



MONTCLAIR REAL ESTATE
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OF COUNSEL:
CALVIN O. TREVENEN
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October 20, 2023

VIA HAND DELIVERY

Diana Chandler, Secretary
West Orange Zoning Board of Adjustment
West Orange Municipal Building
66 Main Street
West Orange, New Jersey 07052

Re: Board of Adjustment Application
Applicants: Blair and Aja Washington
Property: 4 Harvard Terrace
Block 41.01 Lot 123

Dear Ms. Chandler:

I represent Blair Washington and Aja Washington, the owners of the above property in connection with the enclosed application to the Board of Adjustment for a "d" use variance to permit the Applicants to operate a "home occupation" in an accessory building on this property rather than in their single-family home.

In accordance with the Board's checklist requirements, enclosed are five collated sets of the following items submitted in connection with this application:

1. Application Form
2. Survey prepared by Morgan Engineering & Surveying
3. Two photographs of the accessory structure
4. 200-foot radius map prepared by Richard J. Hingos, L.S.
5. List of Property Owners within 200 feet of the property
6. Verification from the Tax Collector all real estate have been paid

Diana Chandler, Secretary

October 20, 2023

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Also enclosed is a check in the amount of \$75.00 for the application fee.

Please review these enclosures and advise me as the amount of the escrow deposit required for this application. Also, please let me know if any additional documents or information are required in order for the application to be deemed complete.

Thank you for your cooperation and courtesies.

Very truly yours,

ALAN G. TREMBULAK

AGT/hf

cc: Aja Washington (via email)

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

A. APPLICANT INFORMATION

Full Legal Name: Washington Aja and Blair
(Last) (First)
Mailing Address: 4 Harvard Terrace, West Orange, NJ 07052
(Street) (City) (State) (Zip)
Telephone Number: (202) 413-8945 Email: ajamarce@gmail.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: 4 Harvard Terrace

Block Number: 41.01; Lot Number: 123

Tax Plate: _____; Zone of Property: R-1

The location of the property is approximately 50 feet from the intersection of Orange Heights Avenue and Harvard Terrace (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. X None

Is this property listed in "The Historic Sites Survey" prepared by Robert Guter 7/9/1992 X 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) X 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) X 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: 25-7.1; Proposed: The Applicants seek to operate a home occupation in an accessory structure;
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 applicants seek to operate a home occupation (tutoring facility) in an accessory structure on the property rather than in the principal structure as required by the Ordinance

The property is 7,500 (square feet); .17 (acres)

Impervious Surface Coverage: Present: unknown; Proposed: same; no change

Building Coverage: Present: unknown; Proposed: same; no change

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: Alan G. Trembulak, Esq.

Telephone Number: (973) 746-7500

Email: atrembulak@montclairlaw.com

Address: 363 Bloomfield Avenue, Suite 2C, Montclair, New Jersey 07042

APPLICANT'S ENGINEER: None

APPLICANT'S ARCHITECT: None

APPLICANT'S PLANNER: George Willlliams, P.P., Nishuane Group

Telephone Number: (973) 809-7725

Email: nishuane@aol.com

Address: 105 Grove Street, Montclair, NJ 07042

OTHER EXPERT(S):

None

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. 40:55D70c(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

4C-2) variance.

(*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

4D) outweigh any detriment to the Township.

4E) (*For D variances only*) State the special reasons under *N.J.S.A 40:55D-70d* affecting this property.

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
Survey	Morgan Engineering & Surveying	October 31, 2022

I.NOTICE

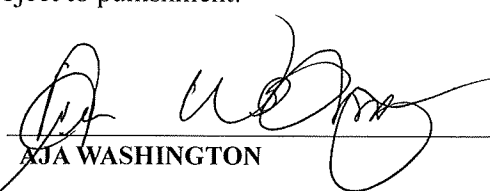
Applicant is responsible to publish and serve notice of this application in accordance with Zoning Board of Adjustment/Planning Board requirements; however, notice may not be served until this application is certified as complete and the administrative officer has assigned the applicant a public hearing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

J. VERIFICATION AND AUTHORIZATION

SIGNATURE IS REQUIRED FOR ALL OF THE FOLLOWING:

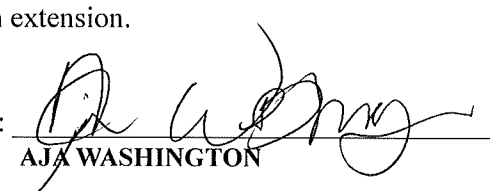
APPLICANT'S VERIFICATION

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: September 30, 2023
AJA WASHINGTON

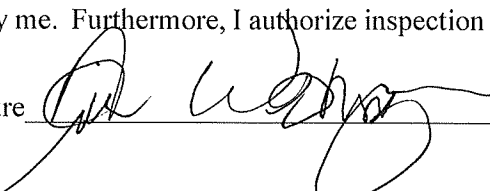
CONTINUANCE

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 statute time limit, the applicant grants permission for such an extension.

Applicant's Signature:  Date: September 30, 2023
AJA WASHINGTON

OWNER'S AUTHORIZATION – MUST BE SIGNED

I hereby certify that I reside at _____ maintain
in the County of _____ and the State of _____;
and that is 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: _____

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.

PROPOSAL

The Applicants are applying for a use variance to permit the operation of a “home occupation” – a child day care and early learning center – in an accessory building on their property rather than in the principal building. The zoning ordinance provides the home occupations are permitted uses in the R-1 zone district, but the ordinance requires that a home occupation be operated in an “owner-occupied one-family residence.”

REASONS FOR RELIEF

The principal structure on this property is a single-family residence occupied by the Applicants. Rather than operate their child care/early learning center in the basement of their home, the Applicants propose to utilize a very attractive accessory building in the rear yard for this use. The accessory building provides a better, safer and more convenient setting for children coming to the Applicants' property for this very worthwhile early learning program.

Approval of this application advances the purposes of the Municipal Land Use Law contained in N.J.S.A. 40:55D-1 et seq., specifically encouraging appropriate use of land which promotes the public health, safety, morals and general welfare (-2a); provides adequate light, air and open space (-2c); provides sufficient space in an appropriate location for the proposed uses in order to meet the needs of New Jersey citizens (-2g) and promotes a desirable visual environment through creative development techniques and good civic design and arrangement (-2i).

The requested variance can be granted without substantial detriment to neighboring properties and will not substantially impair the intent and purpose of the West Orange zoning ordinance or master plan.

PROPOSAL

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REASONS FOR RELIEF

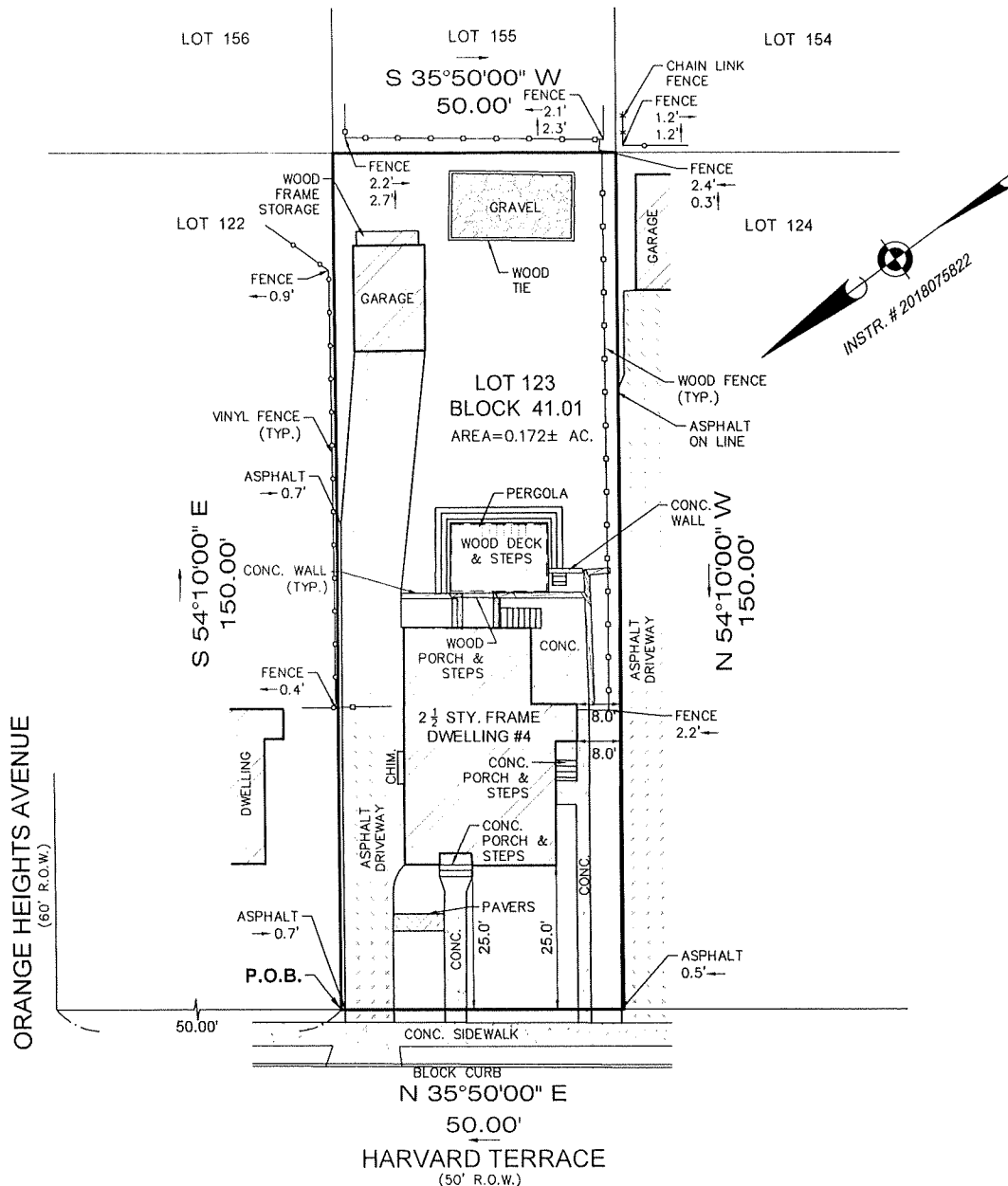
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The requested variance can be granted without substantial detriment to neighboring properties and will not substantially impair the intent and purpose of the West Orange zoning ordinance or master plan.







PREPARED FOR: BLAR WASHINGTON AND AJA WASHINGTON, HUSBAND AND WIFE

IMPORTANT NOTES, PLEASE REVIEW:

- I DECLARE THAT, TO THE BEST OF MY PROFESSIONAL KNOWLEDGE AND BELIEF, THIS MAP OR PLAN MADE 04/10/31/22 BY ME OR UNDER MY DIRECT SUPERVISION IS IN ACCORDANCE WITH THE RULES AND REGULATIONS PROMULGATED BY THE STATE BOARD OF PROFESSIONAL ENGINEERS AND LAND SURVEYORS.
- THIS SURVEY DOES NOT PURPORT TO IDENTIFY BELOW GROUND ENCROACHMENTS, UTILITIES, SERVICES LINES OR STRUCTURES, WETLANDS, OR RIPARIAN RIGHTS. NO ATTEMPT WAS MADE TO DETERMINE IF ANY PORTION OF THE PROPERTY IS CLAIMED BY THE STATE OF NEW JERSEY AS TIDELANDS, ENVIRONMENTALLY SENSITIVE AREAS, IF ANY ARE NOT LOCATED BY THIS SURVEY.
- OFFSET DIMENSIONS FROM STRUCTURES TO PROPERTY LINES SHOWN HEREON ARE NOT TO BE USED TO REESTABLISH PROPERTY LINES.
- THIS SURVEY IS SUBJECT TO CONDITIONS WHICH AN ACCURATE TITLE SEARCH MIGHT DISCLOSE, SUBJECT TO RESTRICTIONS AND EASEMENTS RECORDED AND/OR UNRECORDED.
- PROPERTY CORNERS HAVE NOT BEEN SET AS PER CONTRACTUAL AGREEMENT. (N.J.A.C. 13:40-5.1(D))

INSTR. # 2018075822

CERTIFICATE OF AUTHORIZATION: 24GA28229800

MORGAN
engineering & surveying

P.O. BOX 5232
TOMS RIVER, N.J. 08754
TEL: 732-270-9690
FAX: 732-270-9691

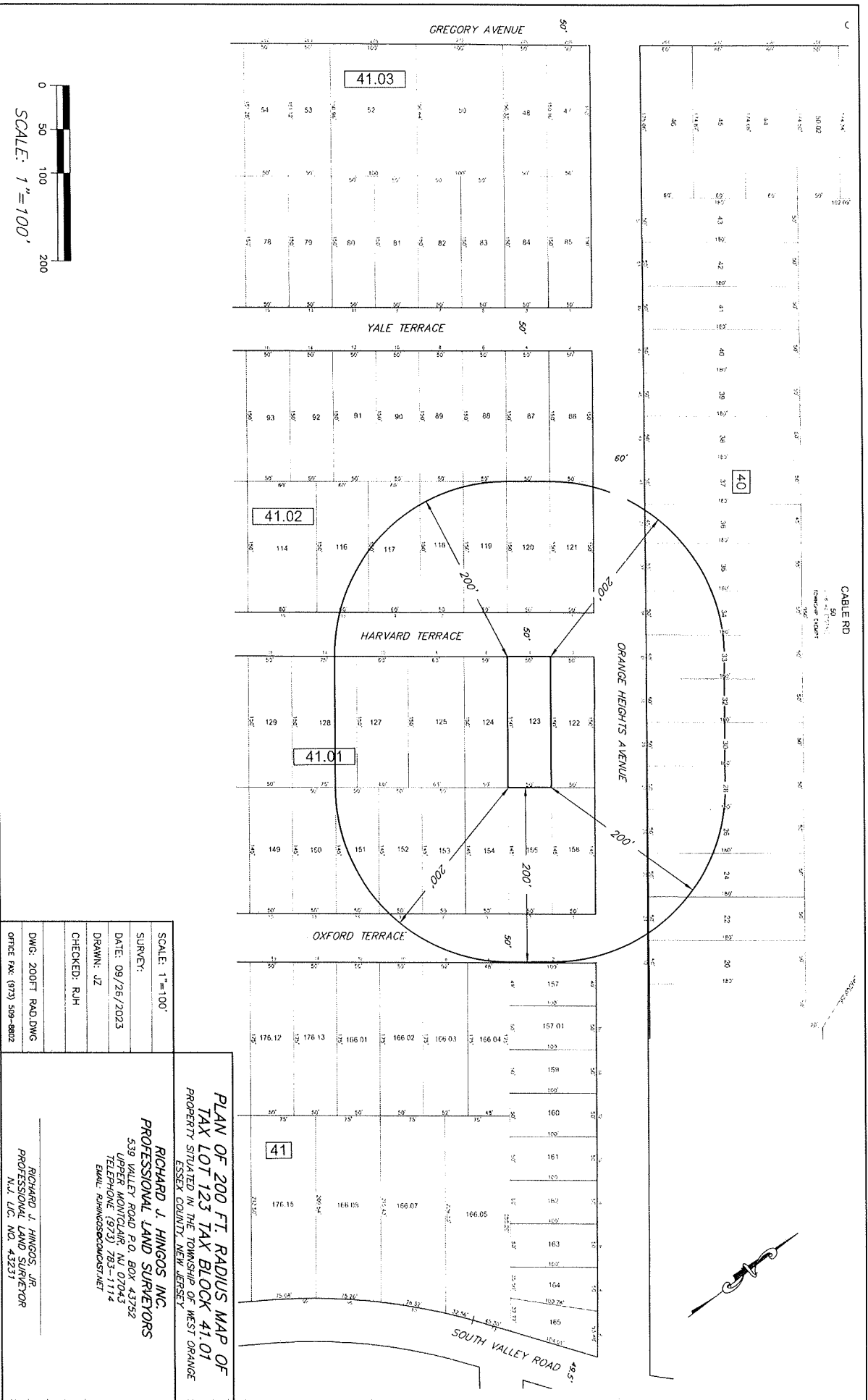
www.morganengineeringllc.com

SURVEY OF PROPERTY

LOT 123 BLOCK 41.01
TOWNSHIP OF WEST ORANGE
COUNTY OF ESSEX NEW JERSEY

DAVID J. VON STEENBURG
PROFESSIONAL LAND SURVEYOR
N.J. LIC. No. 34500

Scale: 1"=20'	Drawn By: MS	Date: 10/31/22	JOB #: 20-06553	CAD File #: 20-06553	Sheet #: 1 OF 1
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SCALE: 1"=100'

SURVEY:

DATE: 09/26/2023

DRAWN: JZ

CHECKED: RJH

DWG: 200FT RAD.DWG

OFFICE FAX: (973) 509-8802

**PLAN OF 200 FT. RADIUS MAP OF
TAX LOT 123 TAX BLOCK 41.01**
PROPERTY SITUATED IN THE TOWNSHIP OF WEST ORANGE
ESSEX COUNTY, NEW JERSEY

RICHARD J. HINGOS, JR.
PROFESSIONAL LAND SURVEYORS
539 VALLEY ROAD P.O. BOX 43752
UPPER MONTCLAIR, NJ 07043
TELEPHONE (973) 783-1114
EMAIL: RHINGOS@COMCAST.NET

RICHARD J. HINGOS, JR.
PROFESSIONAL LAND SURVEYOR
N.J. LIC. NO. 43231

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	41.01	123		4 HARVARD TERRACE	WASHINGTON, BLAIR C & AJA	4 HARVARD TERRACE	WEST ORANGE, NJ	07052

§

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

Adjoining Properties (28)

Town	Block	Lot	Qualifier	Location	Owner	Owner Address	Owner City/State	Owner Zip
West Orange Township	40	22		21 ORANGE HEIGHTS AVENUE	JOHNS, JEFFREY D. & THERESA A.	21 ORANGE HEIGHTS AVE.	WEST ORANGE, NJ	07052
West Orange Township	40	24		23 ORANGE HEIGHTS AVENUE	CARR, PETER & BARBARA	23 ORANGE HEIGHTS AVENUE	WEST ORANGE, N.J.	07052
West Orange Township	40	26		25 ORANGE HEIGHTS AVENUE	NEWMAN, VICTOR & DEVA NEWMAN	25 ORANGE HEIGHTS AVE.	WEST ORANGE, NJ	07052
West Orange Township	40	28		27 ORANGE HEIGHTS AVENUE	ALLEN, JOSEPH F. & LESLIE A.	27 ORANGE HEIGHTS AVENUE	WEST ORANGE, N.J.	07052
West Orange Township	40	30		29 ORANGE HEIGHTS AVENUE	SOTO, LUIS A. & ELISE M	29 ORANGE HEIGHTS AVE	WEST ORANGE, NJ	07052
West Orange Township	40	32		31 ORANGE HEIGHTS AVENUE	VALLE, SANTIAGO & AYDEE	31 ORANGE HEIGHTS AVE.	WEST ORANGE, N.J.	07052
West Orange Township	40	33		33 ORANGE HEIGHTS AVENUE	STEINIK, RENATE T.	33 ORANGE HEIGHTS AVE	WEST ORANGE, NJ	07052
West Orange Township	40	34		35 ORANGE HEIGHTS AVENUE	HOEHN, ROBERT & KATHLEEN	35 ORANGE HEIGHTS AVE.	WEST ORANGE, N.J.	07052
West Orange Township	40	35		37 ORANGE HEIGHTS AVENUE	HODGSON, ZACHARY & CARYN	37 ORANGE HEIGHTS AV	WEST ORANGE, NJ	07052
West Orange Township	40	36		39 ORANGE HEIGHTS AVENUE	FUKS, FLORA	39 ORANGE HEIGHTS AVE	WEST ORANGE, NJ	07052
West Orange Township	41.01	122		2 HARVARD TERRACE	SHUMSKY, ADAM L & JENNA L	2 HARVARD TERRACE	WEST ORANGE, NJ	07052
West Orange Township	41.01	123		4 HARVARD TERRACE	WASHINGTON, BLAIR C & AJA	4 HARVARD TERRACE	WEST ORANGE, NJ	07052
West Orange Township	41.01	124		6 HARVARD TERRACE	MILLER, PATRICK W & MICHELE L	6 HARVARD TERR	WEST ORANGE, NJ	07052

Town	Block	Lot	Qualifier	Location	Owner	Owner Address	Owner City/State	Owner Zip
West Orange Township	41.01	125		8 HARVARD TERRACE	MCKENZIE, DANIEL & PEASE, EMILY	8 HARVARD TERRACE	WEST ORANGE, NJ	07052
West Orange Township	41.01	127		10 HARVARD TERRACE	LOMELO, DEBORAH	10 HARVARD TERRACE	WEST ORANGE, NJ	07052
West Orange Township	41.01	128		14 HARVARD TERRACE	SICOLI, EDWARD & W. JEAN	14 HARVARD TERRACE	WEST ORANGE, N.J.	07052
West Orange Township	41.01	151		11 OXFORD TERRACE	JOSHI, VIKASH	5014 16TH AVEN, #141	BROOKLYN, NY	11204
West Orange Township	41.01	152		9 OXFORD TERRACE	MOSS, REBECCA & ANDERSON, JAMES	9 OXFORD TERRACE	WEST ORANGE, NJ	07052
West Orange Township	41.01	153		7 OXFORD TERRACE	MERAVI RICHARD C & MARY JEAN	7 OXFORD TERRACE	WEST ORANGE, N.J.	07052
West Orange Township	41.01	154		5 OXFORD TERRACE	PASSANANTE, JOHN R. & BARRY, R	5 OXFORD TERRACE	WEST ORANGE, NJ	07052
West Orange Township	41.01	155		3 OXFORD TERRACE	MCCAFFREY, NORA & ROBERT LAWRENCE	3 OXFORD TER	WEST ORANGE, NJ	07052
West Orange Township	41.01	156		1 OXFORD TERRACE	ROSENTHAL, MATTHEW & PEYRAGROSSE, K.	1 OXFORD TER	WEST ORANGE, NJ	07052
West Orange Township	41.02	116		13 HARVARD TERRACE	BRENNAN, JOSEPH P JR & EILEEN	13 HARVARD TERRACE	WEST ORANGE, N.J.	07052
West Orange Township	41.02	117		9 HARVARD TERRACE	HOGUE, DARVEENE	9 HARVARD TERRACE	WEST ORANGE, NJ	07052
West Orange Township	41.02	118		7 HARVARD TERRACE	BUERMANN, SCOTT E. & BELLE CLIFTON	7 HARVARD TERR.	WEST ORANGE, N.J.	07052
West Orange Township	41.02	119		5 HARVARD TERRACE	LAUTERBACH, LYLE & GAIL	5 HARVARD TER.	WEST ORANGE, N.J.	07052
West Orange Township	41.02	120		3 HARVARD TERRACE	BIXEL, VICTORIA & WEAKLAND, CHRISTIN	3 HARVARD TERRACE	WEST ORANGE, NJ	07052
West Orange Township	41.02	121		1 HARVARD TERRACE	BAKER, JOHN H. JR.	1 HARVARD TERRACE	WEST ORANGE, N.J.	07052



PUBLIC UTILITIES

ELECTRIC & GAS

Public Service Electric & Gas Company
Manager - Corporate Properties
80 Park Plaza, T6B
Newark, NJ 07102

WATER

New Jersey American Water Company
167 John F. Kennedy Parkway
Short Hills, NJ 07078

CABLE TV

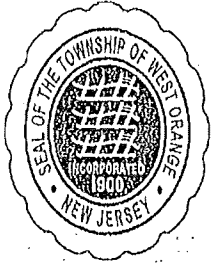
Comcast Cablevision
800 Rahway Avenue
Union, NJ 07083

TELEPHONE

Verizon
1 Verizon Way
Basking Ridge, New Jersey 07920-1025

SEWER

Township of West Orange
Municipal Building
66 Main Street
West Orange, NJ 07052



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: 9/26/23

BLOCK: 41.01

LOT: 123 QUAL: _____

NAME: Washington, Blair C + AJA

ADDRESS: 4 Harvard Terrace West Orange

TAXES PAID UNTIL: 2023 3rd QTR

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

where invention lives
WEST
ORANGE

AN EQUAL OPPORTUNITY EMPLOYER

www.westorange.org



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: 9/26/23

BLOCK: 41.01

LOT: 123 QUAL: _____

NAME: WASHINGTON, BLAIR C + AJA

ADDRESS: 4 HARVARD TERRACE WEST ORANGE

TAXES PAID UNTIL: 2023 3rd QTR

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



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