE  
BOARD OF ADJUSTMENT

DATE \_\_\_\_\_

NOTICE OF HEARING TO PROPERTY OWNERS

(Cross out inapplicable sections)

TO WHOM IT MAY CONCERN:

In compliance with the Zoning Ordinance of the Borough of Allendale, NJ, notice is hereby served upon you to the effect that (I) (We) \_\_\_\_\_  
hereby propose to (give detailed information) \_\_\_\_\_  
\_\_\_\_\_

Location \_\_\_\_\_  
\_\_\_\_\_

The Zoning Officer of the Borough of Allendale , Bergen County, New Jersey, refused this request by reason of its being in violation of Section \_\_\_\_\_

of the Zoning Ordinance, from which decision (I) (We) hereby appeal. (I)(We) have applied to the Board of Adjustment for a (hardship), (floor area ratio), (use) variance, (together with subdivision \_\_\_\_\_, site plan \_\_\_\_\_, conditional use \_\_\_\_\_ approval), and from any other variances or waivers that the Board may deem necessary.

Any person or persons affected by this (appeal) (application) may have an opportunity to be heard at the meeting to be held \_\_\_\_\_, 20 \_\_, at 8pm in the Municipal Building, Allendale, NJ.

All documents relating to this application may be inspected by the public between the hours of 9 a.m. and 4:30 p.m. in the office of the Borough Clerk in the Municipal Building, 500 West Crescent Avenue, Allendale, New Jersey.

\_\_\_\_\_  
Signature

Note: This Notice must be personally Served or sent by certified or registered mail at least 10 days before the day of the hearing, and proof of service given to the secretary of the Board of Adjustment.

BOROUGH OF ALLENDALE  
BOARD OF ADJUSTMENT

NOTICE OF HEARING TO ADJACENT MUNICIPALITY

TO: MUNICIPAL CLERK \_\_\_\_\_  
OF \_\_\_\_\_  
\_\_\_\_\_

PLEASE TAKE NOTICE:

That \_\_\_\_\_, the undersigned, has appealed to the  
(Applicant)  
Board of Adjustment of the Borough of Allendale for relief from \_\_\_\_\_

To permit \_\_\_\_\_

at \_\_\_\_\_

Block \_\_\_\_\_, Lot \_\_\_\_\_, \_\_\_\_\_

of \_\_\_\_\_, which property is within two hundred (200) feet of  
your municipality. A hearing in this matter will be held on \_\_\_\_\_, 20\_\_\_\_,  
At the Municipal Building in Allendale, New Jersey. Applicant is seeking a hardship\_\_\_\_, use  
\_\_\_\_ variance, and subdivision\_\_\_\_, site plan\_\_\_\_, conditional use\_\_\_\_, approval. This notice  
is given pursuant to the provisions of N.J.S.A. 40:55D-12d.

\_\_\_\_\_  
Applicant's Signature

NOTE: This notice must be personally served or sent by certified or registered mail at  
least 10 days before the day of the hearing, and proof of service given to the  
Secretary of the Board of Adjustment.

AFFADAVIT OF PROOF OF SERVICE

BOARD OF ADJUSTMENT

OR

BOROUGH OF ALLENDALE

PROOF OF SERVICE OF NOTICES REQUESTED BY STATUTE MUST BE  
FILED AND VERIFIED WITH BOARD SECRETARY AT LEAST 10 DAYS PRIOR TO MEETING  
OR CASE WILL NOT BE HEARD.

STATE OF NEW JERSEY)

COUNTY OF BERGEN ) SS.

\_\_\_\_\_, of full age, being duly sworn according to law, deposes and  
says, that (s)he resides at \_\_\_\_\_ in the municipality  
of \_\_\_\_\_, County of \_\_\_\_\_, and State of \_\_\_\_\_,  
and that (s)he is (are) the applicant(s) in a proceeding before the Board of Adjustment of Allendale, New  
Jersey, being an appeal or application under the Zoning Ordinance, which relates to premises at  
\_\_\_\_\_, and that on \_\_\_\_\_, 20\_\_\_\_ (s)he gave written  
notice of the hearing on this application to each and all of the persons upon whom service must be made,  
in the required form and according to the attached lists, and in the manner indicated thereon.

\_\_\_\_\_  
Applicant's Signature

Sworn to and subscribed before me

this \_\_\_\_ day of \_\_\_\_\_,

20\_\_.

\_\_\_\_\_

NOTICE TO APPLICANT: Attach list of all persons served.

NEWSPAPER NOTICE

BOARD OF ADJUSTMENT  
BOROUGH OF ALLENDALE

NOTICE IS HEREBY GIVEN that the Board of Adjustment of the Borough of Allendale will hold a public hearing on \_\_\_\_\_, 20\_\_\_\_, at 8 p.m. in the Municipal Building, 500 West Crescent Avenue, Allendale, N.J. on the application of \_\_\_\_\_ (Applicant) at \_\_\_\_\_ (Address)

Block No. \_\_\_\_\_, Lot No. \_\_\_\_\_ for a (hardship, floor area ratio, use) variance from Section \_\_\_\_\_

\_\_\_\_\_ of the zoning ordinance of the Borough of Allendale, and for any other variances or waivers that the Board may deem necessary, for the purpose of \_\_\_\_\_

Name and Address of Applicant

Sample Legal Notice

To be published in *The Record* or *The Ridgewood News*

at least ten (10) days prior to the scheduled hearing date.

Original notice cut from newspaper must be given to Board Secretary along with all forms.

NOTICE TO APPLICANTS:

Upon granting of a variance, a Resolution of Memorialization is drawn and voted upon by the Board of Adjustment. This is the legal document approving the variance.

Included in this document is the following paragraph:

“Construction shall proceed in accordance with the plans and drawings marked in evidence, the testimony of the applicant, and in accordance with all applicable state, county and municipal codes, ordinances rules and regulations.”

This resolution is a legal, binding document and all construction must proceed as approved by the board.

Any changes in construction must be re-submitted in a new application. It is not within the purview of the Building Inspector or the Board of Adjustment to authorize changes without a resubmission.

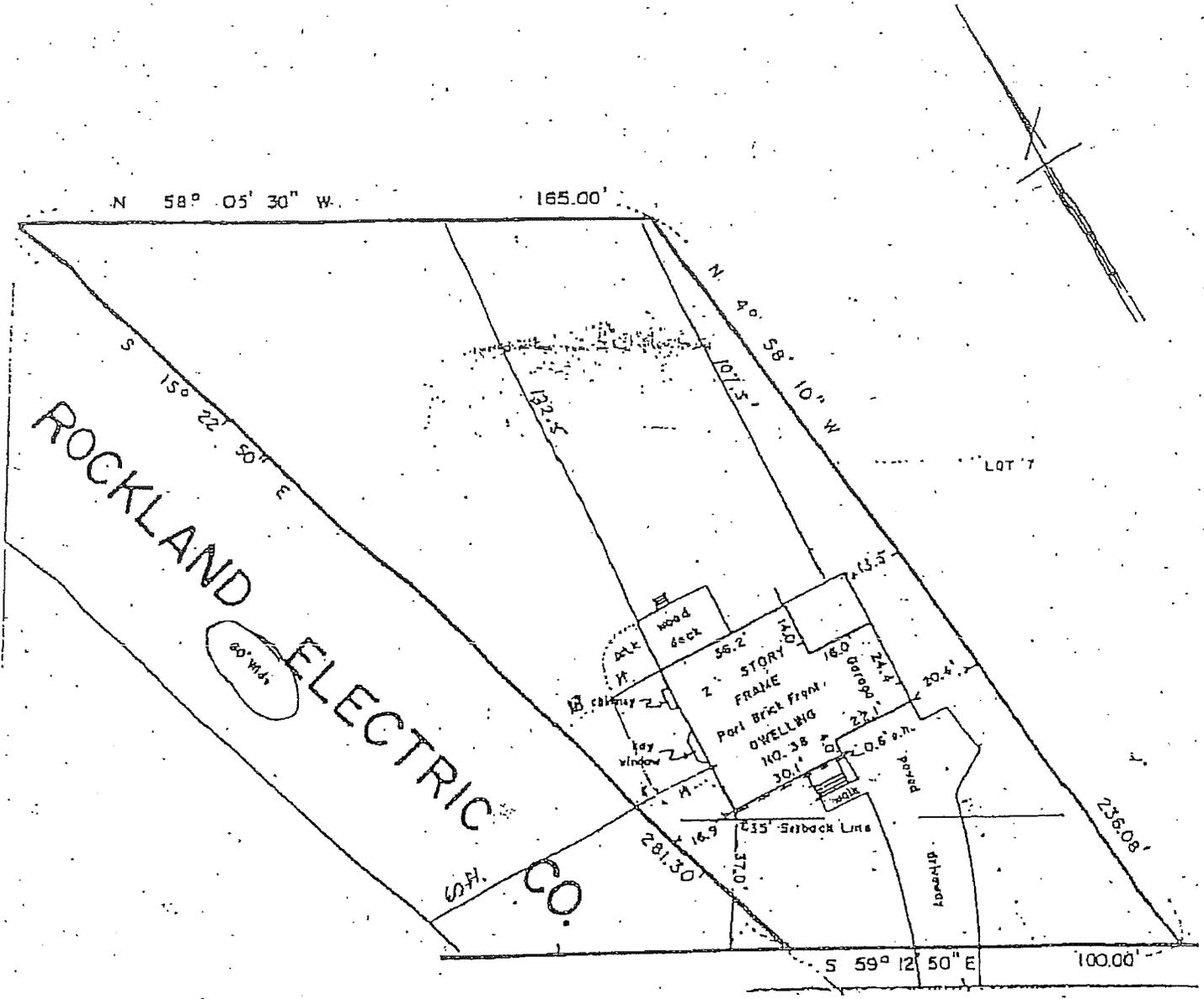
Sample

REFERENCE MAP

LOT 8  
BLOCK 916

"FINAL SUBDIVISION OF MAPLECREST ESTATES, ALLENDALE, BERGEN COUNTY, N.J."  
FILED IN THE B.C.C.O. ON OCTOBER 30, 1980 AS MAP NO. 7897.

BUILDING OFFSETS NOT TO BE USED FOR CONSTRUCTION OF FENCES OR OTHER PERMANENT STRUCTURES  
LOCATION SURVEY - STAKES NOT REQUESTED  
T&X MAP LOT 8 BLOCK 916



# FARLEY PLACE

TO ALL PARTIES IN CURRENT INTEREST IN TITLE TO THESE PREMISES SAFFCO TITLE INSURANCE COMPANY, AND NORTH JERSEY SAVINGS AND LOAN ASSOCIATION.

THIS IS TO CERTIFY THAT THIS SURVEY IS ACCURATE, AND THAT THIS DRAWING IS A TRUE REPRESENTATION OF ACTUAL CONDITIONS EXISTING ON THE PROPERTY. THIS SURVEY IS PREPARED SPECIFICALLY FOR THE INDIVIDUAL(S) IN THE TITLE AND/OR THE CERTIFICATION. THE UNDERSIGNED WILL NOT BE RESPONSIBLE OR LIABLE FOR ANY ASSIGNMENT OF THIS SURVEY, THROUGH A SURVEY AFFIDAVIT TO ANY PERSON NOT SO NAMED.

DATED MAY 6, 1983

SURVEY MAP PREPARED FOR AND CERTIFIED TO

MARINO M. ANDRIANI AND  
DIANA M. ANDRIANI, HIS WIFE

BOROUGH OF ALLENDALE

BERGEN COUNTY NEW JERSEY

SCALE  
1" = 40'

JOHN HOOYMAN, JR.  
HOOYMAN SURVEYING ASSOCIATES  
13 WALNUT STREET MAHWAH, N.J.

\* sample \*



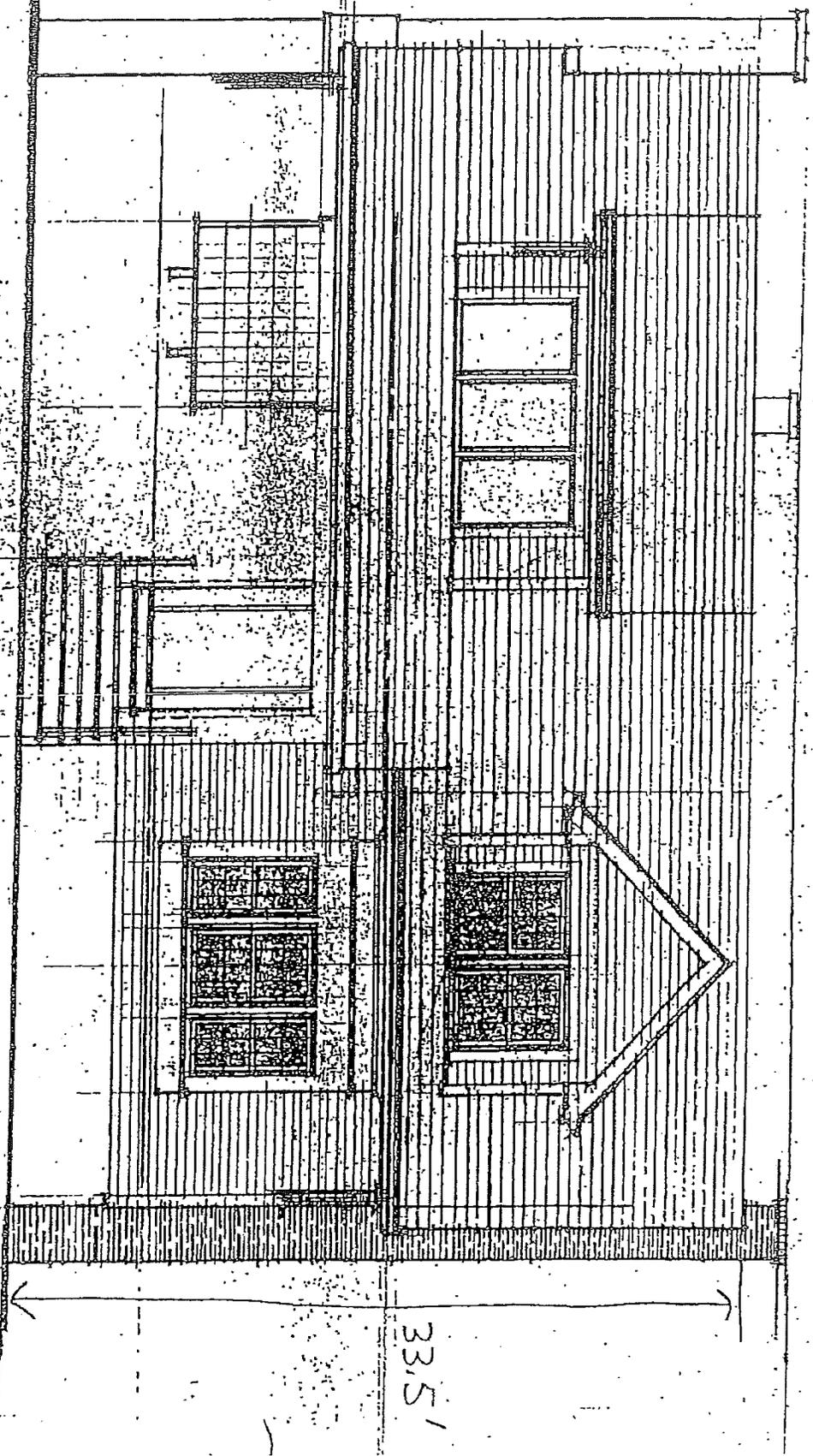
HERE INSERT DEPARTMENT  
 DIVISION OF THE  
 PUBLIC UTILITY  
 AUTHORITY AS A TAX MAP  
 PROVIDED BY THE  
 ROAD AND DRAINAGE DIVISION

APR 30 1999  
 ME

\* Sample \*

FRONT ELEVATION

Side 1



33.5'

\*sample\*

RIGHT SIDE ELEVATION

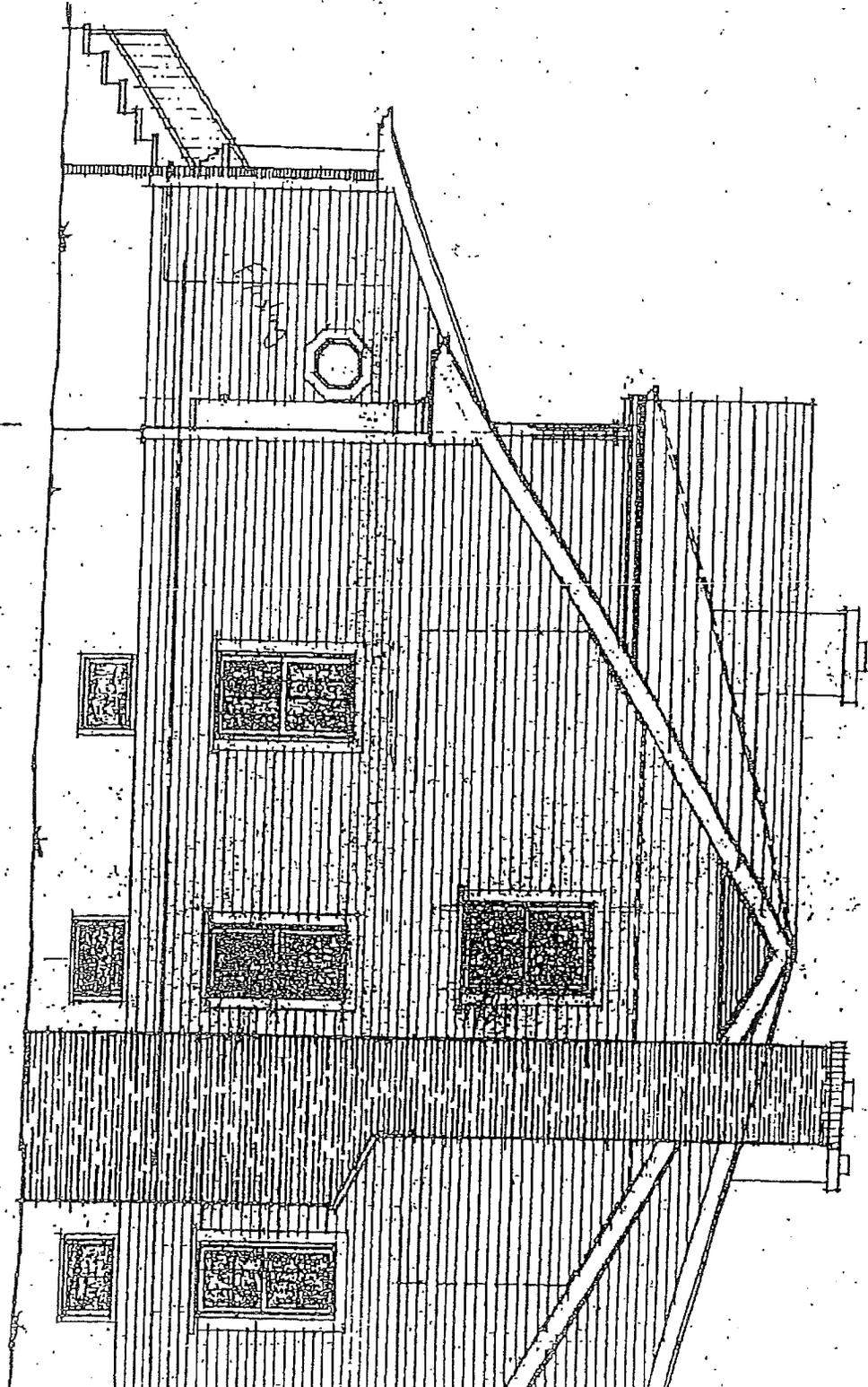
SCALE:

1/4" = 1'-0"

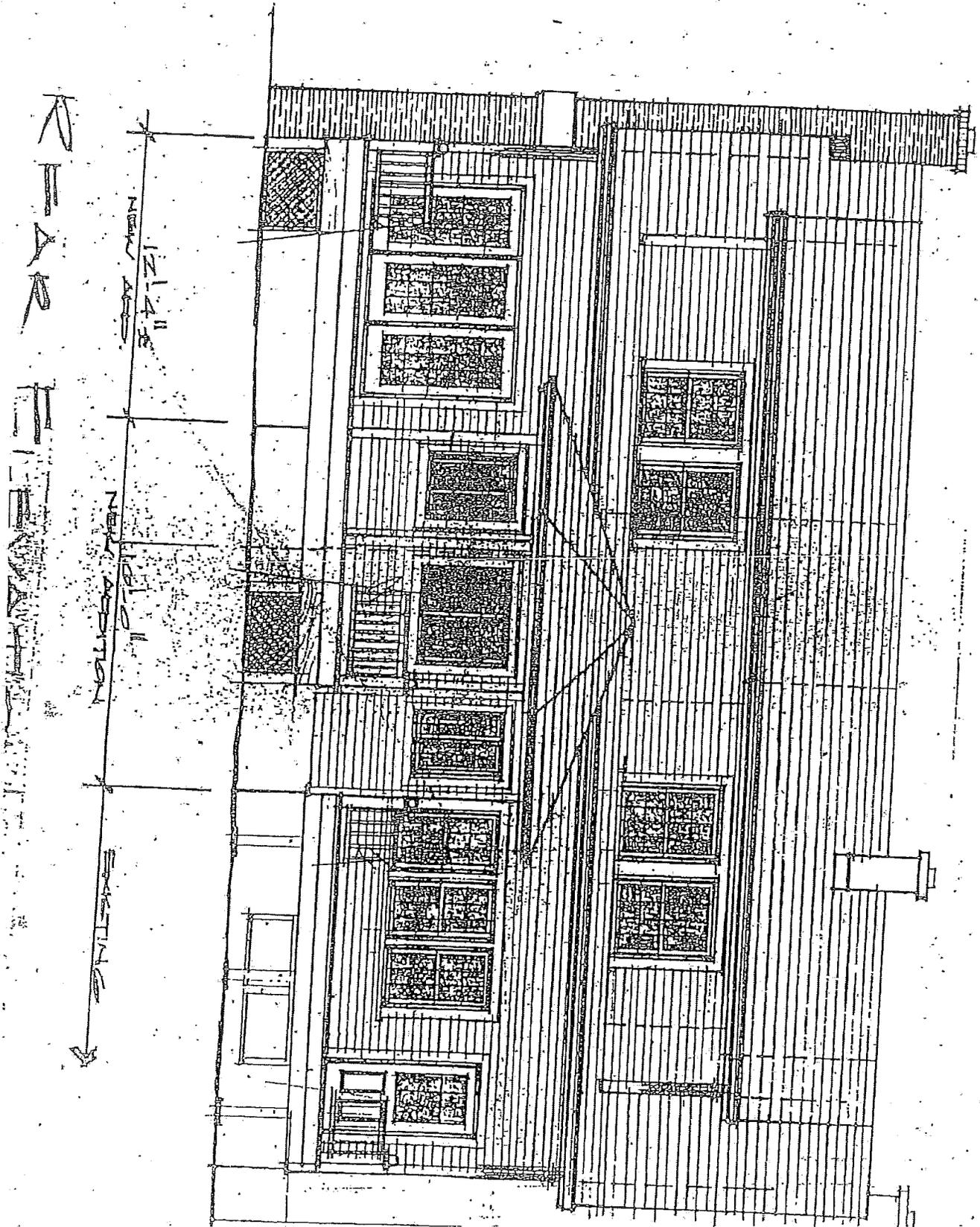
↑ BUILDING

ADDITIONAL

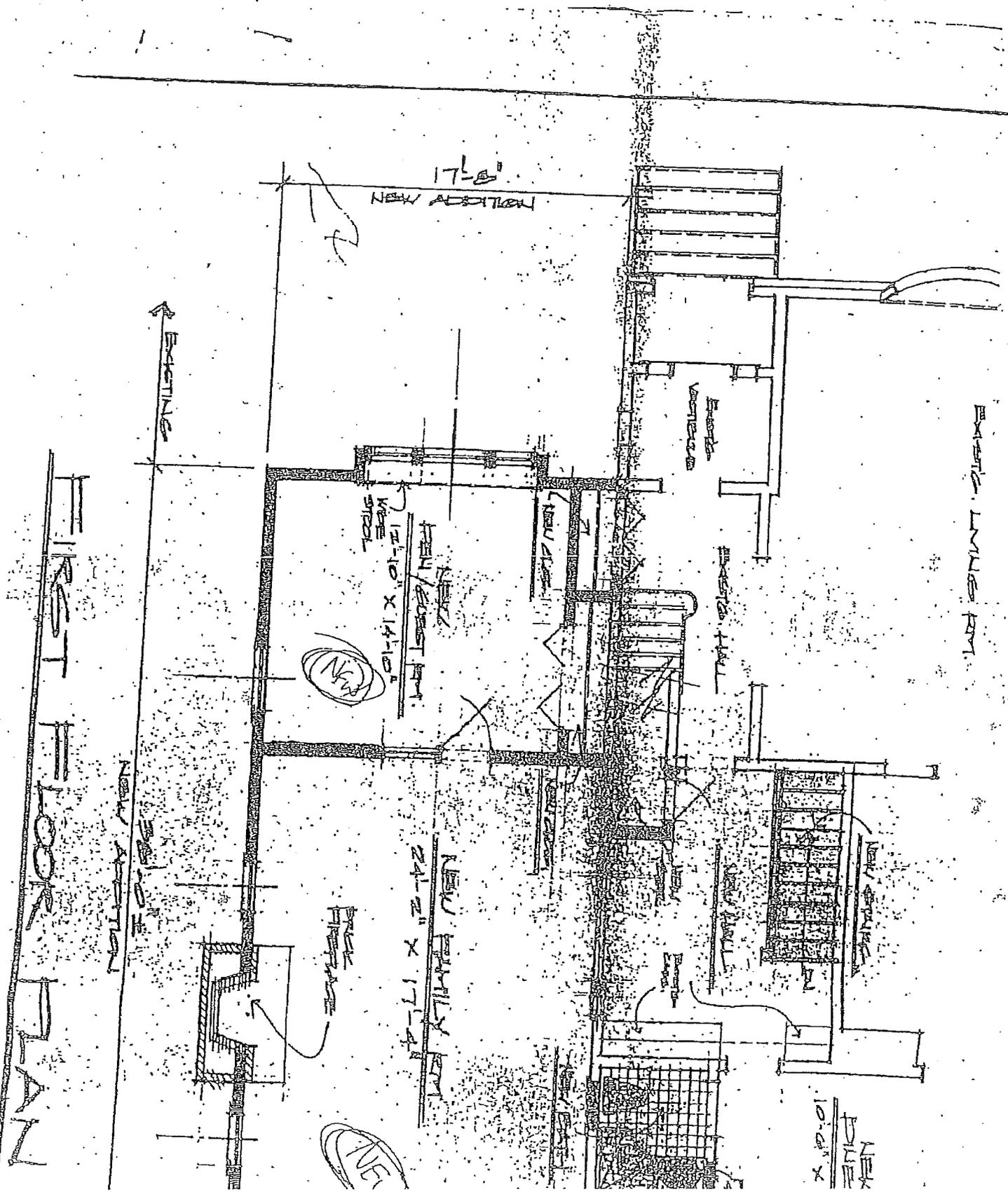
38'-0"



\*sample\*



\*sample\*



WEST ELEVATION

EXISTING

NEW ADDITION

17'-0"  
NEW ADDITION

NEW  
BRICK WALL  
12'-10" X 14'-10"

NEW  
CONCRETE  
17'-0" X 17'-0"

EXISTING  
VESTIBULE

EXISTING  
HALL

NEW  
CONCRETE

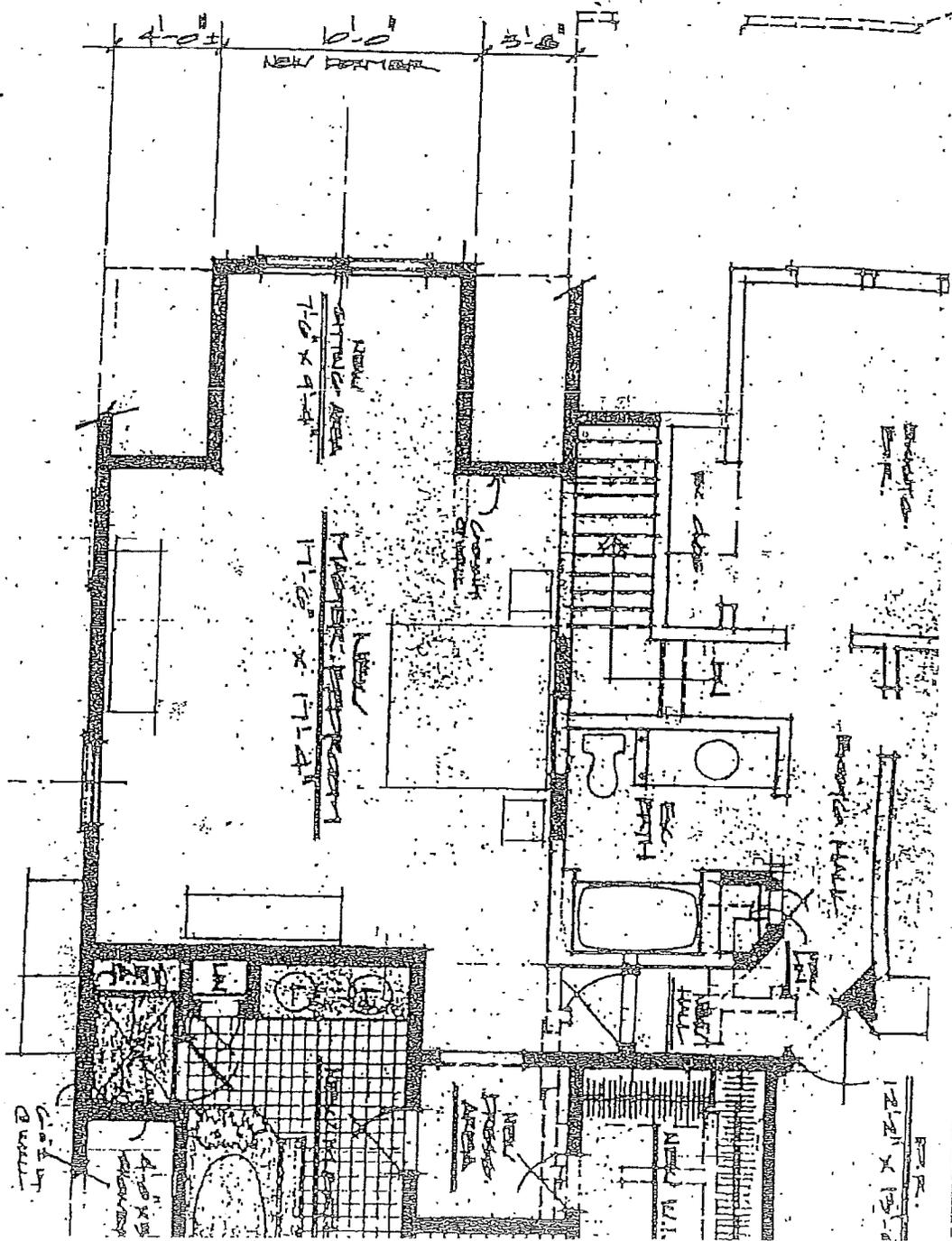
NEW  
CONCRETE  
10'-0" X 10'-0"

EXISTING LINES ONLY

(NEW)

\*sample\*

SECOND FLOOR PLAN  
SCALE:



## RESOLUTION

### ZONING BOARD OF ADJUSTMENT BOROUGH OF ALLENDALE

**WHEREAS, DONALD and SARA DORASKI**, having applied to the Zoning Board of Adjustment of the Borough of Allendale for variances from the provisions of Zoning Ordinance Sections 270-64B (minimum side yard setback); 270-54B (minimum front yard setback); and 270-37A (pre-existing non-conforming structure); so as to allow an addition to an existing single-family dwelling unit located at 30 Harreton Road, Block 509, Lot 5, on the Tax Assessment Map of the Borough of Allendale, which property is located in the "AA" Residence Zone District; and

**WHEREAS**, the Board, after carefully considering the evidence presented by the applicants, as well as testimony from members of the general public, if any, has made the following factual findings and conclusions:

1. The present dwelling is a ranch-style home located on an irregular lot; said dwelling situated to the right of center. The topography drops from right to left, as well as from the front to the rear, of this property located on a curve on Harreton Road.
2. Currently, the dwelling has a deficient front yard setback measuring 32.5 feet from the property line to the front step and 35.9 feet from the building to the property line, where 40 feet are required in the Zone. Additionally, while the left side setback is currently at 46.6 feet, where 29.3 feet is required pursuant to Allendale's expanded side yard setbacks (270-64), the right side is currently at 23.11 feet, which would currently be within the proper AA setback of 20 feet, if the proposed addition did not implicate the expanded yard setback at 29.3 feet. The Board duly noted that the expansion to the rear of the structure would not further infringe on the right side setback so that the entire structure remains at 23.11 feet from the property line. Even

with the planned addition, the maximum height of the structure shall remain at 25.5 feet, measured from the lowest point, according to the testimony of the applicants' expert, Ms. Scro of Z+ Architects. Although though the driveway on the left of the dwelling will be expanded further to the rear to accommodate the third garage bay, said expansion angles further into the property and testimony established that this new driveway will be approximately 45 feet from the nearest neighboring structure.

3. After considering the above facts, and noting that the gross building area will increased from 2,685 square feet to 4,195 square feet, the Board nevertheless finds that, given the location of the dwelling on this irregular lot, the sloping topography, the location of the addition, and the size of homes in the neighborhood, that the applicants have succeeded in carrying their burden of proof for the needed variances. Thus, the relief requested can be granted without substantial detriment to the public good and same will not substantially impair the intent nor purpose of the Master Plan or the Zoning Ordinance of the Borough of Allendale.

**NOW, THEREFORE, BE IT RESOLVED**, by the Board of Adjustment of the Borough of Allendale this [5th day of November, 2017 that the application of **DONALD and SARA DORASKI** for the variances described herein is hereby granted and that the action taken by the Zoning Board of Adjustment on October 25, 2017 be and is hereby memorialized subject to the following conditions:

I. Construction shall proceed in accordance with the documents marked D-1 in evidence, together with the testimony of the applicants and their expert and in accordance with all applicable state, county and municipal codes, rules and regulations;

2. The applicants are required to obtain building permits and post all necessary fees and costs with the Borough prior to construction; and

3. This approval is conditioned upon the fact that the testified-to attic space shall not be utilized for living space; and

4. The variance relief granted by this Resolution applies only to such variance requests as depicted in this Resolution; and

5. The variances granted pursuant to this Resolution shall expire, by limitation, unless such construction or alteration shall have been actually commenced within one year from the date of publication of the notice of the determination of the Board of Adjustment pursuant to Allendale Code Section 40-19.

**Motion Made By:** Ms. Chamberlain

**Seconded by:** Mr. Jones

**In Favor:**

**Opposed:**

**Abstained:**

**Absent:**

Ms. Chamberlain  
Mr. Jones  
Mr. Manning  
Mr. Redling  
Mr. Sirico  
Mr. Stephen  
Ms. Teng

Ms. Hart  
Ms. Weidner