



TOWNSHIP OF WEST ORANGE

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

Department of Planning and Development

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TO: Zoning Board Members

FROM: Paul Grygiel, AICP, PP, Township Planning Director

DATE: April 26, 2021

RE: **ZB-21-09/Simeus**
Block: 153.15; Lot: 3; Zone: R-6
4 Blackburne Terrace
Seeking "c" variance for fence in front yard on through lot

INTRODUCTION/LAND USE

The applicant is requesting a "c" variance to permit a recently constructed six-foot tall fence in a front yard on a through lot. The property is essentially rectangular in shape, with 50 feet of frontage on Blackburne Terrace and 50.03 feet of frontage on Rosney Terrace. It is located in an R-6 zone.

The surrounding area is primarily developed with single-family residences, although there are some commercial uses in the vicinity along Eagle Rock Avenue including a commercial property on Eagle Rock Avenue that also has frontage on the east side of Rosney Terrace.

SUBMISSIONS

<u>ITEM</u>	<u>SIGNED BY</u>	<u>DATE/REVISION</u>
Property Survey	Christopher J. Lantelme, P.L.S.	4/10/17
Proposal for construction of fence	applicant and contractor	not dated



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VARIANCES REQUIRED

<u>SECTION</u>	<u>REQUIRED</u>	<u>EXISTING</u>	<u>PROPOSED</u>	<u>VARIANCE</u>
25-8.4b Solid fence location	Rear yard and side yard to rear of house	None*	Front yard and side yards on secondary street frontage	“c”

*None legally permitted – fence already installed without variance approval

DISCUSSION/RECOMMENDATIONS

The applicant’s property is a through lot with frontage on two streets. Per Section 25-8.3 of the Land Use Regulations Ordinance, each street frontage is subject to the front yard regulations, even if one of the yards functions as a rear yard to a dwelling.

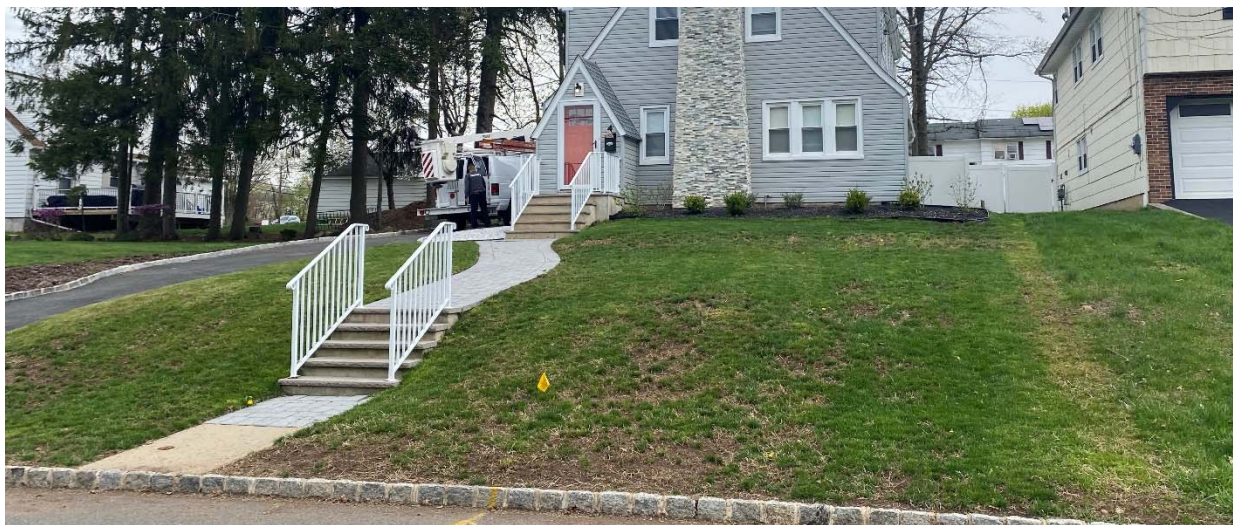
The applicant is requesting approval for a six-foot tall white PVC privacy fence which has already been erected around the yard to the rear of the dwelling. It is located along both side property lines from the Rosney Terrace right-of-way line and across the yard at that point. The fence also extends to connect to the side walls of the dwelling at the rear of the house. A gate is provided for the driveway on the north side of the dwelling, and along the Rosney Terrace frontage. No other changes are proposed as part of this application.

It is noted several other dwellings fronting on Blackburne Terrace have solid fences along their “rear” frontage on Rosney Terrace, including the adjacent house at 6 Blackburne Terrace which received a variance in 2020 to allow its installation. Some other dwellings have landscaped areas along their Rosney Terrace property lines. Site photographs taken on April 19, 2021 are attached. These show existing conditions on the subject property and the adjacent lot, as well as the Rosney Terrace frontage of several properties to the south.





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