

**Borough of Cresskill
Zoning Board of Adjustment
Minutes Oct. 23, 2014**

1257 Selmani

121 Fourth St

Block 49 Lot 609, 610

The applicants applied for the following variances to enclose the 1st floor covered patio with a two story addition

Description	Required	Existing	Proposed	Variance
Front Yard Set Back	25 ft	24.6	24.6	0.4'
Side Yard Abutting/Lot	15 ft	11.7'	11.7'	3.3'
Combined Side Yards	35 ft	23.8'	23.8'	11.2'
Rear Yard Set Back	30 ft	22.19'	22.19'	7.81'
Max. Livable Fl.Area FAR	39%	40.49%	50.77%	11.77%
Lot Frontage	100 ft	50'		
Lot Depth	100 ft	100'		
Bldg Coverage %	20%	26.76%	27.69%	7.69%
Impervious Coverage	35%	36.71%	40.71%	5.71%
Height	28 ft	21' . 67		
Lot Area.	10,000 sq.ft	5,000 sq.ft		
Driveway from Prop. line.	10'			

Mr. Saverio Cereste, ESQ introduced himself as attorney representing the applicants.

Mr. Van Horne advised the applicants that there were only 5 members present plus an alternate. This application includes a 'D' variance. Are you willing to go forward with 5 members and the alternate ?

Mr. Cereste said that he would like to present the application and then consult with his clients. I am inclined to go forward with the application.

Mr. Van Horne agreed.

Mr. Cereste said that Mr and Mrs Selmani purchased the home in June/July of this year. They have 2 children and they are going to move into this home. The house is 121 4th St in the R10 zone with minimum requirement of 10,000 sq.ft. This lot has only 5000 sq.ft. with a 50' width with 100' depth. The variances are driven by the fact that there are only 5000 sq.ft. On the south side of the property there is a park on the north side is a dwelling, so the applicant cannot purchase additional property. We propose to do some renovation to the home. The home needs some rehabilitation. The house consists of 3 materials: aluminum siding, cedar shakes and brick. We propose for the exterior to have uniform finish of stucco with a stone front for an aesthetic look. The rear of the house has a porch which is not totally enclosed and has an over-hang with some posting, and is on the grade. We propose to enclose the porch and go one story up. It's a 2 story addition built on the existing footprint. The patio is 10' in depth and 26' to 27' in width. The plan is to stay within the existing footprint and go 2 stories up. The house has no basement, it is built on a slab. We are bumping out the family room on the first level. The laundry area in the garage will be removed to allow parking in the garage. There will be one interior parking space and one exterior parking space to meet the Zoning requirements. The addition is roughly 260 to 270 sq.ft on each floor adds about 500sq.ft to the property. The Far requirement is 39% based on this calculation we exceed the numbers for the property by this addition. The existing floor area is about 2000 sq.ft., excluding the garage, we are adding 500 sq.ft. It will be a 3 bedroom house. The master bedroom will be expanded 10' out, and will have a master bathroom. On the first level we are pushing the family room out 10' and we are creating an office/den. The variances are driven by the non-conformity of the lot. A lot of the variances are pre-existing.

1257 Selmani (cont.)

121 Fourth St

Block 49 Lot 609, 610

Mr. Cereste reviewed the variances.

Mr. Cereste presented 2 exhibits: A-1 the Site Plan (Architect Marios Lachanaris); A-2 a PhotoBoard with 7 photos showing the existing condition of the house.

Mr. Cereste introduced the architect Marios Lachanaris as witness.

Mr Lachanaris was sworn in.

Mr Lachanaris gave his credentials.

Mr Lachanaris reviewed the existing conditions of the property using the photo board

Photo 1: The house front. On the right side is a single car garage. In the middle is the entrance door.

Photo 2: Is the same view as photo 1 but moved back to display the driveway.

Photo 3: Is the rear of the house with the existing patio with roof. The different materials used on the house are visible.

Photo 4: Shows the close-up of the rear, part of the cellar door and the roof of the porch.

Photo: 5: Shows the North side of the dwelling.

Photo: 6: Shows the rear and the condition of the back yard- the trees and shrubs.

Photo: 7: Shows the South side .

Mr Lachanaris said that the condition of the house is not bad, the exterior needs upgrade. The interior of the house is in good condition.

Mr Lachanaris explained the floor plan (page2). On the ground floor is a one car garage – 16’ deep because the previous owner created a laundry room. Behind the laundry room is the utility room. After the utility there is a bathroom. On the south side is the entrance with a foyer with a staircase to the 2nd floor. There is an area divided into 2 rooms. On the 2nd floor is the living room and dining area, behind the dining area is the kitchen, and then there are 3 bedrooms. There is one full bathroom on each floor.

Mr Lachanaris described the proposed changes. They will eliminate the existing roof of the patio, and build right over. The 2nd floor over-hangs the first floor in the back and in the front by a couple of feet. The extension on the first floor is 10’, the extension on the 2nd floor is 8’. The laundry room will be eliminated so that the garage will be 22’ deep. We will create a new laundry room right behind the stairway. The bathroom is right behind the utility room. We create a new den / office at the rear of the dwelling. The big room will be the family room with a sliding door leading to the back-yard. There are 2 guest closets in the foyer.

Mr Lachanaris described the proposed changes / additions to the 2nd floor.

Mr Lachanaris said that 2 vehicles can be parked one in the driveway and one in the garage. The requirement for a single family house is 2 parking spaces.

Mr Lachanaris described the proposed changes to the façade of the house. They are creating a portico affect by the entrance by raising the roof on the left side. The height will remain the same as the existing height. On the right side there will be a dormer affect around the window. There will be a small decorative railing.

Mr Lachanaris reviewed the letter of denial from Mr. Rossi. The existing front set-back variances is caused by the over-hang. The side yard variances, are pre-existing. The rear yard variance is pre-existing. The FAR required is 39% the proposed is 50.77%. The lot frontage is pre-existing. The Building Coverage includes the over-hang which increases the existing coverage by 1%.. The Impervious requirement is 35% the proposed is 40.71%.

Ms. Furio said we need 5 affirmative votes for the FAR, we have 5 members present and one alternate.

Ms. Furio asked if there is currently an over-hang ?

Mr Lachanaris said that there exists a 2’ over-hang in the front and in the rear. The footprint of the 1st floor is more than the footprint of the 2nd floor. The overhang is 2’ in the front and 2’ in the back.

**Borough of Cresskill
Zoning Board of Adjustment
Minutes Oct. 23, 2014**

Page 6 of 11

1257 Selmani (cont.)

121 Fourth St

Block 49 Lot 609, 610

Mr Lachanaris said the bathroom is 8' 4", they could make the bathroom 7'4" and have a different layout for the bathroom. Make it a regular bathroom- no tub only a shower.

Mr. Corona said the kitchen on 2nd floor is existing, to save money by not moving the kitchen. We are asking about the FAR.

Mr Lachanaris talked about reconfiguring the bathtub and reducing the bathroom by 2'

Ms. Furio asked what are you proposing ?

Mr. Cereste said we understand the concern you have. The property is so small. It takes an enormous commitment of dollars to take a house that really needs some definite rehabilitation.

I don't think, given that its only approximately 2500 sq.ft on 2 floors represents a dramatic impact on the Zoning ordinance. I don't see this impacting on the borough given the fact that it is a non-conforming lot. I would like to argue for the client only because he is spending so much money to take care of the exterior of the building to make it attractive for the neighborhood. To improve the values in the neighborhood. He is willing to do virtually anything to satisfy the town. Everyone is always sensitive to the FAR, and no one wants large homes. Unfortunately, this is not a large piece of property so he has 2 strikes against him if he goes in to do anything to this

Mr. Merzel said the house itself is going to be 52' deep

Mr. Corona said that I have a 50' X 100' lot. I made it work with the FAR. I have a garage. I have 1900 sq.ft ., 3 bedrooms and a very large master bedroom. This FAR is killing me.

Ms. Furio asked would you like to continue or do you want to put it to a vote ?

Mr. Cereste said I need some direction on this. If you feel that this is too large. The house with the addition is approximately 2500 sq.ft. They have 2 kids. The addition is really not large with an 8' bump-out in the back and 10' on the lower level. If my client is willing to reduce and eliminate the tub

Ms. Furio asked what would be the most that you can bring it back, and what would the percentage then become?

Mr Lachanaris calculated 65 sq.ft on each floor. 2.5% reduction to variance

Ms. Furio asked what would your proposed percentage be ?

Mr Lachanaris calculated the FAR as 48.17% .

Ms. Furio said the variance you have now is 11.77%. With a 2.6% reduction it becomes 9.17%.

Mr. Merzel commented that the Patio in the back may have been built without a permit.

I don't feel very comfortable considering that a pre-existing set-back. If there is a patio, the set back would be measured to the house. To take that and add it into the house. If you took the raised ranch and turned it into a proper colonial that would make more sense. You could have the kitchen on the first floor and the second floor would be bedrooms. It would work as a normal structure. Because you are not doing that, you are forced to go into the back, another 10', and creating a very large property for the size of that lot. 52' is a large structure for a 100' lot. If you look at homes in town on a 50' by 100' lot there are different ways to do it.

Mr. Cereste said you are penalizing the applicant by holding him to standards of the prior owner.

Mr. Merzel said there is a home on Monroe, 50' by 100', with 4 bedrooms with a very large master bedroom, a nice kitchen and is also on slab. It has a 2 car garage. Its new construction. There are ways to do this without going in the back so far.

Mr Lachanaris said the 1st floor has only a ceiling height of 7'4". We cannot take the kitchen, living room and dining room and bring them to the 1st floor.

Mr. Selmani said I would have to take the whole structure down to do that.

Mr. Merzel said it a hardship to have a 50' by 100' lot but it was a hardship that you were aware of when you bought the property.

Mr. Corona asked is the existing kitchen in the same spot where you are proposing it now?

Mr Lachanaris said yes.

**Borough of Cresskill
Zoning Board of Adjustment
Minutes Oct. 23, 2014**

Page 9 of 11

1258 Isora Abreu (cont.) 122 Elm St Block 128 Lots 20.01,21,22

Impervious . Except for the Front yard set-back and the continuation variance, the Building Coverage and the Impervious goes away, if the shed goes. But they really want to keep the shed because they have 3 kids and lots of stuff. Because they have 3 kids they are going to have more drivers, so they want to be sure that they will have enough parking. They want a 2 car garage so that they can put more cars in the driveway.

Ms Batistic said from the architectural stand can the family room be a little bit narrower so the garage goes more into the family room. I'm concerned with the Front Yard set-back. Since I've been on the board I don't remember having such a small set-back.

Ms. Pantale said but they have 2 front yards most people don't have 2 front yards. What would you consider reasonable besides 25'.

Ms. Batistic said the existing non-conforming front yard is 20'. So something closer to 20', because it is already there it would be more acceptable.

Ms. Pantale said I wonder if we pulled back this garage back a little bit and left this one long. If I had 18.5' would that be closer.

Ms. Batistic said from the garage door to the wall you have 3'4".

Ms. Pantale *pointed out that would make it impractical with 3 kids.*

Ms. Pantale said that they brought their neighbor here to testify that she has a 26' wide garage. They are asking for 28'. If we pulled it in 1'.

Mrs. Abreu asked would the family room remain the same size if we pulled it in 1' ?

Ms. Pantale said that we would be at 17'.

Mrs Abreu said we would still lose that foot in the front.

Ms. Pantale said we have a fireplace and if we put the fireplace on this side we will have to ask for a variance. On the inside of the garage we went from 22' to 21'.

Mr. Merzel said that this is a very large family room.

Ms. Pantale asked would you consider deducting 1' and narrowing it to 17', in order to push everything back to get an 18.5' front yard.

Mr. Abreu said if that is what will have the board approve the plan. What I want to do is fix the garage which is falling down.

Mr. Merzel said Ms Batistic is saying move the garage into the family room, and then it solves the problem...

Ms. Pantale said removing 1' and reducing the family room to 17', would give a Front Yard set-back of 18.5'. Would that close the difference between 20.3' and 16.5'.

Mrs Abreu said the back-yard is so large, we don't use it. Right now the door comes out to the side of the house.

Mrs Abreu was sworn in.

Mrs Abreu said by putting the door in the back we could use the back yard. We have an expanded cape which is not a very large house. I want a place where the kids can bring their friends and I can store all their stuff. Taking a foot off is fine.

Mr. Merzel said it would add 2' to the Front Yard Set-back on Maple.

Ms. Pantale indicated, on the plan, how the change would appear.

Mr. Merzel commented since this is a corner property this is kind of a hardship with 2 front yards. Another thing we were concerned about, which I don't think is an issue here, is with people driving and with the corner not being able to see.

Ms. Batistic asked if there was anyone in the audience for or against this application?

Ms. Villani, 41 Maple St., was sworn in.

Ms. Villani said she lives right behind on the side of the Abreus and she has no problems with the application.

