

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

A. APPLICANT INFORMATION

Full Legal Name: Johnny R. Perez
(Last) (First)

Mailing Address: 68 Whittlesey Avenue, West Orange, Nj 07052

Telephone Number: (973) 202-985-9285

Email: goodguyelectricllc@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: 68 Whittlesey Avenue

Block Number: 129 Lot Number: 58

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

The location of the property is at the intersection of Whittlesey Avenue and Chestnut 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

Is this property listed in "The Historic Sites Survey" prepared by Robert Guter 7/9/1992 ☒ 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 25-7.1 Proposed: construct two-family dwellings on lots with 5,000 square feet of lot area whereas the ordinance requires 7,500 square feet of lot area for two family dwellings.

Section 25-7.1 Proposed: construct two-family dwellings on lots with 50 feet of lot width whereas the ordinance requires a minimum lot width of 75 feet for two-family dwellings.

Section: 25-7.1: Proposed: 2 feet (approximate) side yard setback for the existing house whereas the ordinance requires a minimum side yard setback of 8 feet.

E. DESCRIPTION OF PROPERTY

Existing Use of the Property: single-family home

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

The Applicant proposes to subdivide the property into two 50-foot lots, convert the existing single-family dwelling to a two-family dwelling, and construct a new two-family dwelling home on the subdivided lot.

The property is 10,000 or .23 acres

Impervious Surface Coverage: Present: Not applicable Proposed Not applicable

Building Coverage: Present: Not applicable Proposed Not applicable

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, Montclair, New Jersey 07042

APPLICANT'S ENGINEER/SURVEYOR: Richard T. Watson, L.S., Borrie, McDonald & Watson

Telephone Number: (973) 429-0049 Email: borriemcdwatson@verizon.net

Address: 130 Washington Street, Bloomfield, New Jersey 07003

APPLICANT'S ARCHITECT: None

APPLICANT'S PLANNER: John McDonough, P.P.

Telephone Number: (973) 222-6111 Email: jmcdonoughpp@gmail.com

Address: 101 Gibraltar Drive, Morris Plains, New Jersey 07950

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 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
Subdivision Plan	Richard T. Watson, L.S.	July 7, 2025

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.

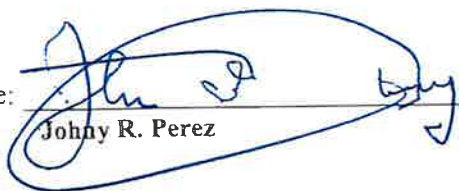
J. VERIFICATION AND AUTHORIZATION

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: _____

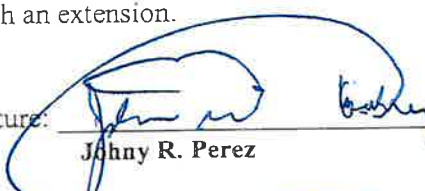

Johnny R. Perez

Date: September 24, 2025

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: _____

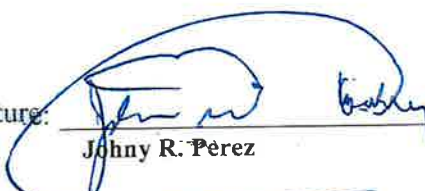

Johnny R. Perez

Date: September 24, 2025

OWNER'S AUTHORIZATION – MUST BE SIGNED

I hereby certify that I reside at 68 Whittlesey Avenue 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 129 Lot(s) 58 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: _____


Johnny R. Perez

Date: September 24, 2025

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.



**MONTCLAIR REAL ESTATE
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PROPOSAL

The Applicant has applied for minor subdivision approval to subdivide the subject property into two lots and to convert the existing one-family building to a two-family dwelling, and construct a new two-family dwelling on the subdivided lot. The property is located in the R-T Zone which permits one-family and two family dwellings with different lot width and lot area requirements for each use. The minimum lot width requirement for one-family dwellings is 50 feet and the minimum lot area requirement is 5,000 square feet. For two-family dwellings, the required minimum lot width is 75 feet and the required minimum lot area requirement is 7,500 square feet.

Each of the proposed lots will contain 5,000 square feet of lot area with 50-foot lot widths which would be compliant for one-family dwellings. However, given the Applicant's plan to use both lots for two-family dwellings, variances are required for lot area and lot width.

The Applicant also requests a variance from Section 25-7.1 of the Zoning Ordinance to permit a side yard setback of approximately 2 feet for the existing structure whereas the ordinance requires a minimum side yard setback of 8 feet.

REASONS FOR RELIEF

The proposed subdivision complies with all bulk requirements, including lot area and lot width requirements, for single-family properties located in the R-T Zone. Variances are required for lot width and lot area because of the Applicant's desire to use both of the subdivided lots as two-family dwellings. The requested variances are justified under N.J.S.A. 40:55D-70.c(2) in that there are numerous two-family and three-family dwellings on similarly-sized lots in the immediate neighborhood of the subject property and granting the variances will advance the purposes of the Municipal Land Use Law by encouraging the appropriate use of land which promotes the public health, safety, morals and general welfare (-2a); by providing adequate light, air and open space (-2c); and by providing sufficient space in an appropriate location for additional housing.

The variances can be granted without substantial detriment to neighboring properties and without substantially impairing the intent and purpose of the West Orange zoning ordinance or Master Plan. One and two-family dwellings are permitted uses in the R-T Zone. The proposed lots comply with all bulk requirements for one-family dwellings, and the proposed use of the lots as two-family buildings is consistent with many other lots in the surrounding neighborhood notwithstanding that the lots do not meet the lot area and lot width requirements for two-family buildings.