

BOROUGH OF DEMAREST BOARD OF ADJUSTMENT

RESOLUTION 2024-05 OF THE ADOPTING THE 2023 YEAR END REPORT

WHEREAS, pursuant to N.J.S.A 40:55D-70.1 et seq., the Borough of Demarest Board of Adjustment (hereinafter the "Board") is obligated to send a brief report to the Governing Body at the end of each year regarding the Applications considered during the year and if there are any recommended amendments to the Zoning Ordinance; and

WHEREAS, the report shall inform the Governing Body of all Applications that were approved by the Board pursuant to N.J.S.A. 40:55D-70(c)(1), N.J.S.A. 40:55D-70(c)(2), and N.J.S.A. 40:55D-70d; and

WHEREAS, the aforesaid report by the Board Attorney has been prepared and circulated and reviewed by all members of the Board; and

WHEREAS, after review by all Members of the Board, it is their desire to adopt this report as their statement to the Governing Body regarding Applications considered by the Board in 2023.

NOW, THEREFORE, BE IT RESOLVED the Demarest Board of Adjustment hereby adopts the enclosed report as their statement to the Governing Body of the Borough of Demarest regarding all Applications that were approved before the Board in 2023.

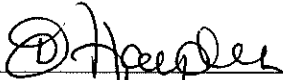
Motion was made by: *Mr. McLain*
Motion was seconded by: *Mr. Corrado*

Roll Call to Approve:

	YES	NO	ABSTAIN	ABSENT	NOT ELLIGABLE
Vice Chair Woods	✓				
Mr. Davis				✓	
Mr. Corrado	✓				
Mr. McLain	✓				
Mr. Park	✓				
Mr. Adelman	✓				
Chair Hayden	✓				
Mr. Hirsch A#1				✓	
Ms. Pavlova A#2				✓	

Accordingly, a majority of the Board voted to approve the Resolution as presented.

I hereby certify that the foregoing is a true copy of the Resolution adopted by the Zoning Board of Adjustment at its meeting held on


Dorothy Hayden, Chair


Michael Greco, Board Secretary

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January 15, 2024

Hon. Brian Bernstein, and Members of the Borough Council
 The Borough of Demarest
 118 Serpentine Road
 Demarest, New Jersey 07627-2199

Re: Year End Report to the Governing Body

Dear Hon. Bernstein and Members of the Borough Council:

As you may be aware, the Board of Adjustment is obligated to send a brief report to the Governing Body at the end of each year regarding the Applications considered during the year and if there are any recommended amendments to the Zoning Ordinance. I have taken the liberty of preparing this in letter format. The Board heard very few applications for variances pursuant to NJSA 40:55D-70(d) for changes of use, so the focus of the Board has been on "Bulk Variances" pursuant to NJSA 40:55D-70(c).

During 2023, the Board considered the following 6 Applications.

Docket Number	Address	Applicant	Variance(s) Requested	Notes
23-001	Block 55; Lot 1 36 Maple Avenue	Funda Tezol	1. Building Coverage 2. Maximum Improved Coverage 3. Maximum Residential/ Parking Coverage 4. Side Yard Setback 5. Rear Yard Setback	Corner lot; Accessory Use in a Side Yard Setback
23-002	Block 4; Lot 3 6 Van Horn Street	6 Van Horn, LLC	1. Front Yard Setback 2. Rear Yard Setback 3. Accessory Uses in Side Yard	Property is a corner lot, the Board is obligated to designate the "Front" of the home (See Borough Code, 175-27); Property did

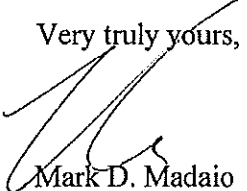
				suffer from exceptional narrowness
23-003	Block 87.02; Lot 2 9 Donnybrook Drive	Seth & Lauren Nulman	1. Building Coverage 2. Maximum Improved Coverage	Maximum Improved Coverage was not originally sought by the Applicants and was determined to be required upon review of the Engineer's Letter.
23-005	Block 76; Lot 2.07 15 Arthur Court	Jonathan Beers	1. Front Yard Setback	The Property has two Front Yard Setbacks, though the apparent and usable "backyard" is on Margaret Court. Pursuant to Borough Ordinance 175-19(B)(7) a pool is not permitted in a front yard and this Property clearly has 2 "Front Yards" and 2 "Side Yards". A literal reading of the Ordinance would mean that the Property has no location for any traditional "backyard" uses.
23-007	Block 68; Lot 119 38 Rodney Place	Joshua Jagid	1. Total Improved Lot Coverage 2. Maximum Residential Parking Coverage	All existing property construction was approved by Resolution 817-21; Current Application to <u>reduce</u> Total Improved Lot Coverage was Approved.
23-019	Block 84.08; Lot 10 77 Pine Terrace	Barbara Sheleg	n/a	Resolution - Application was dismissed without Prejudice due to the Applicant's failure to Prosecute the matter; Initial Public Hearing was scheduled for June

				20, 2023, but was not heard as the appropriate notice was not provided to the Board.
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The Board has no suggested amendments to the Zoning Ordinance at this time.

Please do not hesitate to contact me with any questions or comments.

Very truly yours,



Mark D. Madaio

CC: Dorothy Hayden, Chairwoman