



Weinberg Residence
17 Cleveland Terrace
Block 175.14, Lot 10
West Orange NJ

A handwritten signature in blue ink, appearing to read "Paul W. Anderson", is written over a horizontal line.

Paul W Anderson PE, PP
NJ PP# 33LI006003900

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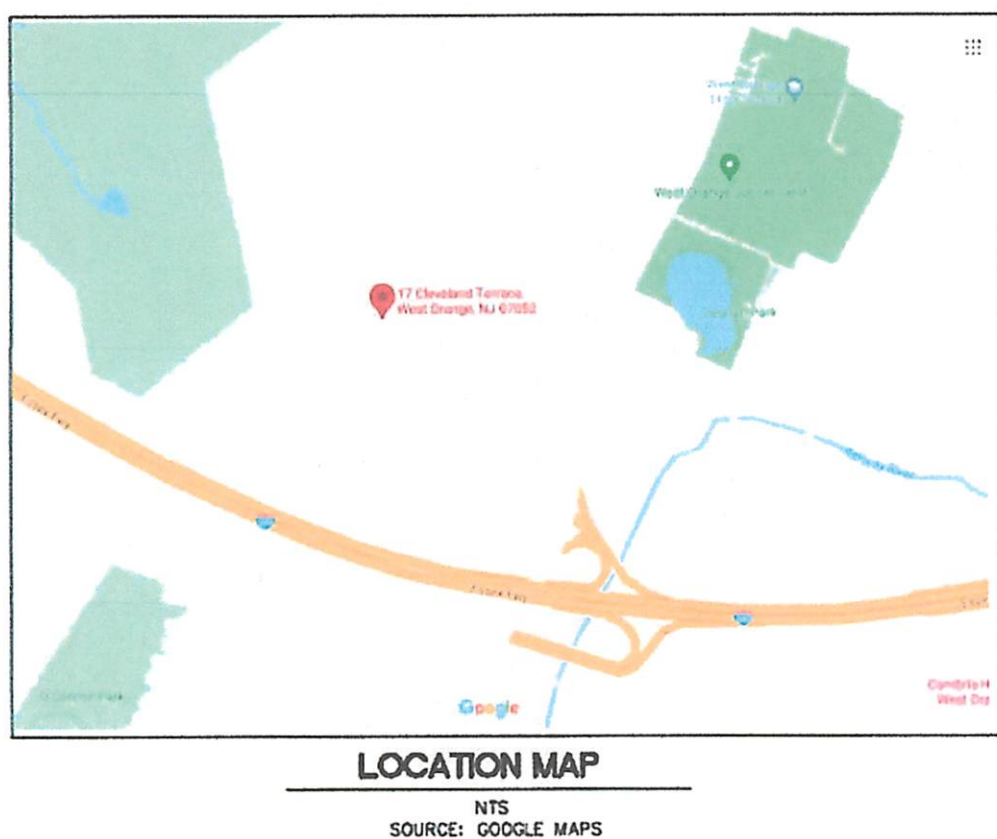
Summary

Introduction

The property known as 17 Cleveland Terrace, Block 175.14, Lot 10 in the Township of West Orange. The property is 18,307.9 SF (.42 Acres) which is conforming to the lot area requirements of the R-5 Zone District. The property has an exceptional topographic condition that creates practical difficulties for the applicant to comply with the ordinance requirements.

The applicant proposes a new driveway to the garage with milder slopes to allow safe access to the house and improvement to the rear yard to create useable living space. The work as proposed requires variance relief for steep slope disturbance, impervious coverage in the front yard and height of retaining wall.

Existing Conditions



The property is located on Cleveland Terrace uphill from Pleasant Valley Way on the slope of the Second Watchung Mountain as seen in the location map above.



Photo 1 The front of the subject property under construction with a conforming addition. The existing driveway going straight up from the street has an average slope of 23%.



Photo 2. House immediately to the south on Cleveland. Note parking area in the street Right of Way and stairs with a railing on the right side.

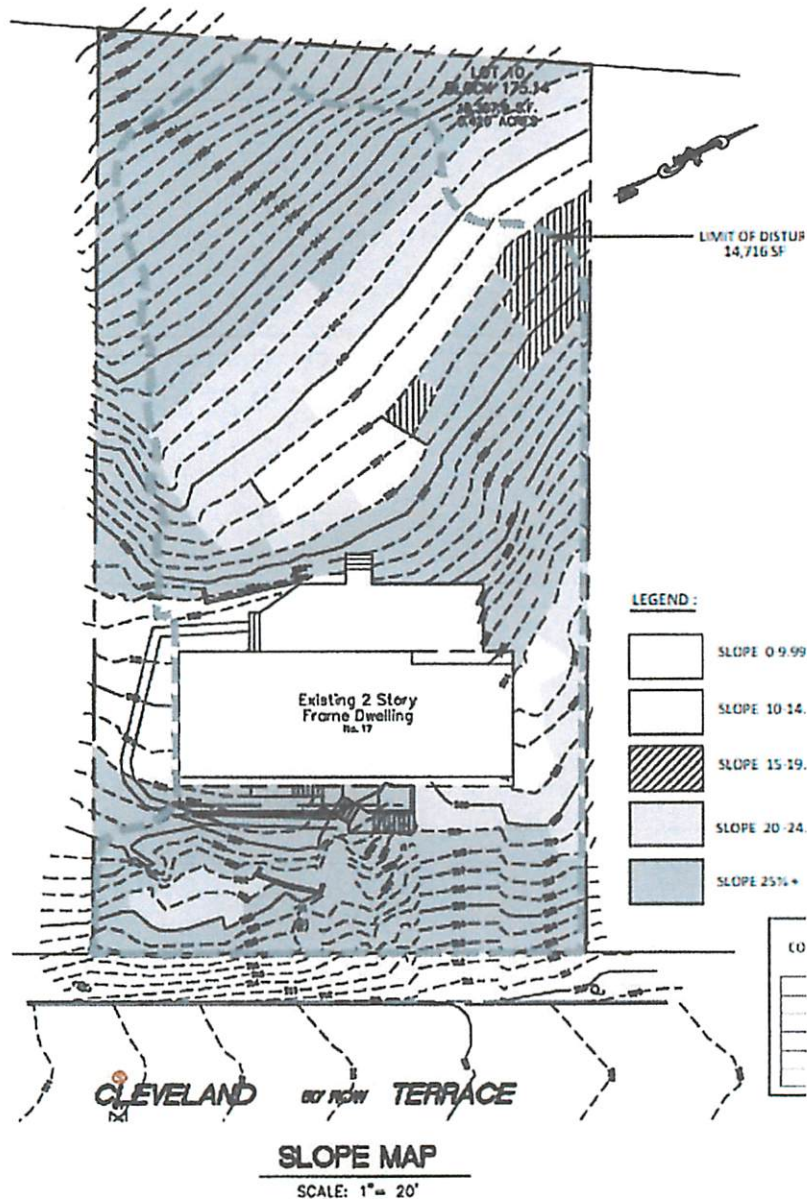


Photo 3. 2nd house to the South on Cleveland. Similar paved parking area in the street Right of Way



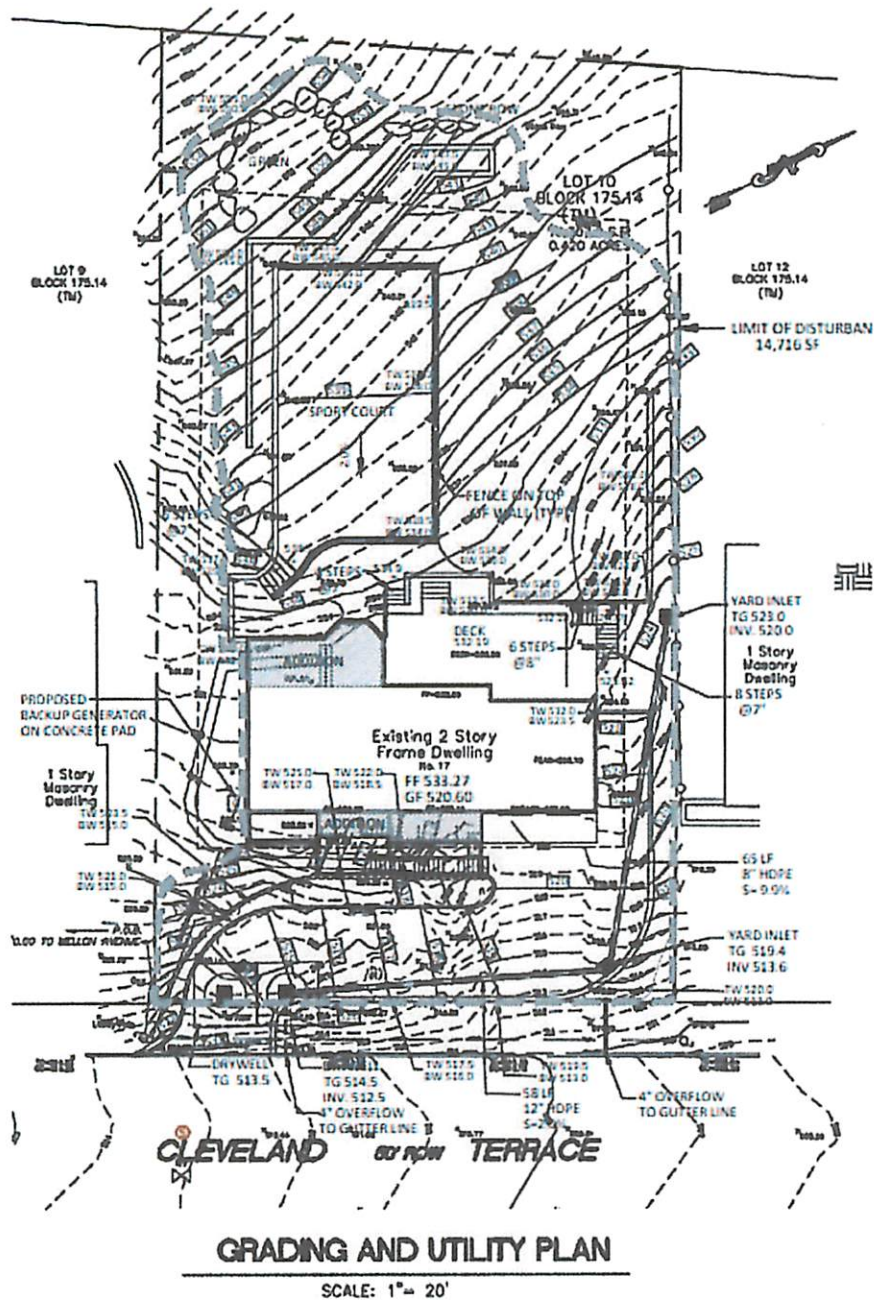
Photo 4 House immediately to the North on Cleveland. Note railing on wall coming down from the garage.

COLOR	SLOPE RANGE	EXISTING LOT		PERMITTED DIST.		PROPOSED LOT		
	PERCENT	PERCENT	AREA	PERCENT	AREA	PERCENT	AREA	STATUS
	0-9.99	13.5	2490	100	2480	100	2490	C
	10-14.99	13.4	2449	60	1469	75.06	1850	V
	15-19.99	15.1	2760	40	1104	86	2583	V
	20-24.99	2.5	454	20	91	75.3	342	V
	25%+	55.5	10165	0	0	77.5	7890	V



86.5% of the property is in a slope of greater than 10%. 55.5% is located on slopes greater than 25% where no disturbance is permitted by ordinance Section 25-28.8b.

Proposed Project



To create a safer driveway with milder slopes to the street the applicant proposes a new driveway which is longer and starts at a higher elevation. This creates increased front yard driveway coverage and requires retaining walls that exceed 6 feet in height

	REQUIRED	EXISTING	PROPOSED	COMMENT
LOT AREA	10,000 SF	18,307.9 SF	18,307.9 SF	C
LOT AREA PER UNIT	10,000 SF	18307.9 SF	18,307.9 SF	C
LOT WIDTH	75 FT	100 FT	100 FT	C
FY	30 FT	35.8 FT	32.0 FT	C
SY	10 & 8 FT	15.1 FT	15.1 FT & 17.2 FT	C
RY	30 FT	124.3 FT	109.9 FT	C
BLD COVERAGE	35%	13.8%	13.8%	C
LOT COVERAGE	45%	3,362 SF 18.4%	5,771 SF 31.5%	C
ACCESSORY SETBACK, PARKING	5 FT	15 FT	5 FT	C
MIN RES FLOOR AREA	1600 SF	4616 SF	4616 SF	C
FY AREA FOR PARKING	30%	591 SF/3408 17%	1990 SF/3408 58%	V
BUILDING HEIGHT	2 1/2 STY, 35 FT	30.65 FT	30.65 FT	C
RETAINING WALL HEIGHT	8.5 FT.			V

Variance Required

Section 25-28.8b – Disturbance of Steep Slopes:

- o Slope 10 to 14.99% - 60% Maximum
 - Proposed – 75.06%
- o Slope 15 to 19.99% - 40% Maximum
 - Proposed – 86%
- o Slope 20 to 24.99% - 20% Maximum
 - Proposed – 75.3%
- o Slope 25% or greater – 0% Maximum
 - Proposed – 77.5%

Section 25-8.4b – In all nonresidential districts, fences or walls not exceeding six feet in height shall be permitted in the side and rear yards provided the fence or wall is not closer than five feet at any point to a principal building in a residential district

- o Walls greater than 6' height throughout the property, specifically located front yard along the driveway.

Section 25-12.4b2 Front yard area for parking is limited to 30%, 58% is proposed.

C-1 Criteria

The property has an exceptional topographic condition that uniquely affects it. 55.5% of the lot is above 25% which permits no disturbance. 86.5% of the total slopes on the property are in a regulated category. The topographic condition creates a hardship in the applicant ability to conform to the zone requirements



The topography also creates the steepness of the existing driveway that 23.3% is excessive and difficult to walk up in dry weather. In snowy or wet weather, the navigation of the driveway would be unsafe with the potential for cars to slide out into traffic or pedestrians falling. The desire to improve on this condition causes the need for the a longer driveway starting at a higher grade on Cleveland Terrace to reduce the slope creating the parking area and wall relief required.

C-2 Criteria

Having the longer driveway with milder slopes is a better alternative to the existing conforming solution Safer with flatter drive which promotes the general welfare of the community.

Negative Criteria

With West Orange approaching full buildout, the Master Plan indicates that there is a need for creative redevelopment. The variance relief requested allows the flexibility to have a creative solution that improves the safety of the site access.

The neighboring house have similar issues with their existing drives, and they have added parking at the street, stairs, and railings to improve site safety. The negative impact of the variance relief request would not be significant as the neighbors all have their unique solution to the property slope problem. The impact is further minimized with appropriate landscaping to soften the appearance and stormwater control to alleviate any drainage concerns.

Summary

The variances are justified by both the C-1 and C-2 criteria. The slopes onsite create hardship unique to this lot and current driveway slope is dangerous and the general welfare of the immediate community would be advanced with the variance approval for the milder sloped driveway. The benefit of the safer driveway significantly outweighs any detriment created.

The variances may be granted without substantial detriment to the Master plan, ordinance, or neighborhood.

State Of New Jersey
New Jersey Office of the Attorney General
Division of Consumer Affairs

DCA

THIS IS TO CERTIFY THAT THE
Board of Professional Planners

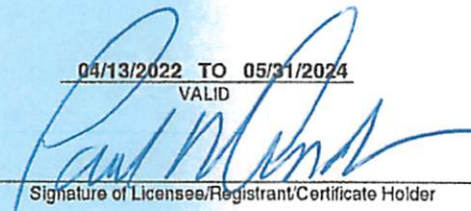
HAS LICENSED

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FOR PRACTICE IN NEW JERSEY AS A(N): Professional Planner

04/13/2022 TO 05/31/2024
VALID

33LI00603900
LICENSE/REGISTRATION/CERTIFICATION #


Signature of Licensee/Registrant/Certificate Holder


ACTING DIRECTOR