

TOWNSHIP OF WEST ORANGE APPLICATION FORM FOR THE PLANNING BOARD OR ZONING BOARD OF ADJUSTMENT

A. APPLICANT INFORMATION

Full Legal Name: Kibutu Mark
(Last) (First)
Mailing Address: 48 Greenwood Avenue West Orange New Jersey 07052
(Street) (City) (State) (Zip)
Telephone Number: 201-604-3239 Email: markk@2kiarchitects.com

Is the Applicant an: ☒ Individual, ☐ Corporation, ☐ Partnership, ☐ Other _____

If the Applicant is a corporation or partnership, a list of the names and addresses of persons having a 10% interest or more in the corporation or partnership must be attached.

Relationship of the applicant to the property: ☒ Owner, ☐ Tenant or Lessee, ☐ Purchaser under contract
(with consent of owner, ☐ Other (please specify) _____)

If the applicant is not the owner of the property in question, the applicant must submit an affidavit with the owner(s) authorization to proceed with this process.

B. PROPERTY OWNER INFORMATION

☒ Check here if same as applicant. If the owner is not the applicant, please complete the following:

Owner's Name: Same as applicant

Address: _____

Telephone Number: (____) _____ Email: _____

C. PROPERTY INFORMATION

Street Address: 46 Greenwood Avenue

Block Number(s): 176.01; Lot Number(s): 33;

Tax Plate: 122; Zone of Property: R-6 Single Family Residential Zone

The location of the property is approximately 175 feet from the intersection of _____
Greenwood Avenue and Sherwood Place (closest intersection.)

Has there been any previous Zoning Board of Adjustment or Planning Board hearings involving this property?

☐ Yes, Date(s): _____; ☒ No

If yes, please attach copies of the written decisions adopted by the Board to each application.

Please attach a list of all contiguous or adjacent property owned by the applicant or owner. ☒ See Proposal Attached

Is this property listed in "The Historic Sites Survey" prepared by Robert Guter 7/9/1992 ☐ Yes ☒ No

D. TYPE OF APPLICATION

Indicate the type of application being submitted, check all boxes that apply. Note that more than one variance may be necessary, please indicate the number of each type needed:

- 1) ☐ Interpretation of ordinance or map.
- 2) ☐ Appeal of action of Zoning Officer.
- 3) ☒ Variance "C1" Reason: ☐ shape of property; ☒ physical features; ☐ exceptional situation.
- 4) ☒ Variance "C2".
- 5) ☐ Variance "D".
- 6) ☐ Subdivision without variances: ☐ major; ☐ minor; ☐ preliminary; ☐ final; ☐ preliminary and final.
- 7) ☐ Subdivision with variances: ☐ major; ☐ minor; ☐ preliminary; ☐ final; ☐ preliminary and final.
- 8) ☐ Site Plan: ☐ preliminary; ☐ final; ☐ preliminary and final; ☐ with variances; ☐ without variances.
- 9) ☐ Amended Site Plan.
- 10) ☐ Conditional Use.
- 11) ☐ Conceptual.
- 12) ☐ Home Professional Office.
- 13) ☐ Home Occupation.
- 14) ☐ Soil Removal Permit.

Please list the specific Sections of the Ordinance for which a variance is sought. If additional space is required, please attach a list.

Section: _____; Proposed: _____; Description: See attached Proposal
Section: _____; Proposed: _____; Description: _____
Section: _____; Proposed: _____; Description: _____
Section: _____; Proposed: _____; Description: _____

E. DESCRIPTION OF PROPERTY

Existing Use of the Property

Briefly describe the major elements of your proposal: (a more detailed description is required in Section G.)

- The applicant is seeking to construct a single family home on the subject property which is currently vacant.

The property is 7,096 (square feet); 0.1629 (acres)

Impervious Surface Coverage: Present: 0%; Proposed: 61%

Building Coverage: Present: 0%; Proposed: 33%

Is the property located:

Within 200 feet of another municipality?	☐ Yes	☒ No
Adjacent to an existing or proposed county road?	☐ Yes	☒ No
Adjacent to other county land?	☐ Yes	☒ No
Adjacent to a state highway?	☐ Yes	☒ No

F. EXPERTS

The following information is respectfully requested to enable the Board to facilitate the processing of this application:

APPLICANT'S ATTORNEY: Robert A. Gaccione, Esq.

Telephone Number: () 973-759-2807 Email: rgaccione@gpmlegal.com

Address: 524 Union Avenue, Belleville NJ 07109

APPLICANT'S ENGINEER: Frank J. Rotunda, P.E.

Telephone Number: () 727-350-7150 Email: frank@afeinspect.com

Address: 7 Hilltop Road, Kinnelon NJ 07405

APPLICANT'S ARCHITECT: Mark Kibutu

Telephone Number: () 201-604-3239 Email: markk@2kiarchitects.com

Address: 372 Broad Street, Suite 4, Bloomfield NJ 07003

APPLICANT'S PLANNER: To be determined

Telephone Number: () _____ Email: _____

Address: _____

OTHER EXPERT(S): _____

Telephone Number: () _____ Email: _____

Address: _____

If necessary, please list any additional experts below, including address, telephone number and email address.

G. REQUIREMENTS FOR VARIANCES

- 4A) Please attach a written statement labeled **"PROPOSAL"**, describe the major elements of your proposal, and describe in detail the physical and use changes proposed.
- 4B) Please attach a written statement labeled **"REASONS FOR RELIEF"**, which fully answers 4C-1, 4C-2 or 4D (Special Reasons) AND part 4E (Negative Criteria).
- 4C-1) *(For C1 variances only)* The strict application of the provisions of the Zoning Ordinance would result in the peculiar and exceptional practical difficulties or exceptional undue hardship under *N.J.S.A. 40:55D-70c(1)*. List in detail wherein this case conforms to this requirement, including, if applicable, reference to the exceptional narrowness, shallowness, or shape of the property, or the exceptional topographical conditions affecting the property which applicant contends warrants the granting of the variance.
- 4C-2) *(For C2 variances only)* State how the purposes of the Municipal Land Use Law would be advanced by a deviation from the zoning ordinance requirements and the benefits of the deviation would substantially outweigh any detriment according to *N.J.S.A 40:55D-70c(2)*. Please list all benefits of the deviation to the Township and any adverse effects. State how the benefits of the deviation would substantially outweigh any detriment to the Township.
- 4D) *(For D variances only)* State the special reasons under *N.J.S.A 40:55D-70d* affecting this property.
- 4E) The granting of this variance will not be substantially detrimental to the public good and will not substantially impair the intent of the zone plan and zoning ordinance. List in detail the reasons, among others, why the variance can be granted without being materially detrimental to the welfare of the community or injurious to the property or improvements of others in the neighborhood and zone.

H. PLAT SUBMISSION

- 4F) Please list all maps and other exhibits accompanying this application. Attach an additional sheet if necessary.

ITEM	SIGNED BY	DATE/REVISION

I. NOTICE

Applicant is responsible to publish and serve notice of this application in accordance with Zoning Board of Adjustment/Planning Board requirements; however, notice may not be served until this application is certified as complete and the administrative officer has assigned the applicant a public hearing date.

J. VERIFICATION AND AUTHORIZATION

SIGNATURE IS REQUIRED FOR ALL OF THE FOLLOWING:

APPLICANT'S VERIFICATION

I hereby certify that the above statements made by me and the information contained in the papers submitted in connection with this application are true. I am aware that if any of the foregoing statements are willfully false, I am subject to punishment.

Applicant's Signature:  Date: 02/01/2022

CONTINUANCE

Should the Planning Board/Zoning Board of Adjustment have a full and heavy agenda, or discussion and meeting regarding this application requiring carrying the matter past the statue time limit, the applicant grants permission for such an extension.

Applicant's Signature:  Date: 02/01/2022

OWNER'S AUTHORIZATION – MUST BE SIGNED

I hereby certify that I reside at 48 Greenwood Avenue, West Orange
in the County of Essex and the State of New Jersey;
and that I am the owner of all that certain lot, piece or parcel of land known as Block(s) 176.01;
Lot(s) 33 on the Tax Map of West Orange which property is the subject of the above
application, and that said application is hereby authorized by me. Furthermore, I authorize inspection of the site
which is the subject of this application.

Owner's Signature:  Date: 02/01/2022

THIS APPLICATION DOES NOT RELIEVE THE APPLICANT FROM COMPLYING WITH OTHER TOWNSHIP ORDINANCES SUCH AS THE TREE REMOVAL ORDINANCE AND OBTAINING THE NECESSARY APPROVALS AND PERMITS UNDER SUCH ORDINANCES.

SUSTAINABILITY CHECKLIST FORM

	APPLICANT - PRINT OR TYPE - ALL SECTIONS TO BE COMPLETED:	TOWNSHIP OK (Date)
SUSTAINABLE BUILDING AND DESIGN STANDARDS		
Name of LEED Accredited Professional working on project:	- Not provided	
List of Energy Star and WaterSense appliances, fixtures and construction techniques:	- Not provided	
List of green and recycled building materials in new construction, renovation, and maintenance:	- Not provided	
Waste Management Plan for recycling and/or reuse of 60 percent of all construction and demolition of waste generated in projects larger than \$25,000:	- Not provided	
Use of any water efficient landscaping:	- Not provided	
Use of any on-site renewable energy systems such as: (i) Solar (ii) Wind (iii) Geothermal	- Not provided	
Details of roofing materials designed to reduce the urban heat island effect such as: (i) Construction of roof top gardens to reduce solar gain in summer and insulate in winter (ii) Use of roofing materials that are no darker than a light gray or demonstrate how alternate roofing materials reduce the urban heat island effect	- Not provided	
Details of any sustainable stormwater systems employed such as: (i) Bioswales/ raingardens (ii) Permeable surfaces (iii) Grey water systems (iv) Retention and detention facilities (v) Continuous trenching	- Not provided	
A list of native and well adapted species used in landscaping to eliminate the need for fertilization and pesticides:	- Not provided	

Note: Please indicate for each of the sustainable building/design items listed, the extent to which the measure is being incorporated in the project or, alternatively, indicate the reason(s) why it is not being incorporated in the project.

ROBERT A. GACCIONE
FRANK POMACO
DENNIS E. GAGLIONE
ALDO DITROLIO
ANTHONY G. DEL GUERCIO

GACCIONE POMACO
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STEVEN M. AHRENDT
WILFREDO CARABALLO
Of Counsel

JOSEPH V. ISABELLA, J.S.C. (Ret.)

LESLIE W. FINCH
(1973-2000)

Proposal

Re: Mark Kibutu,
46 Greenwood Avenue
Block 176.01 / Lot 33

Mark Kibutu (the "Applicant") filed an application to the West Orange Zoning Board of Adjustment requesting bulk variance relief in order to construct a single-family residential dwelling on a presently vacant lot. Note that Mark Kibutu is also the owner of the adjacent property to the west commonly known as 48 Greenwood Avenue and also known as Block 176.01, Lot 34 on the tax maps of the Township of West Orange.

The subject property is located in the R-6 Single Family Residential Zone and the single-family use proposed is permitted in the zone. In order to develop and use the subject property as proposed, the Applicant is requesting the following bulk variances:

- Class C Bulk Variance for minimum required lot width where a minimum lot width of 60 feet is required pursuant to West Orange Ordinance Section 25 Attachment 3 Bulk Standards and a lot width of 55 feet is provided. Note this is pre-existing condition which will not be changed as a result of the present application.
- Class C Bulk Variance for minimum required front yard setback where a minimum front yard setback of 35 feet is required pursuant to West Orange Ordinance Section 25 Attachment 3 Bulk Standards and a front yard setback of 29.8 feet is proposed.
- Class C Bulk Variance for maximum permitted lot coverage where a maximum lot coverage of 45% is permitted pursuant to West Orange Ordinance Section 25 Attachment 3 Bulk Standards and 61% lot coverage is proposed.
- Class C Bulk Variance for minimum effective lot area where a minimum effective lot area of 6,000 square feet is required pursuant to West Orange Ordinance Section 25 Attachment 3 Bulk Standards and an effective lot area of 1,121.8 is provided after applying the steep slope adjustment required by West Orange Ordinance Section 25-28.8.d.

The Applicant hereby request the above listed variance relief in addition to any and all variances or waivers that the West Orange Zoning Board of Adjustment deems necessary for approval of the application.

Dated: January 5, 2022



TOWNSHIP OF WEST ORANGE

66 MAIN STREET, WEST ORANGE, N.J. 07052

OFFICE OF THE TAX COLLECTOR

ROBERT D. PARISI
Mayor

Tel: (973) 325-4075
Fax: (973) 736-9182
Email: klongo@westorange.org
cwahlers@westorange.org

VERIFICATION OF TAXES & SEWER CHARGES PAID

DATE: 11/7/22

BLOCK: 176-01

LOT: 33 QUAL: _____

NAME: Kibutu, Mark & Tesha Reed

ADDRESS: Greenwood Ave

TAXES PAID UNTIL: 1/31/23

2022 SEWER PAID IN FULL: YES NO

Property not Sewered



TOWNSHIP OF WEST ORANGE
TAX COLLECTOR
66 MAIN STREET
WEST ORANGE, NJ 07052
PHONE (973) 325-4075
FAX (973) 736-9182

AN EQUAL OPPORTUNITY EMPLOYER
www.westorange.org

Buffer Report

THE TOWNSHIP OF WEST ORANGE

Office of the Assessor
66 Main Street
West Orange, New Jersey 07052
Telephone: (973) 325-4060
Facsimile: (973) 669-4859

Highlighted feature(s)

Subject Property(s) (1)

Town	Block	Lot	Qualifier	Location	Owner	Owner Address	Owner City/State	Owner Zip
West Orange Township	176.01	33		GREENWOOD AVENUE	KIBUTU, MARK & IESHA REED-KIBUTU	65 HAWTHORNE PL #G1	MONTCLAIR, NJ	07042

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List of adjoining feature(s) that intersect 200 foot buffer from Subject Property(s).

Adjoining Properties (22)

Town	Block	Lot	Qualifier	Location	Owner	Owner Address	Owner City/State	Owner Zip
West Orange Township	176.01	25		36 GREENWOOD AVE.	BONANATE, LISA & SANFORD	36 GREENWOOD AVE	WEST ORANGE, NJ	07052
West Orange Township	176.01	30		38 GREENWOOD AVENUE	SCIME-SAYEGH, DIANA	38 GREENWOOD AVE	WEST ORANGE, NJ	07052
West Orange Township	176.01	31		42 GREENWOOD AVENUE	PEREZ, FRANKIE & RIVERA, ELIANA	42 GREENWOOD AVENUE	WEST ORANGE, N.J.	07052
West Orange Township	176.01	33		GREENWOOD AVENUE	KIBUTU, MARK & IESHA REED-KIBUTU	65 HAWTHORNE PL #G1	MONTCLAIR, NJ	07042
West Orange Township	176.01	34		48 GREENWOOD AVENUE	KIBUTU, MARK & IESHA REED-KIBUTU	65 HAWTHORNE PL #G1	MONTCLAIR, NJ	07042
West Orange Township	176.01	35		50 GREENWOOD AVENUE	RAMOTAR, RYAN	50 GREENWOOD AVE	WEST ORANGE, NJ	07052
West Orange Township	176.01	36		52 GREENWOOD AVENUE	THOMPSON, RYAN J & ALKEMEYER, C	52 GREENWOOD AVE	WEST ORANGE, NJ	07052
West Orange Township	176.01	37		54 GREENWOOD AVENUE	FURIA, JOHN C. & ANTOINETTE	54 GREENWOOD AVE	WEST ORANGE, NJ	07052
West Orange Township	176.05	23		37 GREENWOOD AVENUE	GLAZER, DAVID B & MICHELE	37 GREENWOOD AVENUE	WEST ORANGE, N.J.	07052
West Orange Township	176.10	13		27 CRESTWOOD DRIVE	FAIWISZEWSKI, STEVEN & BITON, EMILY	27 CRESTWOOD DRIVE	WEST ORANGE, N.J.	07052
West Orange Township	176.10	14		31 CRESTWOOD DRIVE	GREENFIELD, ROBERT & DEBORAH	31 CRESTWOOD DRIVE	WEST ORANGE, NJ	07052
West Orange Township	176.10	15		35 CRESTWOOD DRIVE	PEIKES, JOSEPH & PAULA	35 CRESTWOOD DRIVE	WEST ORANGE, NJ	07052
West Orange Township	176.10	16		39 CRESTWOOD DRIVE	FURER, MARK & CARMELLA	39 CRESTWOOD DRIVE	WEST ORANGE, NJ	07052

Town	Block	Lot	Qualifier	Location	Owner	Owner Address	Owner City/State	Owner Zip
West Orange Township	176.10	17		43 CRESTWOOD DRIVE	BROWN, MICHAEL & NURIT	43 CRESTWOOD DRIVE	WEST ORANGE, NJ	07052
West Orange Township	176.11	15		30-34 CRESTWOOD DRIVE	GEDDAM, RAKESH & BURADAGUNTAS	30-34 CRESTWOOD DR	WEST ORANGE, NJ	07052
West Orange Township	176.20	8		16 BEECHWOOD TERRACE	LEVINE, DANIEL & PATRICIA	16 BEECHWOOD TERRACE	WEST ORANGE, NJ	07052
West Orange Township	176.20	9		18 BEECHWOOD TERRACE	STALEY, CHRISTOPHER & CUASAY, KATRINA	18 BEECHWOOD TERR	WEST ORANGE, NJ	07052
West Orange Township	176.20	10		20 BEECHWOOD TERRACE	GLOBUS, CORY	20 BEECHWOOD TERRACE	WEST ORANGE, NJ	07052
West Orange Township	176.20	15		15 SHERWOOD PLACE	PEREZ, DAVID & GONZALEZ, EMILY	15 SHERWOOD PL	WEST ORANGE, NJ	07052
West Orange Township	176.20	17		45 GREENWOOD AVENUE	RYAN, NANCY LEE	45 GREENWOOD AVENUE	WEST ORANGE, N.J.	07052
West Orange Township	176.20	18		19 SHERWOOD PLACE	KRAUTH, CINDY A	19 SHERWOOD PLACE	WEST ORANGE, NJ	07052
West Orange Township	176.20	19		17 SHERWOOD PLACE	SHARRET, RAPHAEL & BERTHA	17 SHERWOOD PL.	WEST ORANGE, N.J.	07052

Buffer Report - Map

