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REPLY TO ORANGE, NJ

Proposal for Board Application
10 Elm Street, West Orange

Date: January 2, 2024

Attn: West Orange Board of Adjustment

Project: Second Floor Bedroom Addition for Existing Two-Family Residence 10 Elm Street
West Orange, New Jersey

From: **Marie Georges – Property Owner and Applicant**
Lloyd S. Stephenson, Jr., AIA - Architect

Summary of Application:

Owner wishes to apply for a "C" Variance to acquire board approval to construct a 2nd floor extension over an existing 1st floor rear section of her 2½ story two-family dwelling.

The existing two-family dwelling presently has individual apartments on the 1st and 2nd floors. Owner proposes to renovate the interior of each apartment floor and construct a 2nd floor addition to extend the 2nd floor apartment over the rear section of the present 1st floor. The proposed new addition will accommodate adding 1-new bedroom and bathroom to the 2nd floor apartment unit. The proposed work for the 1st floor will consist of interior renovations and alterations to the existing bathroom.

The application proposes no addition or extension for the existing house first floor, including rear, front, or side yards encroachments. The intent of the proposed 2nd floor extension is to match the present rear footprint of the existing 1st floor. However, the existing house front and side yard setbacks are presently nonconforming to the bulk area requirements for the residential zone district and will require variances if the proposed 2nd floor extension is to be approved.

It should be further noted that the applicant initially hired a contractor, Jean Mirando of Establish General, to perform the home renovation and expansion as proposed herein. Pursuant to the terms of that contractors Agreement, the contractor was to obtain permits. Ms. Georges subsequently learned that the contractor had commenced with the construction work without first obtaining permits. Ms. Georges immediately instructed the contractor to cease all work and his employment was terminated. A new contractor was hired, and the appropriate permits were submitted to the Township for approval. Upon review of those permits and a visit to the

construction site by a West Orange Construction Official, it was learned that certain variances would need to be obtained before those permits could be approved. No construction has been conducted at the subject premises since the termination of the first contractor and any additional construction work has been postponed pending a final determination by the West Orange Board of Adjustment.

Variances & Reason for Relief Requests:

Owner wishes to apply for the following variances to complete the 2nd floor addition due to hardship presented by the preexisting site conditions, size and dimensions of the lot, and the present house/structure's front and side yard setback dimensions; (see Survey and Architect's Site Plan on Sheet A101). Except for the side yard variances requested to extend the side walls of the existing house vertically to frame the new 2nd floor extension, all variances required are for preexisting non-conforming conditions acquired by the applicant upon ownership of the property. The size of the lot and present setbacks deters the owner from making any property improvement while remaining consistent with the present residential use.

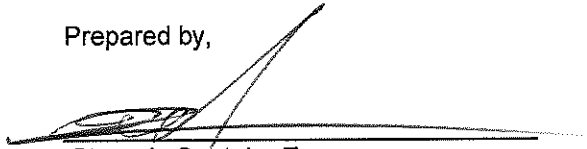
Summary of variances requested are (See also Architect's Site Plan on Sheet A101):

1. Maximum height of 35'-0" required per bulk area requirements for R-T Zone: The existing house has a height of 35'-5" and is a preexisting nonconforming structure. The height of the proposed addition's roof will be lower than the present roof at 25'-1".
2. Minimum lot area of 3,750-sf per dwelling required per bulk area requirements for R-T Zone: Thus a minimum total lot area of 7,500-sf is required for a two-family dwelling. However, the present lot has an area of 2,500-sf and is a preexisting nonconforming lot. The existing structure has been a 2-family residence prior to the applicant's ownership. Owner's wish to maintain the existing two-family use and have approval to construct the 2nd floor extension to the existing two-family structure on the nonconforming lot.
3. Minimum lot area of 3,750-sf per family required per bulk area requirements for R-T Zone: The existing lot provides an area of 1,250-sf per family for the present two-family structure. This is less than the requirement, but a preexisting nonconforming condition due to the size of the present lot. Owner wishes to have variance approval.
4. Minimum lot width of 75'-0" required per bulk area requirements for R-T Zone: The existing lot has a width of 25'-0" and is a preexisting nonconforming lot. Owner wishes to have variance approval.
5. Total lot coverage (Impervious Surface) of 55% is required for R-T Zone: The existing lot with all structures and impervious surface covers add up 60% total lot coverage. The present lot coverage is non-conforming. The proposed 2nd floor addition and interior renovations will not require any extension of the structure's exterior footprint. Owner request to have variance approval for the existing nonconforming condition.
6. Minimum front yard setback of 30'-0' required per bulk area requirements for R-T Zone: The existing structure's is presently constructed within the front yard setback area with a 7'-0" setback from the boundary line along the street. This is a preexisting nonconforming condition. The proposed 2nd floor addition will extend toward the rear of the building and property. Owner wishes to have variance approval to exceed the front yard requirement due to the present condition and that the structure in the front yard will remain unaltered. The front yard setback also approximately matches the adjacent residential properties front yards.
7. Minimum side yard setbacks of 8'-0" and 10'-0' required per bulk area requirements for R-

T Zone: The existing structure has side yard setbacks of 3.48 feet on the east side and 1.28 feet on the west side. Both side yards preexisting and non-conforming conditions that were present prior to the applicant's ownership of the property. The proposed 2nd floor extension / addition is to be constructed over the present 1st floor level and therefore new 2nd floor side walls will be in alignment with the existing 1st floor. No extension to the structure's footprint is proposed. Owner wish to have variance approval to maintain the reduced side yard for the 2nd floor addition / extension as noted to match the existing site and setback conditions.

8. Minimum of 1.5 off-street parking required for two-family dwelling: The existing property allows for 1 car parking in the attached garage located below the first-floor level. Owner request to have variance approval for this preexisting nonconforming condition.

Prepared by,


Stacy A. Santola, Esq.

Marie Georges, Applicant and Property Owner