



75 Main Street, Suite 201
Millburn, NJ 07041

**Law Offices of
Richard Schkolnick, LLC**

973-232-5061

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October 6, 2023

Via E-mail and UPS Overnight (dchandler@westorange.org)

Diana Chandler, Secretary
Zoning Board of Adjustment
Township of West Orange
66 Main Street, Room 210
West Orange, NJ 07052

**RE: Application of Asemamaw Feleke and Mistre Sewasew
18 Kling Street
Block 116, Lot 62**

Dear Diana:

This Firm represents Asemamaw Feleke and Mistre Sewasew ("Applicants"). In support of this application for a d-1 (use) variance, "c" variances, an exception from the parking requirements of the Residential Site Improvement Standards and minor site plan approval to convert the existing two-family dwelling at the above premises to a three-family dwelling, with no exterior changes, enclosed please find six sets of the following:

1. Application to Township of West Orange Zoning Board of Adjustment.
2. Site Plan Checklist.
3. Verification of Taxes and Sewer Charged Paid, dated August 22, 2023.
4. Buffer Report (property owners list), dated August 31, 2023.
5. W-9 form.
6. Proposal/Project Narrative, dated October 6, 2023.
7. Boundary Survey, prepared by Brevard Surveying & Mapping, LLC, dated August 4, 2023.
8. Photographs of property.

9. Architectural Plans (3 sheets), prepared by Scott Monro, R.A., AIA, dated September 26, 2023.

I have simultaneously filed this application with you via email. Kindly advise if you require a filing with a USB stick.

I have enclosed the application fee of \$1,775.00 for minor site plan with one "d" variance; 3 "c" variances (\$300 base + \$75 per each unit (3 units) + \$200 "d" variance; and \$350 per "c" variance). I have also enclosed \$4,0000 representing the escrow fees for the additional unit.

The Applicant is submitting an electronic copy of this application and is therefore requesting a waiver of the digitizing fee. Please advise if any additional fees are required.

Given that the proposal does not include any exterior changes to the existing structure, we request a waiver from submitting the Sustainability Checklist Form.

The property is located in the Township's R-T Residential zone which permits single and two family dwellings. Therefore, a d-1 (use) variance is required for the proposed conversion to a three-unit dwelling. The Applicant requests the following relief:

1. D-1 (use) variance from the permitted uses in the R-T zone. Single and two family dwellings are permitted. The applicant is proposing a three-family dwelling.
2. Minimum lot area per dwelling unit (Attachment 25-3) (3,750 square feet required for two family residences; 1,250 square feet for each of the three units is proposed).
3. Minimum lot area (Attachment 25-3) (3,750 square feet required for two-family residences; 3,750 square feet existing and proposed for a three family residence).
4. Section 25-9.8(9) Minimum residential floor area for multi-family residences (Efficiency/studio apartment is required to have 600 square feet; proposed studio on the third floor is 467square feet).
5. Minor site plan approval.

The following pre-existing conditions exist and will not change:

1. Minimum lot width (Attachment 25-3) (75 feet minimum lot width required for a 2 family dwelling; 30 feet existing/no change).
2. Minimum front yard setback (Attachment 25-3) (30 feet required; 23.6 feet existing/no change);
3. Minimum side yard setback (one/both) (Attachment 25-3) (8 feet one side/10 feet one side required; 0.1 and 8.4 feet existing/no change).
4. Maximum lot coverage (Attachment 25-3) (55% permitted; 74% existing/no change).

Diana Chandler, Zoning Board of Adjustment Secretary

October 6, 2023

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Thank you for consideration of this matter.

Very truly yours,

A handwritten signature in blue ink, appearing to read "Richard S. Schkolnick", with a stylized flourish at the end.

Richard S. Schkolnick

RSS/lp

Enclosures

Feleke/18 Kling Street

cc: Mr. Asemamaw Feleke (via email only)

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

A. APPLICANT INFORMATION

Full Legal Name: Asemamaw Feleke and Mistre Sewasen
Mailing Address: 89-93 Martin Luther King Ave., Morristown, NJ 07960
Telephone Number: (973)232-5061 (attorney) Email: rick@schkolnicklaw.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: _____
Address: _____
Telephone Number: (____) _____ Email: _____

C. PROPERTY INFORMATION

Street Address: 18 Kling Street
Block Number(s): 116; Lot Number(s): 62
Tax Plate: 51; Zone of Property: R-T
The location of the property is approximately 290 feet from the intersection of Main Street
and Kling Street (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. ☐ None ** see below

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

** Property owner/applicant also owns the adjacent property at 16 Kling St/Block 116,

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.
- 5) ☒ Variance "C2" .
☒ 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.

Minor

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: _____

Section: _____; Proposed: _____; Description: _____

Section: _____; Proposed: _____; Description: _____

**** See Attached Proposal/Project Narrative for list of variances**

E. DESCRIPTION OF

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

Existing Use of the Property A two family dwelling and detached garage

The applicants propose to convert the third floor bedroom area to a studio apartment which would create a third dwelling unit in an existing two family dwelling.

The property is 3,751 (square feet); .086 (acres)

Impervious Surface Coverage: Present: 74%; Proposed: 74% %

Building Coverage: Present: 32%; Proposed: 32%

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: Richard Schkolnick, Esq.

Telephone Number: (973) 232-5061 Email: rick@schkolnicklaw.com

Address: Law Offices of Richard Schkolnick, 75 Main Street, Suite 201, Millburn, NJ 07041

APPLICANT'S ENGINEER:

Telephone Number: ()

Email:

Address:

APPLICANT'S ARCHITECT: Scott Monro, R.A., AIA

Telephone Number: (973) 283-0931 Email: smonro@gsmarchitects.com

Address: GSM Architects, LLC, 170 Kinnelon Road, Suite 21, Kinnelon, NJ 07405

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. ****See attached proposal / narrative statement**
- 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). ****See attached proposal / narrative statement**
- 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
Architectural Plan (3 sheets)	Scott Monro, R.A., AIA	September 26, 2023
Survey of Property	Brevard Surveying & Mapping, LLC	August 4, 2023

I. NOTICE

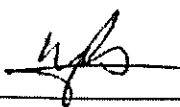
Applicant is responsible to publish and serve notice of this application in accordance with Zoning Board of Adjustment/Planning Board requirements; however, notice may not be served until this application is certified as complete and the administrative officer has assigned the applicant a public hearing 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: 9/17/23

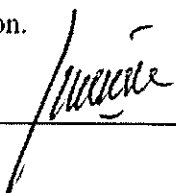
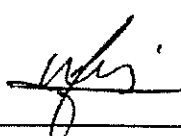
CONTINUANCE

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: 9/17/23

OWNER'S AUTHORIZATION - MUST BE SIGNED

I hereby certify that I reside at _____
in the County of _____ and the State of _____;
and that I am the owner of all that certain lot, piece or parcel of land known as Block(s) _____;
Lot(s) _____ on the Tax Map of _____ 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: 9/17/23

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.

TOWNSHIP OF WEST ORANGE

Asemamaw Feleke

APPLICANT: Mistere Sewasew

Site Plan/Subdivision Checklist

ALL DOCUMENTS MUST BE PREPARED, SIGNED AND SEALED BY NEW JERSEY LICENSED PROFESSIONAL.		Pre-Application - Concept Plan	Minor Application		Major Application				COMPLETE	INCOMPLETE	WAIVER REQUESTED	
Item Number	Description		Subdivision	Site Plan	General Development Plan	Subdivision		Site Plan				
						Preliminary	Final	Preliminary				Final
1. PROJECT-PLAT INFORMATION												
1.	<u>Item:</u> Name, address of owner and applicant.	X	X	X	X	X	X	X	X			
2.	<u>Item:</u> Name, signature, license number, seal and address of engineer, land surveyor, architect, professional planner, and/or landscape architect, as applicable, involved in preparation of plat.	X	X	X	X	X	X	X	X			
3.	<u>Item:</u> Title block denoting type of application, tax map sheet, county, name of municipality, block & lot, and street location.	X	X	X	X	X	X	X	X			
4.	<u>Item:</u> A key map at specified scale showing location of tract with reference to surrounding properties, streets, municipal boundaries, etc., within 500'. <u>Comment:</u> Describes setting, may be less detailed in pre-application-concept plan and GDP stages.	X	X	X	X	X	X	X			X	
5.	<u>Item:</u> A schedule of required and provided zone district(s) requirements including lot area, width, depth, yard setbacks, building coverage, open space, parking, etc. <u>Comment:</u> Schedule may be less detailed in pre-application-concept plan stages.	X	X	X	X	X	X	X	X			
6.	<u>Item:</u> North arrow and scale.	X	X	X	X	X	X	X	X			
7.	<u>Item:</u> Proof that taxes are current.		X	X	X	X	X	X	X			
8.	<u>Item:</u> Signature blocks for Chairman, Secretary and Municipal Engineer.		X	X	X	X	X	X	X			
9.	<u>Item:</u> Appropriate certification blocks as required by Map Filing Law.		X			X	X					
10.	<u>Item:</u> Monumentation as specified by Map Filing Law. <u>Comment:</u> Monumentation required only for final subdivision.		X				X					
11.	<u>Item:</u> Date of current property survey. <u>Comment:</u> Required by Map Filing Law for final subdivision and site plan; necessary for vesting on GDP.		X	X	X	X	X	X	X			

ALL DOCUMENTS MUST BE PREPARED, SIGNED AND SEALED BY NEW JERSEY LICENSED PROFESSIONAL.		Pre-Application - Concept Plan	Major Application						COMPLETE	INCOMPLETE	WAIVER REQUESTED	
			Minor Application		General Development Plan	Subdivision		Site Plan				
						Subdivision	Site Plan	Preliminary				Final
Item Number	Description											
12.	<u>Item:</u> One (1) of four (4) standardized sheets. 30" x 42", 24" x 36", 15" x 21", 8.5" x 13" <u>Comment:</u> Required by Map Filing Law for minor and major subdivisions.		X	X		X	X	X	X	X		
13.	<u>Item:</u> Metes and bounds description showing dimensions, bearings, curve data, length of tangents, radii, arcs, chords and central angles for all centerlines and right-of-way, and centerline curves on streets.		X				X		X		N/A	
14.	<u>Item:</u> Affidavit of ownership. <u>Comment:</u> Map Filing Law for minor and major subdivision.	X	X	X	X	X	X	X	X		N/A	
15.	<u>Item:</u> Acreage of tract to the nearest tenth of an acre (for GDP--to nearest acre).		X	X	X	X	X	X	X	X		
16.	<u>Item:</u> Date of original and all revisions. <u>Comment:</u> Item necessary for continuity-history of project.		X	X	X	X	X	X	X	X		
17.	<u>Item:</u> Size and location of any existing or proposed structures with all setbacks dimensioned. <u>Comment:</u> Item important for detailed planning.	X	X	X	X	X	X	X	X	X		
18.	<u>Item:</u> Location and dimensions of any existing or proposed streets (for GDP and pre-application- concept plan – general locations). <u>Comment:</u> Item important for detailed planning.	X	X	X	X	X	X	X	X	X		
19.	<u>Item:</u> All proposed lot lines and area of lots in square feet.		X	X		X	X	X	X	X		
20.	<u>Item:</u> Copy and/or delineation of any existing or proposed deed restrictions or covenants. €	X	X	X	X	X	X	X	X		X	
21.	<u>Item:</u> Any existing or proposed easement or land reserved for or dedicated to public use. €	X	X	X	X	X	X	X	X		N/A	
22.	<u>Item:</u> Development stages or staging plans (for GDP--general staging). <u>Comment:</u> Not applicable at pre-application- concept plan stage; minor plans usually not built in stages.				X	X	X	X	X			

ALL DOCUMENTS MUST BE PREPARED, SIGNED AND SEALED BY NEW JERSEY LICENSED PROFESSIONAL.	Pre-Application - Concept Plan			Major Application					COMPLETE	INCOMPLETE	WAIVER REQUESTED
		Minor Application		General Development Plan	Subdivision		Site Plan				
		Subdivision	Site Plan		Preliminary	Final	Preliminary	Final			
Item Number Description											
23. <u>Item</u> : List of required regulatory approvals or permits. <u>Comment</u> : Basic planning information. e		X	X	X		X		X	X		
24. <u>Item</u> : List of variances required or requested. e <u>Comment</u> : Basic planning information.		X	X		X	X	X	X	X		
25. <u>Item</u> : Requested or obtained design waivers or exceptions. e <u>Comment</u> : Describes location of all adjacent structures; not necessary at pre-application-concept plan stages; required at site plan stages; required at site plan only if notice is required by ordinance.		X	X		X	X	X	X			X
26. <u>Item</u> : Payment of application fees. <u>Comment</u> : Fee not imposed for pre-application conference.	X	X	X	X	X	X	X	X	X		
27. <u>Item</u> : Property owners and lines of all parcels within 200' identified on most recent tax map sheet. <u>Comment</u> : Describes location of all adjacent structures; not necessary at pre-application-concept plan stages; required at site plan only if notice is required by ordinance.			X	X	X	X	X	X	X		
28. <u>Item</u> : All existing street, water courses, flood plains, wetlands or other environmentally sensitive areas on and within 200' of site. <u>Comment</u> : while detailed specification of environmentally sensitive areas may not be necessary at pre-application-concept plan and GDP stages, general specification of and sensitivity to such conditions is an important planning consideration.	X		X	X	X	X	X	X			N/A
29. <u>Item</u> : Existing right-of-way and/or easements on and within 200' of tract. <u>Comment</u> : Rights-of-way and easements are often unknown at the pre-application-concept (see however, item 28).	X		X	X	X	X	X	X			N/A
30. <u>Item</u> : Topographical features of subject property from U.S.G.S. map. <u>Comment</u> : More detailed topographic information is needed for major subdivision.	X		X	X					X		

ALL DOCUMENTS MUST BE PREPARED, SIGNED AND SEALED BY NEW JERSEY LICENSED PROFESSIONAL.		Pre-Application - Concept Plan			Major Application				COMPLETE	INCOMPLETE	WAIVER REQUESTED	
Item Number	Description		Minor Application		General Development Plan	Subdivision		Site Plan				
			Subdivision	Site Plan		Preliminary	Final	Preliminary				Final
31. <u>Item</u> :	Existing and proposed contour intervals based on U.G.S. & G.S. datum. Contours to extend at least 200' beyond subject property as follows: up to 3% grade - 1' 3% + grade - 2' <u>Comment</u> : Major site plan and subdivision requires level of detail of Item 31 as opposed to Item 30.					X	X	X	X			
32. <u>Item</u> :	Boundary, limits, nature and extent of wooded areas, specimen trees, and other significant physical features (detail may vary). <u>Comment</u> : Basic for good planning.	X	X	X	X	X	X	X	X		N/A	
33. <u>Item</u> :	Existing system of drainage of subject site and of any larger tract or basin of which it is a part. <u>Comment</u> : See Item 31. Extensive level of detail required only for major subdivision and site plan.					X	X	X	X			
34. <u>Item</u> :	Drainage Area Map. <u>Comment</u> : Necessary for major application; inapplicable at GDP stage.					X	X	X	X			
35. <u>Item</u> :	Drainage Calculations. <u>Comment</u> : Required for minor applications if deemed necessary by Planning Board; not required at GDP stage because storm water management evaluated at major subdivision and site plan stage.		X	X		X	X	X	X		N/A	
36. <u>Item</u> :	Proposed utility infrastructure plans, including sanitary sewer, water, storm water management, telephone, electric & cable TV. <u>Comment</u> : Information necessary for minor site plan because of potential effect on utility systems. Only general location for electric, telephone and cable TV required.		X	X		X	X	X	X		N/A	
37. <u>Item</u> :	Proposed utility infrastructure plans, including sanitary sewer, water, storm water management, telephone, electric and cable TV. <u>Comment</u> : Information necessary for minor site plan because of potential effect on utility systems. Only general location for telephone, electric and cable TV required.			X	X	X	X	X	X		N/A	

ALL DOCUMENTS MUST BE PREPARED, SIGNED AND SEALED BY NEW JERSEY LICENSED PROFESSIONAL.		Pre-Application - Concept Plan			Major Application				COMPLETE	INCOMPLETE	WAIVER REQUESTED	
Item Number	Description		Minor Application		General Development Plan	Subdivision		Site Plan				
			Subdivision	Site Plan		Preliminary	Final	Preliminary	Final			
38.	<u>Item:</u> Soil Erosion and Sediment Control Plan. <u>Comment:</u> Required for soil disturbance over 5,000 sq. ft.			X		X	X	X	X			X
39.	<u>Item:</u> Spot and finished elevations at all property corners, corners of all structures or dwellings, existing or proposed first floor elevations. <u>Comment:</u> Not required for minor subdivision because not involving construction of buildings.			X	X	X	X	X	X			X
40.	<u>Item:</u> Construction details as required by ordinance. <u>Comment:</u> Such level of detail necessary only for major applications.					X	X	X	X			
41.	<u>Item:</u> Road and paving cross-sections and profiles. <u>Comment:</u> See Item 40.					X	X	X	X			
42.	<u>Item:</u> Proposed street names. <u>Comment:</u> Applicable only when new road is proposed.					X	X	X	X			
43.	<u>Item:</u> New block and lot numbers confirmed with local assessor or municipal designee. <u>Comment:</u> Needed whenever a new lot is created.		X				X					
44.	<u>Item:</u> Lighting plan & details <u>Comment:</u> Not applicable for minor subdivision because just creating lots.			X		X	X	X	X			X
45.	<u>Item:</u> Landscape plan & details prepared by a professional landscape architect <u>Comment:</u> Required for site plans because of magnitude of required landscaping.			X				X	X			X
46.	<u>Item:</u> Solid waste management plan. <u>Comment:</u> Site plan consideration only; see Item 44.			X				X	X			X
47.	<u>Item:</u> Site identification signs, traffic control signs, and directional signs. <u>Comment:</u> See Item 44.			X		X	X	X	X			X

ALL DOCUMENTS MUST BE PREPARED, SIGNED AND SEALED BY NEW JERSEY LICENSED PROFESSIONAL.			Major Application						COMPLETE	INCOMPLETE	WAIVER REQUESTED		
			Pre-Application - Concept Plan	Minor Application		General Development Plan	Subdivision					Site Plan	
				Subdivision	Site Plan		Preliminary	Final				Preliminary	Final
Item Number	Description		Subdivision	Site Plan		Preliminary	Final	Preliminary	Final				
48. <u>Item:</u> Sight triangles. <u>Comment:</u> Necessary even for minor applications because sight triangle easement created.			X	X		X	X	X	X			X	
49. <u>Item:</u> Vehicular and pedestrian circulation patterns (less detail necessary for pre-application-concept plan and GSP stages). <u>Comment:</u> See Item 44.		X		X	X	X	X	X	X			X	
50. <u>Item:</u> Parking plan showing spaces, size and type, aisle width, curb cuts, drives, driveways, and all ingress and egress areas and dimensions. <u>Comment:</u> See Item 44.				X		X	X	X	X	X			
51. <u>Item:</u> Preliminary architectural plan and elevations. <u>Comment:</u> Not required where building is not proposed.				X				X	X	X			
52. <u>Item:</u> Plans and legal documents for compliance with West Orange COAH Ordinances.			X	X	X	X	X	X	X			X	

€ Proposed restrictions or covenants do not have to be included for pre-application-concept plan and GDP
 € Conditional approval may be granted subject to other regulatory approvals.

ALL DOCUMENTS MUST BE PREPARED, SIGNED AND SEALED BY NEW JERSEY LICENSED PROFESSIONAL.

REVISED: 8/30/05 aw

F:\Forms & Awards\PB-ZBAPP.FRM\CHECKLIST\CHECKLIST.FRM



TOWNSHIP OF WEST ORANGE

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

OFFICE OF THE TAX COLLECTOR

SUSAN McCARTNEY

Mayor

KATHY LONGO

Tax Collector

Tel: (973) 325-4075

Fax: (973) 736-9182

Email: taxcollector@westorange.org

VERIFICATION OF TAXES & SEWER CHARGES PAID

DATE: 8/22/23

BLOCK: 116

LOT: 62 QUAL: _____

NAME: Asemamaw + Sewase Feleke

ADDRESS: 18 Kling Street

TAXES PAID UNTIL: 10/31/23

2023 SEWER PAID IN FULL:

YES

NO

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	116	62		18 KLING STREET	FELEKE, ASEMAMAW & SEWASEN, MISTRE	89-93 MARTIN LUTHER KG AV	MORRISTOWN, NJ	07960

§

List of adjoining feature(s) that intersect 200 foot buffer from Subject Property(s).**Adjoining Properties (42)**

Town	Block	Lot	Qualifier	Location	Owner	Owner Address	Owner City/State	Owner Zip
West Orange Township	116	28		3 BABCOCK PLACE	LIU, MATT YU & JIANG, SARAH YUNHONG	141 MADISON CT	LIVINGSTON, NJ	07039
West Orange Township	116	30		5 BABCOCK PLACE	TELI FAMILY TRUST	203 MAIN ST. 2ND FL.	MADISON, NJ	07940
West Orange Township	116	30.01		11 BABCOCK PLACE	GREEN, COLLEL & RODAS, BEATRIZ	11 BABCOCK PLACE	WEST ORANGE, N.J.	07052
West Orange Township	116	31		9 BABCOCK PLACE	HOO, SHELDON & FULLWOOD, AIDAH	9 BABCOCK PL	WEST ORANGE, NJ	07052
West Orange Township	116	35		15 BABCOCK PLACE	LYONS, NASSAYE A.	15 BABCOCK PLACE	WEST ORANGE, NJ	07052
West Orange Township	116	36		BABCOCK PLACE	LYONS, NASSAYE	15 BABCOCK PLACE	WEST ORANGE, NEW JERSEY	07052
West Orange Township	116	38		21 BABCOCK PLACE	MOROCHO, GUILLERMO	21 BABCOCK PL	WEST ORANGE, NJ	07052
West Orange Township	116	40		23 BABCOCK PLACE	CORNWALL, RYAN & VIRTUOUS	23 BABCOCK PL	WEST ORANGE, NJ	07052
West Orange Township	116	41		25 BABCOCK PLACE	TAMAY, JOSE A. & MARIA ZHININ	25 BABCOCK PLACE	WEST ORANGE, NJ	07052
West Orange Township	116	42		27 BABCOCK PLACE	MARKOURIS, IAKOVOS A. & GERAKINA K.	27 BABCOCK PLACE	WEST ORANGE, NEW JERSEY	07052
West Orange Township	116	44		239-245 MAIN STREET	ST GEORGE MANAGEMENT LLC	46 MT PROSPECT AVE	VERONA, NJ	07044
West Orange Township	116	47		247 MAIN STREET	ZOTIKOS, HELEN C	6 CLEARVIEW TERRACE	WEST ORANGE, NJ	07052
West Orange Township	116	48		249 MAIN STREET	SPINA, ANTHONY	121 MAPLE STREET	WEST ORANGE, NJ	07052
West Orange Township	116	50		251 MAIN STREET	ALBURQUEQUE, NICHOLAS	251 MAIN ST	WEST ORANGE, NJ	07052

Request for Taxpayer Identification Number and Certification

Give Form to the
requester. Do not
send to the IRS.

► Go to www.irs.gov/FormW9 for instructions and the latest information.

Print or type. See Specific Instructions on page 3.	1 Name (as shown on your income tax return). Name is required on this line; do not leave this line blank. <u>Mistere Sewanaw</u>	
	2 Business name/disregarded entity name, if different from above	
	3 Check appropriate box for federal tax classification of the person whose name is entered on line 1. Check only one of the following seven boxes. ☒ Individual/sole proprietor or single-member LLC ☐ C Corporation ☐ S Corporation ☐ Partnership ☐ Trust/estate ☐ Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=Partnership) ► Note: Check the appropriate box in the line above for the tax classification of the single-member owner. Do not check LLC if the LLC is classified as a single-member LLC that is disregarded from the owner unless the owner of the LLC is another LLC that is not disregarded from the owner for U.S. federal tax purposes. Otherwise, a single-member LLC that is disregarded from the owner should check the appropriate box for the tax classification of its owner. ☐ Other (see instructions) ►	
	4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3): Exempt payee code (if any) _____ Exemption from FATCA reporting code (if any) _____ (Applies to accounts maintained outside the U.S.)	
	5 Address (number, street, and apt. or suite no.) See instructions. <u>18 Walker Ave</u>	Requester's name and address (optional)
	6 City, state, and ZIP code <u>Morristown, NJ 07960</u>	
	7 List account numbers here (optional)	

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the instructions for Part I, later. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN*, later.

Note: If the account is in more than one name, see the instructions for line 1. Also see *What Name and Number To Give the Requester* for guidelines on whose number to enter.

Social security number										
1	3	6	-	9	8	-	8	6	9	2
or										
Employer identification number										
			-							

Part II Certification

Under penalties of perjury, I certify that:

- The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
- I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
- I am a U.S. citizen or other U.S. person (defined below); and
- The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions for Part II, later.

Sign Here	Signature of U.S. person ► <u>[Signature]</u>	Date ► <u>09/17/2023</u>
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General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

Future developments. For the latest information about developments related to Form W-9 and its instructions, such as legislation enacted after they were published, go to www.irs.gov/FormW9.

Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following:

- Form 1099-INT (interest earned or paid)

- Form 1099-DIV (dividends, including those from stocks or mutual funds)
- Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
- Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
- Form 1099-S (proceeds from real estate transactions)
- Form 1099-K (merchant card and third party network transactions)
- Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)
- Form 1099-C (canceled debt)
- Form 1099-A (acquisition or abandonment of secured property)
Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.
If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See *What is backup withholding*, later.

PROPOSAL/PROJECT NARRATIVE
RELIEF SOUGHT/JUSTIFICATION FOR VARIANCES
APPLICATION OF ASEMAMAW FELEKE AND MISTRE SEWASEW
18 KLING STREET
BLOCK 116, LOT 62
(October 6, 2023)

INTRODUCTION AND PROPERTY DESCRIPTION

Applicants, Asemamaw Feleke and Mistre Sewasew, have applied for “d(1)” and “c” variance relief to make interior renovations and convert an existing detached two family dwelling into a three family dwelling on property located at 18 Kling Street (“the Property”) in the R-T zone. The 3,751 square foot property is developed with a two family dwelling and a detached garage. Presently, the dwelling has two apartments: a three-bedroom unit on the first floor; and a four bedroom unit that occupies both the second and third floors of the dwelling. The tenant occupying the second and third floor has recently vacated the third floor bedroom area.

PROPOSED DEVELOPMENT

The proposal involves the interior renovation of the third floor of the dwelling from two bedrooms and a bathroom into a studio-type apartment (one bedroom/living area, a kitchen and a bath).

The proposed three unit development does not comply with the permitted uses in the R-T zone (Section 25 Attachment 2- Table of District Regulations) which permits single and two family dwellings, therefore a d(1) use variance is required. The proposal results in a net decrease in the number of bedrooms – presently there are seven bedrooms in the two units and the proposal reduces the bedroom count to six bedrooms within three dwelling units.

The ability to provide a reasonably priced rental unit in an area close to mass transit and within a detached residential structure is consistent with the Master Plan goal of providing “appropriate residential development”

NEIGHBORHOOD DESCRIPTION

The surrounding area on Kling Street is developed with a mix of detached residential dwellings that range from single to three family dwellings (based on visual survey of mailboxes, meters and doorbells). The subject site is located in a walkable neighborhood which is proximate to the commercial areas on Main Street, Washington Street and Watchung Avenue. There are several NJ Transit bus lines (#21, #97, #71) that run along Main Street which provide residents access to Newark Penn Station.

ZONING/REQUESTED VARIANCES

The proposed project requests variances from the following requirements of the Township Zoning Ordinance (Attachment 25-2 and Attachment 25-3):

The granting of the variances will not result in a substantial detriment to the public good or impairment to the intent and purpose of the zone plan and zoning ordinance. The proposal is located in a neighborhood with several three family dwellings. It is also a walkable area proximate to mass transit and nearby services/commercial areas which advances several of the goals of the West Orange Master Plan. The proposed project is not anticipated to generate more traffic and can accommodate the required parking spaces for the one additional unit

PARKING

The RSIS (Residential Site Improvement Standards) require a total of 5 parking spaces based on a three bedroom unit on the first floor (2 spaces required); a two bedroom unit on the second floor (1.5 spaces required); and a studio apartment/one bedroom unit on the third floor (1.5 spaces spaces). The proposal includes 5 parking spaces: 2 within the detached garage, a new space to the rear of the dwelling and two spaces within the driveway.

SUMMARY

The proposal represents an alternative housing option without the need for a building expansion. It will provide an affordable choice for a renter that is located in a walkable area convenient to both commercial areas and mass transit. None of the variances will have a substantial detriment to the public good or substantially impair the master plan. The information contained in this report will be supplemented with expert testimony at the Zoning Board of Adjustment.

1. AREA: 3,750 SQ.FT., 0.0861 ACRES

2. SUBSURFACE CONDITIONS NOT SHOWN OR CERTIFIED.
3. SURVEY IS CERTIFIED TO THE LATEST REVISION DATE OR DATE IN THE TITLE BLOCK, AND MAY OR MAY NOT REFLECT CURRENT SITE CONDITIONS.
4. A WRITTEN WAIVER AND DIRECTION NOT TO SET CORNER MARKERS HAS BEEN OBTAINED FROM THE ULTIMATE USER PURSUANT TO P.L. 2003, c.14(M.J.S.A. 45:8-36.3) AND N.J.A.C. 13:40-51.(c)

1. DEED BOOK 5506; PAGE 174

