

STATEMENT OF JUSTIFICATION SUNROOM

Property: 10 Shrump Place, West Orange, NJ 07052

Land Area: 5,000 SF

Petitioner: Joann Farrington; Owner

Zone: R-6

Section: 25-7.1

Request:

- Reduction of rear yard setback requirements to construct a 10'x19' sunroom on an existing deck. The proposed rear yard setback will be 23 feet, the same as the existing home.
- The required rear yard building setback is 30 feet.

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I. Factual Background

The petitioners currently reside in a 1.5-story, 1,880 square foot single-family home built in 1947. The house is approximately 60 feet from the front property line and 23 feet from the rear property line. The rear yard is shallow, limiting the practical and reasonable use of the space.

II. Reason for Appeal

The petitioner seeks a variance under **N.J.S.A. 40:55D-70(c)(1)**, which allows relief where the strict application of zoning ordinances creates undue hardship due to unique characteristics of the property.

The petitioner requests to construct a 10'x19' sunroom on an existing deck. The sunroom will feature tempered glass windows, screens, and superfoam kneewalls, along with a 3" superfoam roof. The rear yard of the home is shallow, and the proposed sunroom will sit at the existing 23 foot rear setback, aligning with the current position of the home and not encroaching further.

The petitioner asserts that:

- The sunroom will not endanger the health or safety of the neighborhood.
 - The construction will not harm public welfare or negatively impact surrounding properties.
 - The proposed sunroom will allow for more practical use of the rear yard, while maintaining compliance with neighborhood aesthetics.
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III. Evidence Supporting Variance

In accordance with **N.J.S.A. 40:55D-70(c)(1)**, the following supports the request for a variance:

- **Physical hardship:** The shallow rear yard makes strict compliance with the 30' rear setback requirement impractical. A 23' rear setback is necessary for reasonable use of the property, matching the current setback of the home.
 - The property was acquired in good faith, and the hardship was not self-created by the current owner.
 - The location of the home beyond the current rear setback line makes it non-conforming under present zoning regulations. A variance will allow the home to remain functional without altering the character of the neighborhood.
 - The proposed sunroom will not expand beyond the footprint of the existing deck and will not adversely affect neighboring properties. There will be no negative effects related to noise, light, air, or stormwater runoff.
 - The sunroom is in keeping with the architectural style of the existing structure and will be harmonious with the neighborhood.
 - No existing vegetation or trees will be affected by the proposed construction.
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IV. Conclusion

The petitioner requests a variance to modify the rear yard setback requirements, allowing for the construction of a 10'x19' sunroom on the existing deck. The proposed sunroom will align with the current rear setback of 23 feet, identical to the existing home's position, and will not encroach further into the yard. This request is consistent with the criteria outlined in **N.J.S.A. 40:55D-70(c)(1)**, as the shallow rear yard presents a physical hardship that prevents reasonable use of the space.

The new sunroom will provide a comfortable, private outdoor area shielded from insects and weather, ultimately enhancing the owners' enjoyment of their property and contributing to the aesthetic continuity of the neighborhood.