

Application No. 16-20  
 Date of Filing 7/20/20

JUL 20 2020

Application Fee \_\_\_\_\_  
 Escrow \_\_\_\_\_

PLANNING / ZONING / ENGINEERING  
**APPLICATION TO ZONING BOARD OF ADJUSTMENT, Berkeley Heights, NJ**

NOTE: It is the responsibility of the applicant to specify in this application all requests for relief from any section of the ordinance that may be needed. Should any unspecified violation be found prior to or during the course of a public hearing, no such relief can be granted and the case cannot be permitted to proceed without re-advertising the notices. If the failure is not discovered by the Board until it commences its deliberation after closing the public hearing, the result may be a denial of the entire application, or the grant or recommendation that the variance be granted limited to the specific relief requested, which will result in the necessity for a re-application to obtain the remaining relief required.

In the matter of the petition of Yelena Lyudmitova for relief from the strict application of the provisions of the Zoning Ordinance of the Township of Berkeley Heights.  
(applicant name)

Petitioner Name Yelena Lyudmitova, residing at 64 Rutgers Avenue Berkeley Heights NJ

Telephone No. (862) 812-7924, Fed.ID# (if applicable) \_\_\_\_\_

1. Petitioner is owner of property at 64 Rutgers Avenue, Block 1107, Lot 03  
(owner or tenant etc.)  
 on the Tax Map located in the R-15 Zone.

2. The Petitioner is requesting to use the property in the following manner with the following variances required:  
To build a new deck in the backyard. 16'x20' high, not conforming to rear yard setback and deck height.

3. Does the Application concern a request for Certificate of Nonconformity? N  
 Does the Application concern a Use Variance? N, and: a) Site Plan N b) Subdivision N

NOTE: If Application concerns site plan or subdivision, appropriate plans and additional forms must be filed with the Zoning Board of Adjustment as an additional part of the Application.

4. The proposed building/subdivision/use is contrary to Article 3.1 Section 3.1.8 of the Zoning Ordinance.

5. a. Description of the Property:

	Required See Attached Schedule 6.1.1B	Existing	Proposed	Variance Required: Y/N
Lot Area (sq. ft.)	15,000'	3000'	3000'	Non conforming
Lot Width	100'	30'	30'	non conforming
Lot Depth	130'	100'	100'	non conforming
Front Setback	50'	33.8'	33.8'	non conforming
Side Setback	12'	14'	14'	N
Side Setback	18'	19.8'	19.8'	N
Combined side setbacks	30'	33.8'	33.8'	N
Rear Setback	40'	37'	24'	Y

**b. NOTE: DO NOT INCLUDE DECK IN THIS SECTION:**

- 1-Area of existing structures (house, attached garage, covered porch) to remain 1244 sq. ft.
- 2-Area of proposed structures (house, attached garage, covered porch) 0 sq.ft.
- 3- Total area to be occupied by structures 1244 sq.ft.
- 4-Area of existing Accessory Items (detached garage, patio, driveways, walks, pool, shed) 718 sq.ft.
- 5-Area of proposed Accessory Items (detached garage, patio, driveway, walks, pool, shed) 0 sq.ft.
- 6-Total area to be occupied by Accessory Items 718 + 1962 sq.ft.
- 7-TOTAL AREA OF EXISTING STRUCTURES AND ACCESSORY ITEMS 1962 sq.ft.
- 8-TOTAL AREA OF EXISTING & PROPOSED STRUCTURES & ACCESSORY ITEMS 1962 sq.ft.

c. Accessory structures (if applicable): deck  
(type: shed, deck pool, etc.)

Area proposed 320 square feet

Proposed Set Backs

Maximum height proposed 10 feet

Side 14' Side 19.9' Rear 24'

d. Coverage (from 5.b., Page 1)

Existing structures (Item 1/sq.ft. of lot) 15.55 percent

Existing accessory items (Item 4/sq.ft. of lot) 8.98 percent

Total existing lot coverage 24.53 percent

Total existing impervious (Item 1 + Item 4/sq. ft. of lot) 24.53 percent

Proposed structures (Items 1 + 2/sq. ft. of lot) 15.55 percent

Proposed accessory items (Items 4 + 5/sq. ft. of lot) 8.98 percent

Total proposed lot coverage 24.53 percent

Total proposed impervious (Items 1+2+4+5/sq. ft. of lot) 24.53 percent

	Maximum Allowed	
	R-15/20 Zone	R-10 Zone
Existing structures (Item 1/sq.ft. of lot)	15%	20%
Existing accessory items (Item 4/sq.ft. of lot)	10%	10%
Total existing lot coverage	25%	30%
Total existing impervious (Item 1 + Item 4/sq. ft. of lot)	25%	30%
Proposed structures (Items 1 + 2/sq. ft. of lot)	15%	20%
Proposed accessory items (Items 4 + 5/sq. ft. of lot)	10%	10%
Total proposed lot coverage	25%	30%
Total proposed impervious (Items 1+2+4+5/sq. ft. of lot)	25%	30%

6. Has there been a previous petition for relief involving the property? NO (If yes, attach Resolution.)

7. Facts in support of petitioner's relief:

Non-conforming lot area and lot depth, existing location of house, second floor access, needed to use deck off of living space. Very shallow rear yard.

8. Set forth the particular Statute under which this Application is made (N.J.S.A. 40:55D-70)

a) Appeal \_\_\_\_\_ b) Interpretation \_\_\_\_\_ c) Hardship X d) Use \_\_\_\_\_

9. Has the Building or Zoning Department examined the plans for the proposed building and refused a building permit? Yes If Yes, please attach the Zoning Officer's Denial letter.

10. If the property is not owner occupied, name the Lessee and Use of the existing building and premises N/A

If the property is not to be owner occupied, name the Lessee and the proposed Use of the building and premises. N/A

11. Attach hereto and made a part hereof are the following:

- a) Complete set of plans of any proposed building alteration or extension, including all items set forth in instructions
- b) 200-foot radius map and copy of certified list (provided by the Township) of property owners within 200 feet
- c) Architectural plans or equivalent

I hereby certify that the above statements made by me and the statements contained in the papers submitted herewith are true. I am aware that if any of the foregoing statements are willfully false, I am subject to punishment.

[Signature]  
Petitioner Signature

64 Putgers Avenue  
Address

Berkeley Heights, NJ 07902

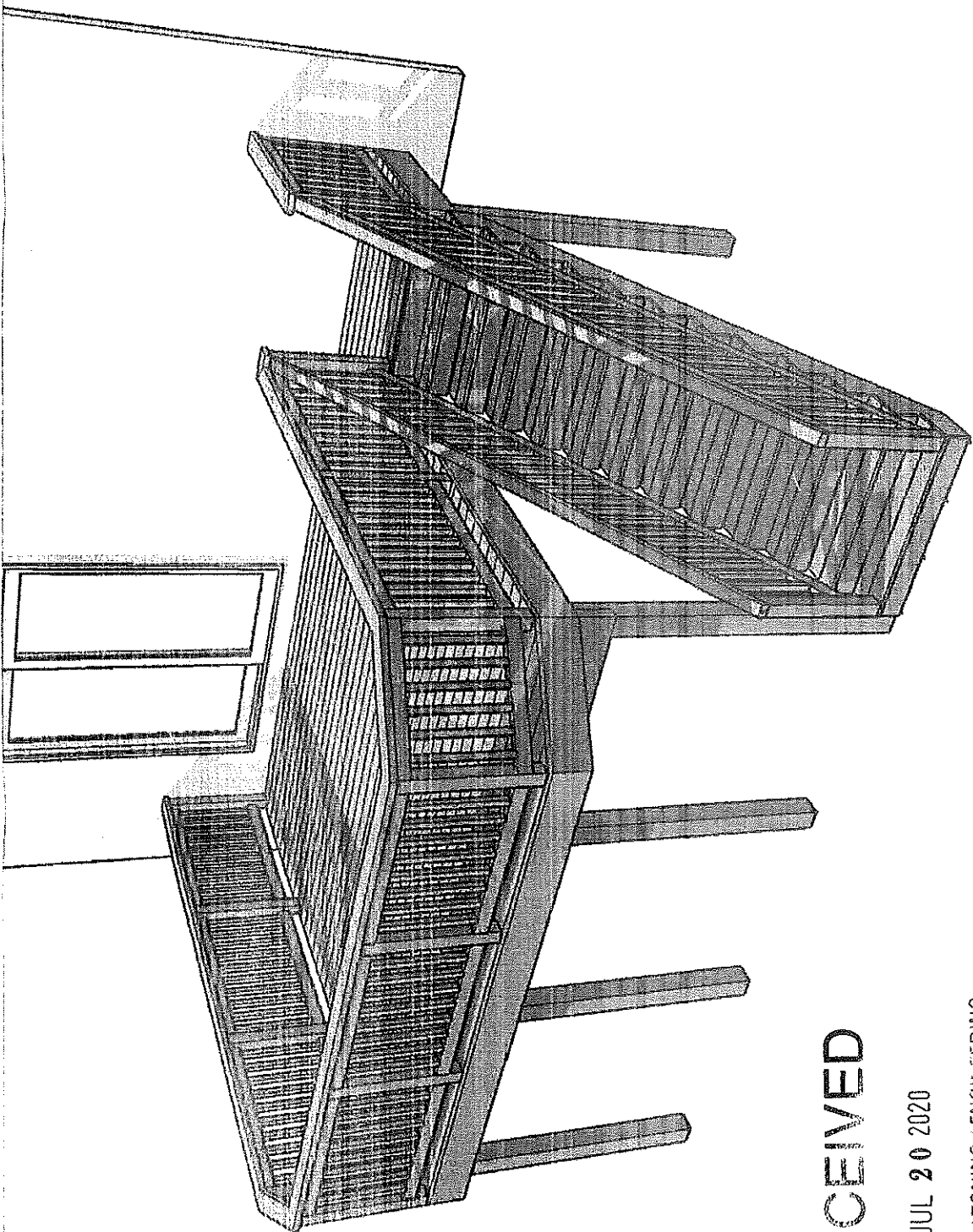
1062812-7924  
Phone Cell Phone

sujele@gmail.com  
E-Mail Address





VISIT DECKS.COM FOR MORE FREE DECK PLANS



RECEIVED

JUL 20 2020

PLANNING / ZONING / ENGINEERING  
TWP. OF BERKELEY HGTS. NJ

DISCLAIMER: THIS PLAN IS NOT CONSIDERED COMPLETE UNLESS APPROVED BY YOUR LOCAL BUILDING INSPECTOR OR STRUCTURAL ENGINEER. BUILDER ACCEPTS ALL RESPONSIBILITY AND LIABILITY. DECKS.COM, LLC, AND ASSOCIATED SPONSORS ACCEPT NO LIABILITY FOR THE USE OF THIS PLAN.

DECKS.COM LLC



NAME Lyudmila	ADDRESS 64 Rutgers Avenue	PHONE (201) 812-7904
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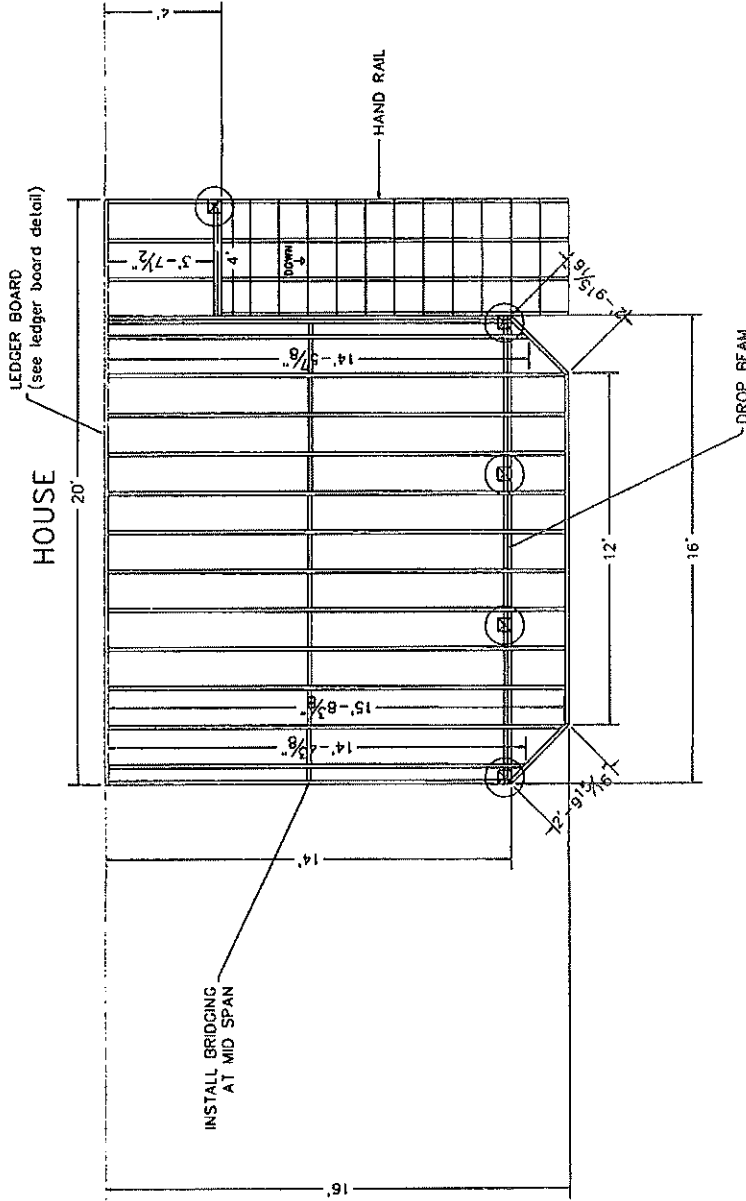
1  
PERSPECTIVE  
DECK PLAN 1L01616

SCALE: 1/4" = 1' WHEN PRINTED ON 11x17 PAPER

BASED ON THE INTERNATIONAL RESIDENTIAL CODE

STAIRWAY ILLUMINATION: ALL EXTERIOR STAIRWAYS SHALL BE ILLUMINATED AT THE TOP LANDING TO THE STAIRWAY. ILLUMINATION SHALL BE CONTROLLED FROM INSIDE THE DWELLING OR AUTOMATICALLY ACTIVATED.

DISCLAIMER: THIS PLAN IS NOT CONSIDERED COMPLETE UNLESS APPROVED BY YOUR LOCAL BUILDING INSPECTOR OR STRUCTURAL ENGINEER. DECKS.COM LLC AND ASSOCIATED SPONSORS ACCEPT NO LIABILITY FOR THE USE OF THIS PLAN.



<input checked="" type="checkbox"/>	12" DIAMETER FOOTING	FOOTINGS TO BE INSTALLED TO DEEPER SECTION AS REQUIRED BY YOUR LOCAL BUILDING ORDINANCE
<input checked="" type="checkbox"/>	16" DIAMETER FOOTING	FROST FOOTINGS SIZES BASED ON LOCAL CODES. REFER TO DECK CONSTRUCTION GUIDE FOR FROST FOOTING CAPACITY (ASSUMED CLAY SOIL)
<input checked="" type="checkbox"/>	22" DIAMETER FOOTING	SEE FOOTING DETAIL IN DECK CONSTRUCTION GUIDE.

DISCLAIMER: ONLY USE #2 OR BETTER PRESSURE TREATED SOUTHERN YELLOW PINE 2 x 10 FOR FRAMING MATERIALS. NEVER SUBSTITUTE COMPOSITE OR SOFTWOODS FOR FRAMING MATERIALS.

PLAN VIEW

2

LEADER BOARD TO BE FLASHED AND BOLTED (2) 1/2" BOLTS WITH WASHERS OR EQUIVALENT FASTENERS. " O.C.

RAILS TO BE 36" HIGH WITH LESS THAN 4" OPENINGS PER IBC CODE (SEE RAIL DETAIL) BEAMS TO BE 2x10 SOUTHERN YELLOW PINE TREATED (SEE RAIL DETAIL) STAIRS TO BE BUILT MAX RISE 7 3/4" MIN RISE 4" MIN RUN 10" PER IBC CODE (SEE DETAIL) (FOLLOW MANUFACTURER'S INSTALLATION INSTRUCTIONS) ALL JOIST HANGERS TO BE CORROSION RESISTANT AND INSTALLED PER MANUFACTURER'S INSTRUCTIONS

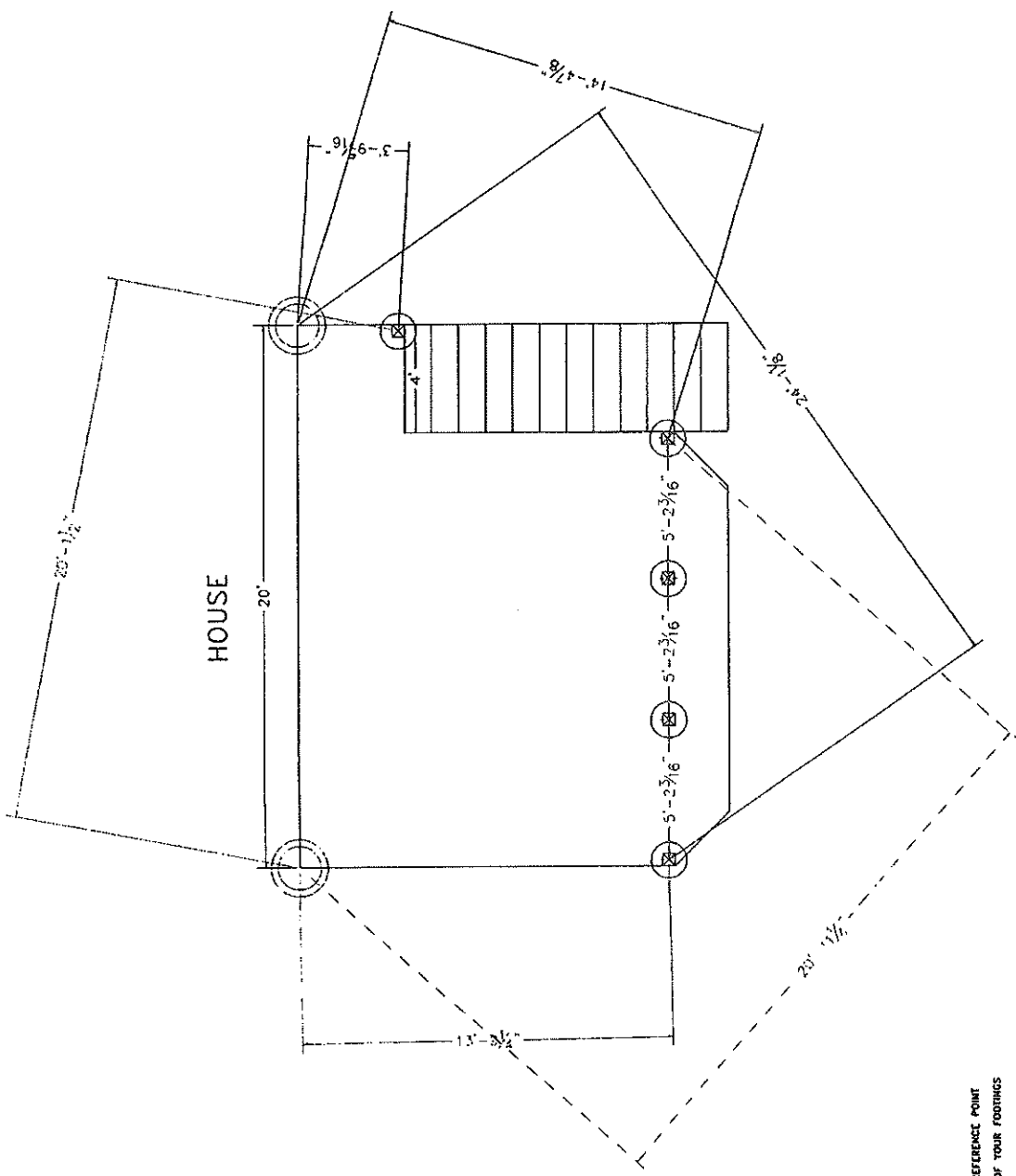


DECKS.COM LLC

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SCALE: 1/4" = 1' WHEN PRINTED ON 11x17 PAPER

BASED ON THE INTERNATIONAL RESIDENTIAL CODE



FOOTING LAYOUT  
DECK PLAN 1L01616

3

FOOTINGS TO BE INSTALLED TO PROPER DEPTH AS IS REQUIRED BY YOUR LOCAL BUILDING ORDINANCE.

FROST FOOTINGS SIZES BASED ON 59 LB PER SQUARE FOOT TRIMMABLE LOADS APPLIED TO 1300 PSI SOIL COMPRESSION CAPACITY (ASSUMED CLAY SOIL).

SEE FOOTING DETAIL IN DECK CONSTRUCTION GUIDE

- 12" DIAMETER FOOTING
- 16" DIAMETER FOOTING
- 22" DIAMETER FOOTING



THIS IS A TRIANGULATION REFERENCE POINT  
MEASURE TO THE CENTER OF YOUR FOOTINGS  
FROM THESE POINTS.

DISCLAIMER: USE ONLY 2,500 PSI CONCRETE  
FOR FROST FOOTING FOUNDATIONS

DISCLAIMER: THIS PLAN IS NOT CONSIDERED COMPLETE UNLESS APPROVED BY YOUR LOCAL BUILDING INSPECTOR OR STRUCTURAL ENGINEER. BUILDER ACCEPTS ALL RESPONSIBILITY AND LIABILITY. DECKS.COM LLC, AND ASSOCIATED SPONSORS ACCEPT NO LIABILITY FOR THE USE OF THIS PLAN.



# LIST OF PROPERTY OWNERS TO BE SERVED NOTICE TOWNSHIP OF BERKELEY HEIGHTS

29 PARK AVENUE  
BERKELEY HEIGHTS, NEW JERSEY 07922



PHONE: (908) 464-2700

FAX: (908) 464-8150

The following property owners shall be notified at least 10 days prior to the date set for hearing. The applicant shall clearly indicate the type of service, i.e., P.S. (Personal Service) or R.M.S. (Registered Mail Service) used to notify each owner. See instruction for method of service and filing of affidavit.

Application No.: \_\_\_\_\_ Date Requested: July 10, 2020

Block: 1107      Lot(s): 3      Address: 64 Rutgers Ave

<u>Block</u>	<u>Lot</u>	<u>Owner</u>	<u>Address</u>	<u>Service</u>
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SEE ATTACHED LIST

I certify that the above is an accurate and complete list of property owners and addresses as prepared from the most recent tax lists. The owners must be given notice pursuant to NJSA 40:55D-12.

Date: 07/10/2020

Robert M. Edgar  
Tax Assessor *TS*

I certify that no taxes, or assessments for local improvements, are due or delinquent on the subject property.

Date: 7-10-2020

Rachelle A. Sulzys  
Tax Collector



OWNER & ADDRESS REPORT

BERKELEY HEIGHTS

CERTIFIED 200' LIST FOR BLOCK: 1107 LOT: 3  
64 RUTGERS AVE

07/10/20 Page 1

BLOCK	LOT	QUAL	CLA	PROPERTY OWNER	PROPERTY LOCATION	Add'l Lots
1106	1		150	TOWNSHIP OF BERKELEY HEIGHTS 29 PARK AVENUE BERKELEY HEIGHTS, N J 07922	PRINCETON & SAW MILL DR	
1107	1		2	DENBY, LORRAINE 84 RUTGERS AVENUE BERKELEY HEIGHTS, NJ 07922	84 RUTGERS AVENUE	
1107	2		2	NORTH SQUARE LLC 41 INGRAFFIA DR ELMWOOD PK, NJ 07407	74 RUTGERS AVENUE	
1107	4		2	ENGLISH, ROBERT & ERICA 60 RUTGERS AVENUE BERKELEY HEIGHTS, N J 07922	60 RUTGERS AVENUE	
1107	5		2	ROSSMAN, MARK & GINA 52 RUTGERS AVENUE BERKELEY HEIGHTS, NJ 07922	52 RUTGERS AVENUE	
1107	6		2	YANG, PEI-YUAN & LIN, LIH-MING 85 PRINCETON AVENUE BERKELEY HEIGHTS, N J 07922	85 PRINCETON AVENUE	
1108	1		2	JANKOWSKI, WILLIAM S & JASMINE 83 RUTGERS AVENUE BERKELEY HEIGHTS, NJ 07922	83 RUTGERS AVENUE	
1108	2		2	DEL DUCA, GARY V. & CHRISTINE 79 RUTGERS AVENUE BERKELEY HEIGHTS, N J 07922	79 RUTGERS AVENUE	
1108	3		2	RILEY, NICOLE & BRIAN F 71 RUTGERS AVENUE BERKELEY HEIGHTS, NJ 07922	71 RUTGERS AVENUE	
1108	4		2	DE BANG, DAVID & RUTH H 41 HAMILTON AVE BERKELEY HEIGHTS, NJ 07922	41 HAMILTON AVE	
1108	5		2	AULISIO, LEO R. & MARGARET 47 HAMILTON AVENUE BERKELEY HEIGHTS, N J 07922	47 HAMILTON AVE	

200' radius map (64 Rutgers Ave.)  
for  
block 1107 lot 3

