

CAPIZZI LAW OFFICES

11 Hillside Ave., Second Floor
Tenafly, NJ 07670
MATTHEW G. CAPIZZI, ESQ. 201 266 8300 (o)
N.J., N.Y., & D.C. Bars 201 266 8301 (f)
Capizzilaw.com

New York Office:
1 Blue Hill Plaza
Lobby Level, Suite 1509
Pearl River, NY 10965
Reply to New Jersey Office

November 5, 2021

Revised Submittal for November 16, 2021 Hearing

Via Hand Delivery

Marti Francis – Board Secretary
Borough of Demarest
118 Serpentine Rd
Demarest, NJ 07627

Re: Jagid - Demarest ZBA (the “Applicant”)
38 Rodney Place; Block 68, Lot 119 (the “Property”)

Dear Ms. Francis:

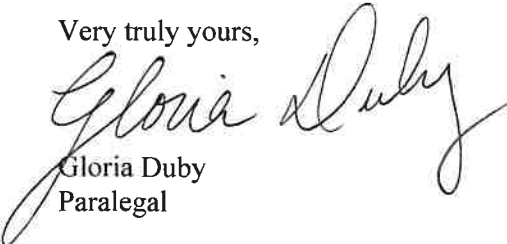
As you know, this office represents the above Applicant in connection with their variance application before the Demarest Zoning Board of Adjustment seeking variance relief relative to Maximum Building Coverage and Maximum Impervious Coverage. To that end, enclosed please find the following for consideration at the November 16, 2021 hearing:

1. Borough of Demarest Application for Variance from the Requirements of Zoning Ordinance (16 copies); and
2. Existing Conditions Plan prepared by L2A Land Design, LLC dated November 4, 2021 consisting of one (1) sheet (16 copies).

This letter shall also confirm this matter is scheduled to be heard before the Demarest Zoning Board of Adjustment, virtually, via Zoom, on Tuesday, November 16, 2021, at 7:30 pm.

Thank you.

Very truly yours,


Gloria Duby
Paralegal

MGC/gd
Enclosures

Zoning Board of Adjustment
Demarest, NJ

APPLICATION FOR VARIANCE FROM THE REQUIREMENTS OF ZONING ORDINANCE

File No: _____ Date Filed: _____

Date of Hearing: _____ Disposition: _____

To The Board of Adjustment:

Application is hereby made for a variation from the requirements of Section(s)

N.J.S.A. 40:55d-70 ____ of Chapter 175 (Zoning Ordinance) ____ to construct the following:

OR

To use an existing structure in the following manner:

The Applicant seeks approval for existing improvements at the Property made by a former owner during the course of renovating the existing home which was completed circa 2019 that cause the Property to exceed maximum allowable building and improved coverage. No new construction is proposed.

The location of the property is at: (Street Address) _____

Designated as Block 68 and Lot 119 on the Assessment Map.

The reason this new construction or this new use is desired is:

_____ Date present owner acquired title to property 08/13/2019

Applicant:

Name: Joshua Jagid

Address: 38 Rodney Place

Phone #: _____

Signature: _____
Attorney for Applicant

The owner and/or applicant will be represented at the Public Hearing by:

Name: Matthew G. Capizzi, Esq.

Phone #: 201-266-8300

Owner:

Name: Same as Applicant

Address: _____

Phone #: _____

Signature: _____
Attorney for Applicant

Address: 11 Hillside Avenue, 2nd Floor, Tenafly NJ

Signature: _____

**PLEASE NOTE:
THE APPLICANT OR HIS/HER REPRESENTATIVE MUST PERSONNALLY ATTEND THE HEARING**

DESCRIPTION OF THE PROPERTY

Address: 38 Rodney Place Zone: D Block: 68 Lot(s): 119

Existing Buildings: Include ALL accessory buildings, structures, garage, shed, swimming pool, deck, patio, and tennis court (etc.)

SETBACKS:

REQUIRED	EXISTING (closest point)	APPLICATION PROPOSED (closest point)
25' feet to front yard line (Demarest Avenue)	28' feet	No change feet
30' feet to rear yard line	44.20 feet	No change feet
10' feet to closest side yard (lot)	22' feet	No change feet
10' feet to closest side yard (street)	28' feet	No change feet

25' feet to front yard line (Rodney Place) ^{40.30' feet to front yard line (Rodney Place)} **No change**
 Required Lot Size: 10,000 square feet Existing Lot Size: 17,128 square feet

Fill in the following *Proposed Net Totals* from your worksheet: **No change**

IMPROVED LOT COVERAGE:		
Maximum % for principal residence, vehicle access & parking	Permitted <u>4,282</u> sq. ft.	<u>25.00</u> %
House=3,482 SF (20.33%) + Access/Parking=1,597 SF (9.32%) Existing	Proposed <u>5,079</u> sq. ft.	<u>29.65</u> %
Maximum total improved lot coverage %	Permitted <u>5,138</u> sq. ft.	<u>30.00</u> %
Existing	Proposed <u>6,023</u> sq. ft.	<u>35.16</u> %
BUILDING COVERAGE:		
	Permitted <u>3,426</u> sq. ft.	<u>20.00</u> %
Existing	Proposed <u>3,482</u> sq. ft.	<u>20.33%</u> %
MAXIMUM LIVING AREA (FAR)		
	Permitted _____ sq. ft.	_____ %
	Proposed _____ sq. ft.	_____ %

Variance Requested: Check Applicable Box(es):

- | | |
|---|--|
| <input type="checkbox"/> Front
<input type="checkbox"/> Side (lot)
<input type="checkbox"/> Side (street -corner lot)
<input type="checkbox"/> Rear
<input checked="" type="checkbox"/> Building Coverage | <input checked="" type="checkbox"/> Improved Coverage
<input type="checkbox"/> Maximum Living Area/ FAR (D variance)
<input type="checkbox"/> Use (D variance) |
|---|--|

Present use of buildings on the property is:
Single-family residence

Describe deed restrictions or easements on property if any; these include but are not limited to storm drains, sidewalk, open space, streams, brooks, etc.:

N/A

Character of buildings within the 200-foot property line (i.e., residential, commercial, etc.)
Residential

Is (a) lot, (b) present building or (c) use of lot or buildings now non-conforming to the Demarest Zoning Ordinance or other Demarest Ordinances? If so, please describe:

Maximum Building Coverage and Maximum Impervious Coverage

Has a variance been previously granted on this property? No. If so, when? _____

Please describe _____

Has a variance on this property previously been denied? No. If so when? _____

Please describe? _____

IMPROVED COVERAGE CALCULATIONS:

Definition: A material that prevents absorption of storm water into the ground.

Address:	38 Rodney Place, Demarest NJ		
Zone:	D		
Size of Lot:	17,128 Square Feet		
Required Square Footage:	10,000 Square Feet		
Permitted Total Improved Coverage	5,138	Sq. Ft.	30 %
Permitted Improved Coverage: Principal Residence, Vehicle Access & Parking	4,282	Sq. Ft.	25 %

<u>A. EXISTING</u>	<u>SQ. FT</u>	<u>Check if to be Demolished</u>	<u>B. PROPOSED</u>	<u>SQ. FT</u>	
house	<u>3,482</u>	_____	house	_____	No change
Garage	<u>0</u>	_____	Garage	_____	
Patio	<u>549</u>	_____	Patio	_____	
Deck	<u>0</u>	_____	Deck	_____	
Shed	<u>0</u>	_____	Shed	_____	
Swimming Pool	<u>0</u>	_____	Swimming Pool	_____	
Tennis Court	<u>0</u>	_____	Tennis Court	_____	
Driveway	<u>1,597</u>	_____	Driveway	_____	
Front Walkway	<u>292</u>	_____	Front Walkway	_____	
Side Walkway	<u>0</u>	_____	Side Walkway	_____	
Rear Walkway	<u>0</u>	_____	Rear Walkway	_____	
Other <small>Generator, AC Unit, Etc.</small>	<u>103</u>	_____	Other	_____	

Existing Improved Coverage 6,023 Sq. Ft. 35.16 %

Proposed New Improved Coverage _____ Sq. Ft. _____%

Total Improved Coverage (A + B) = 6,023 Sq. Ft. 35.16 %

No change

BUILDING COVERAGE (Footprint) CALCULATIONS:

Coverage, Maximum – The percentage of the plot or lot area covered by the principal building and the accessory use building(s) and/or structure(s).

Address:	38 Rodney Place, Demarest NJ
Zone:	D
Size of Lot:	17,128 Square Feet
Required:	10,000 Square Feet
Permitted Coverage	20 % 3,426 Sq. Ft.

A. EXISTING:

Check if to be demolished

House	<u>3,482</u> Sq. Ft.	<u> </u>
Garage	<u> </u> Sq. Ft.	<u> </u>
Shed	<u> </u> Sq. Ft.	<u> </u>
Other	<u> </u> Sq. Ft.	<u> </u>

EXISTING NET COVERAGE: 3,482 Sq. Ft. (20.33 %)

B. PROPOSED:

New House	<u> </u> Sq. Ft.
Addition	<u> </u> Sq. Ft.
Garage	<u> </u> Sq. Ft.
Shed	<u> </u> Sq. Ft.
Other	<u> </u> Sq. Ft.

PROPOSED NEW COVERAGE: Sq. Ft. (%)

TOTAL BUILDING COVERAGE (A + B): 3,482 Sq. Ft. (20.33 %)

FLOOR AREA RATIO CALCULATIONS (Livable Floor Area) **N/A**

The aggregate of all floors included within the outer walls of the building, excluding basements, garages and other unheated areas and including only such floor area under a sloping ceiling for which the headroom is not less than five (5) feet six (6) inches and then only if at least seventy-five percent (75%) of such floor area has a ceiling height of net less than seven (7) feet, six (6) inches and if any such floor that is situated above another story has access to the floor by a permanent, built-in stairway and has a permanent complete floor and a means of heating to seventy-five degrees Fahrenheit (75F) at all times.

Address:	
Zone:	
Size of Lot:	
Square Foot REQUIRED:	
Permitted Livable Area	Sq. Ft. %

A. EXISTING: Check if to be demolished

House _____ Sq. Ft. _____

Heated Attic _____ Sq. Ft. _____

Other _____ Sq. Ft. _____

EXISTING NET LIVABLE AREA: _____ Sq. Ft. _____ %

B. PROPOSED:

New House _____ Sq. Ft.

Addition _____ Sq. Ft.

Heated Attic _____ Sq. Ft.

Other _____ Sq. Ft.

PROPOSED LIVABLE AREA: _____ Sq. Ft. _____ %

TOTAL LIVABLE AREA (A + B): _____ Sq. Ft. _____ %

AFFIDAVIT OF OWNERSHIP

STATE OF NEW JERSEY)

) ss:

COUNTY OF BERGEN)

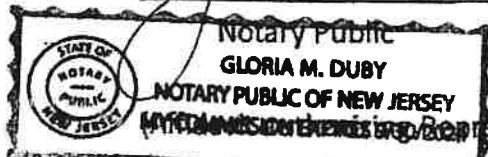
Joshua Jagid of full age
being duly sworn according to law on his oath deposes and says that he/she
resides at 38 Rodney Place in the City of
Demarest in the County of
Bergen and the State of
New Jersey that he/she is the owner in fee
of all that certain lot, piece or parcel of land situated lying and being in the
Borough of Demarest aforesaid, and known and designated as
Block: 68, Lot: 119 . and that he/she hereby authorizes
Matthew G. Capizzi, Esq. to make the within application in his/her behalf and
that the statements contained in said application are true.

Sworn to before me this 5th
day of November, 20 21

Gloria Duby

Matthew G. Capizzi

Owner



Note: This affidavit must be signed by owner when applicant is agent.

