



**Borough of Cresskill  
Zoning Board of Adjustment  
Minutes Sept. 29, 2014**

**1248 Lippman (cont.)**

**65 Hillside Ave**

**Block 76 Lot 59**

**Ms. Vandal** testified that the pool was brought closer to the house and the walkway was eliminated and reduced. There was a 10' patio on both sides that was reduced. The pavers have grass in between makes it better than a solid pathway. We did this to bring the impervious down. It is still high but only 10% higher than the existing. The FAR remains the same, we did not want to reduce that because the whole plan was based on the 6% above that required.

**Mr. Stamos** said if the calculation was based upon the permitted lot size of 10,000 sq.ft would there be an FAR variance ?

**Ms. Vandal** said no, there would not be an FAR variance , there would not be an Impervious variance.

**Mr. Stamos** asked if the reduction of the pool and the lot coverage benefits the application ?

**Ms. Vandal** said that it did.

**Ms. Furio** said you moved the pool forward a good distance reducing the solid pathway to stepping stones. The driveway and everything else remains the same except for the apron around the pool, and the distance between the house and the solid walkway.

**Ms. Vandal** said the length of the walkway is also reduced.

**Ms. Furio** said the Impervious Coverage variance that you are now requesting is at 18.8%.

**Ms. Vandal** said yes.

**Ms. Furio** said the FAR variance you did not change, it is at 6%.

**Mr. Merzel** said: you said if there was not a variable scale that this would not be an issue.

**Ms. Vandal** said on the Impervious and the FAR.

**Mr. Merzel** asked if the lot was 100' wide how much would the Impervious be if the lot were still about 14,000 sq.ft. ?

**Ms. Vandal** said the Impervious would have been 22.9%, with the plan we are proposing.

**Ms. Furio** asked did you dig the pool ?

**Ms Vandal** said yes.

**Ms. Furio** asked it is now in the position indicated on the plan?

**Ms. Vandal** said yes.

**Ms. Furio** asked is there anyone in the audience for or against the application ?

**Ms. Furio** asked those board members, who did not get to hear the full application, if they were able to review all the information, and were satisfied with the information now as submitted.

**Ms. Batistic** made the motion to approve the application as submitted with the variances:

<b>Description</b>	<b>Variance</b>
<b>Side Yard Abutting/Lot</b>	<b>7.6'</b>
<b>Combined Side Yards</b>	<b>19.8</b>
<b>Max. Livable Fl.Area FAR</b>	<b>6%</b>
<b>Impervious Coverage</b>	<b>18.8%</b>
<b>Height</b>	<b>5.1'</b>

The reason for approval is that this is real hardship. The shape of the lot and the fact that a lot of the variances are driven by the construction of the pool in the area of the lot not even considered on the FAR and the Impervious and building area. The applicant has made an effort to reduce as much as possible the requested variances.

**Mr. Corona** seconded.

**The application was granted.**







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**1255 Levi (cont.)**

**91 11<sup>th</sup> St.**

**Block 144.01 Lot 11**

other bedrooms which are receiving more closet space. Bedroom #4 will have a new bathroom which is back to back with the existing bathroom on the 2<sup>nd</sup> floor.

**Ms. Furio** pointed out a typo on the plans (A-1)- bedroom #1 should be labeled bedroom #4.

**Ms. Urdane** said that there will be 5 bedrooms. The 1<sup>st</sup> bedroom on the lowest level and 4 bedrooms on the 2<sup>nd</sup> floor. How many members are in the family ?

**Mr. Mederos** said five. The 4 bedrooms on the 2<sup>nd</sup> floor will be used by the family. The 1<sup>st</sup> bedroom could be a guest room, or teenager's room, or home office or study.

**Ms. Urdane** said by covering the front stoop you are increasing the Building Coverage by 21 sq.ft.

**Mr. Mederos** said it will make the entrance more inviting. Provide protection from the elements.

**Ms. Urdane** said on the 2<sup>nd</sup> floor you are expanding over where the 1<sup>st</sup> floor adjusts to the rear.

**Ms. Urdane** showed pictures of the front (A-2) and rear (A-3) of the house.

**Mr. Mederos** said the existing bedrooms made more sense in the 1950's than they do with modern standards especially Cresskill area is changing.

**Ms. Urdane** said the 2<sup>nd</sup> part of the addition is over the kitchen area.

**Mr. Mederos** said master bedroom suite is over the original portion of the house not the family room addition.

**Ms. Urdane** asked if the addition is common in this area.

**Mr. Mederos** said absolutely. This relationship and number of bedrooms and types of rooms is very common and desired.

**Ms. Batistic** said the only increase in coverage is the front porch.

**Mr. Mederos** said the coverage is over a front stoop so the Impervious does not change.

**Ms. Urdane** said we have 2 C variances and a D variance.

**Mr. Mederos** said the front yard is the only dimension that is changing, but it does not require a variance. All the existing set-backs are not changing. The right side set-back is currently 10.29'. The extension proposed over the rear addition conforms. It is located 15.26' from the right side property line. So the addition itself conforms but because of the existing location of the house itself what we're not extending that's at 10.29'. Because of that we have a non-conforming combined side yard.

**Ms. Urdane** said you are building straight up on the southern side of the house. So the combined side-yard is technically being impacted.

**Mr. Mederos** said yes, because of the existing non-conforming condition on the right side of the house. We are not coming closer just extending what is already there.

**Mr. Mederos** said they are increasing Building Coverage by 21 sq.ft. – 1/3% – a de-minimus amount .

**Ms. Urdane** said lets talk about the D variance, the FAR.

**Mr. Mederos** said the required is 34.32%, we are proposing 38.22%, almost 4% variance. The sq.ft being added is all the 2<sup>nd</sup> floor. In total there is 641 sq.ft being proposed. The mastersuite is 500 sq.ft on its own.

**Ms. Urdane** asked is there anything that you are proposing that is unusual for houses in this area?

**Mr. Mederos** said not for a split level. The house next door has a similar arrangement. A few years ago I worked on a house up the street on a bigger property, this house is smaller than that.

**Ms. Urdane** asked is there anything about this house that is bulky or over-sized for the lot.

**Mr. Mederos** said no.

**Ms. Urdane** asked would it be possible if the lot conformed in size to accommodate the FAR.

**Mr. Mederos** said yes, he believed so.

**Ms. Urdane** asked and what if it were a different style of home.

**Mr. Mederos** said if it were a different style it would have a proper cellar which would be habitable. The rec. room would be downstairs, the 1<sup>st</sup> bedroom would be downstairs, a bathroom, the mechanical equipment, the laundry room would be downstairs. Because this is a split, technically by code, what



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**1255 Levi (cont.)                                      91 11<sup>th</sup> St.                                      Block 144.01 Lot 11**

find special reasons or that this site is particularly suitable. What you have to determine is whether or not this site can accommodate the increase in the FAR while minimizing the negative impact that comes with that increase. Which is why we are giving testimony that if this were a different structure you would certainly be able to accommodate the increase in FAR. Certainly what is going into this house is the opportunity to place the entire family on the 2<sup>nd</sup> floor. A master suite that is expected in a modern home today, for most homes in the area. The house is not increasing in width, its minimally increasing in depth at one point. The impact on the neighborhood with the slight set off from the front is going to be minimal from the street view. Its going to be an attractive house. It is not going to be bulky by any standards, which is what FAR in residential disputes to moderate. To keep big bulky houses overdone for lot size. I hope that you keep that in mind when you consider this application, and I believe that this house accommodates the increase in FAR, and you should grant the variance, as well as the other variances.

**Mr. Merzel** made the motion to approve the application.

**Ms Batistic** seconded.

**The application was granted.**

\* Municipal Land Use Act

**Memorializations**

**1251 Peter DeVries                                      83 Monroe Ave                                      Block 72 Lot 30**

The applicant was granted the following variances to construct an attached garage

<b>Description</b>	<b>Required</b>	<b>Existing</b>	<b>Proposed</b>	<b>Variance</b>
Front Yard Set Back	25 ft	16.7'		8.3'
<b>Side Yard Abutting/Lot</b>	<b>15 ft</b>		2.4'	12.6'
<b>Combined Side Yards</b>	<b>35 ft</b>		13.6'	21.4'
Rear Yard Set Back	30 ft			
Max. Livable Fl.Area FAR	Variable 39%			
<b>Lot Frontage</b>	<b>100 ft</b>	<b>50'</b>		<b>50'</b>
Lot Depth	100 ft			
<b>Bldg Coverage %</b>	<b>20%</b>		27.6%	7.6%
<b>Impervious Coverage</b>	<b>Variable 35%</b>		41.4%	6.4%
<b>Height</b>	<b>28 ft</b>	28.48'		0.48'
<b>Lot Area.</b>	<b>10,000 sq.ft</b>	<b>5000 sq.ft</b>		<b>5000 sq.ft</b>
Driveway from Prop. line.	10'			

Application is carried from the July 24 meeting because of missing architect plans

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**Memorializations (Cont.)**

**1253 Liron & Doron Bensusan 344 11<sup>th</sup> St. Block 14.02 Lot 13**

The applicants were granted the following variances to expand their driveway by 10'.

<b>Description</b>	<b>Required</b>	<b>Existing</b>	<b>Proposed</b>	<b>Variance</b>
Front Yard Set Back	25 ft			
Side Yard Abutting/Lot	15 ft			
Combined Side Yards	35 ft			
Rear Yard Set Back	30 ft			
Max. Livable Fl.Area FAR	Variable 39%			
Lot Frontage	100 ft			
Lot Depth	100 ft			
Bldg Coverage %	20%			
Impervious Coverage	Variable 35%			
Height	28 ft			
Lot Area.	10,000 sq.ft			
<b>Driveway from Prop. line.</b>	<b>10'</b>		<b>5.2'</b>	<b>4.8'</b>

**Meeting adjourned at 9:10 pm**