

**TOWNSHIP OF VERONA  
BOARD OF ADJUSTMENT APPLICATION**

DATE APPLICATION September 5, 2024

CASE # 2024-069

PROPERTY ADDRESS 57 HILLSIDE AVENUE

BLOCK 100 LOT 4 ZONE R-50

APPLICANT'S NAME THOMAS & SUSAN MONROE

PHONE # 973-857-9067 CELL PHONE # 973-271-9521

EMAIL tmonroe@certilmanbalin.com

PROPERTY OWNER'S NAME THOMAS & SUSAN MONROE

PROPERTY OWNER'S ADDRESS 57 HILLSIDE AVENUE, VERONA, NJ 07044

PROPERTY OWNER'S PHONE # 973-857-9067 CELL # 973-271-9521

PROPERTY OWNER'S EMAIL tmonroe@certilmanbalin.com

RELATIONSHIP OF APPLICANT TO OWNER SELF

REQUEST IS HEREBY MADE FOR PERMISSION TO DO THE FOLLOWING:  
Reconstruct existing deck that was completely destroyed by a large fallen oak tree, slightly  
relocating deck further from property line to allow for landscaping along the property line, and  
adding de minimis square footage and a spa to the existing deck that requires two variances.

CONTRARY TO THE FOLLOWING:  
~~150-17.5 D(4) Max improved lot coverage - 40% permitted, 55.71% existing, 57.37% proposed~~  
~~150-17.4 F(4) Max aggregate area by accessory structures in rear yard - 15% permitted, 20.08% existing,~~  
~~23.09% proposed.~~

LOT SIZE: EXISTING 7097.75 sf PROPOSED unchanged TOTAL 7907.75

HIEGHT: EXISTING +/-29'-10" PROPOSED +/-29'-10" unchanged

PERCENTAGE OF BUILDING COVERAGE: EXISTING 25.71 PROPOSED 25.71

PERCENTAGE OF IMPROVED LOT COVERAGE: EXISTING 55.71 PROPOSED 57.37

PRESENT USE single family residence PROPOSED USE single family residence

SET BACKS OF BUILDING:	REQUIRED	EXISTING	PROPOSED
FRONT YARD	<u>30</u>	<u>26.79</u>	<u>26.79</u>
REAR YARD	<u>30</u>	<u>49.54 at deck</u>	<u>42.48 at hot tub</u>
SIDE YARD (1)	<u>10</u>	<u>9.9</u>	<u>9.90</u>
SIDE YARD (2)	<u>8</u>	<u>0.49 at deck</u>	<u>3'-4" at deck</u>

DATE PROPERTY WAS ACQUIRED February 1, 2001

TYPE OF CONSTRUCTION PROPOSED:

Deck and small covered roof area reconstruction as a result of destruction by fallen oak tree.  
New construction is slightly larger than existing.

SIGN INFORMATION (if applicable): supply details on location, dimensions, height and illumination

Not applicable

AREA PER FLOOR (square feet):	EXISTING	PROPOSED	TOTAL
BASEMENT	_____	_____	unchanged
FIRST FLOOR	_____	_____	unchanged
SECOND FLOOR	_____	_____	unchanged
ATTIC	_____	_____	unchanged

NUMBER OF DWELLING UNITS: EXISTING 1 PROPOSED 1 total

NUMBER OF PARKING SPACES: EXISTING 4 plus PROPOSED 4 plus total

History of any previous appeals to the Board of Adjustments and the Planning Board

None.

What are the exceptional conditions that warrant relief from compliance with the Zoning Ordinance?

The reconstruction and improvement of a long standing pre-existing deck and covering that was suddenly destroyed by a fallen 165 year old oak tree together with efforts to replace the tree by improving the landscape design with the slight relocation of the deck away from the property line, to create shade and reduce neighborhood sightlines, while seeking de minimis expansion of the square footage of the deck, warrant relief.

Supply a statement of facts showing how relief can be granted without substantial detriment to the public good and without substantially impairing the intent and purpose of the Zone Plan and the Zoning Ordinance

The modified reconstruction and slight relocation of the pre-existing deck will further the purpose of the zoning plan as the deck, as proposed, will reduce the minimum side yard set back by 2 feet, which will allow for landscaping to be placed along the property line. This landscaping will attempt to replace the fallen 165 year old oak tree in terms of shade in the applicant's and the neighbor's yard and will reduce the sightlines from yard to yard which presently extend from the backyard, through 3 properties, up to and including Forest Avenue. Additionally, the landscaping will help mitigate any surface water runoff and direct any water runoff toward the rear of the property, further away from the applicant's and neighbor's home. The deck and landscaping will create a more aesthetically pleasing landscape design with only de minimis increases to the existing maximum improved lot coverage (1.66%) and to the existing maximum aggregate area covered by accessory structures (3.01%).

History of any deed restrictions:

None.

A legible plot plan or survey to scale (not less than 1"=100') of the property indicating the existing and/or proposed structure and scale drawings of the existing and/or proposed structure must be provided.

A copy of any conditional contract relating to this application must be filed with this application.

If the applicant is a corporation or partnership, the names, addresses and phone numbers of those owning a 10% or greater interest in the corporation shall be provided.

Name _____	Address <u>57 Hillside Avenue</u>	Phone # _____
Name _____	Address _____	Phone # _____
Name _____	Address _____	Phone # _____
Name _____	Address _____	Phone # _____

Expert witness(es) that will present evidence on behalf of this application:

Attorney:            Name \_\_\_\_\_  
                              Address \_\_\_\_\_  
                              Phone # \_\_\_\_\_  
                              Fax # \_\_\_\_\_  
                              Email \_\_\_\_\_

Architect/Engineer: Name \_\_\_\_\_  
                              Address \_\_\_\_\_  
                              Phone # \_\_\_\_\_  
                              Fax # \_\_\_\_\_  
                              Email \_\_\_\_\_

Planner:             Name \_\_\_\_\_  
                              Address \_\_\_\_\_  
                              Phone # \_\_\_\_\_  
                              Fax # \_\_\_\_\_

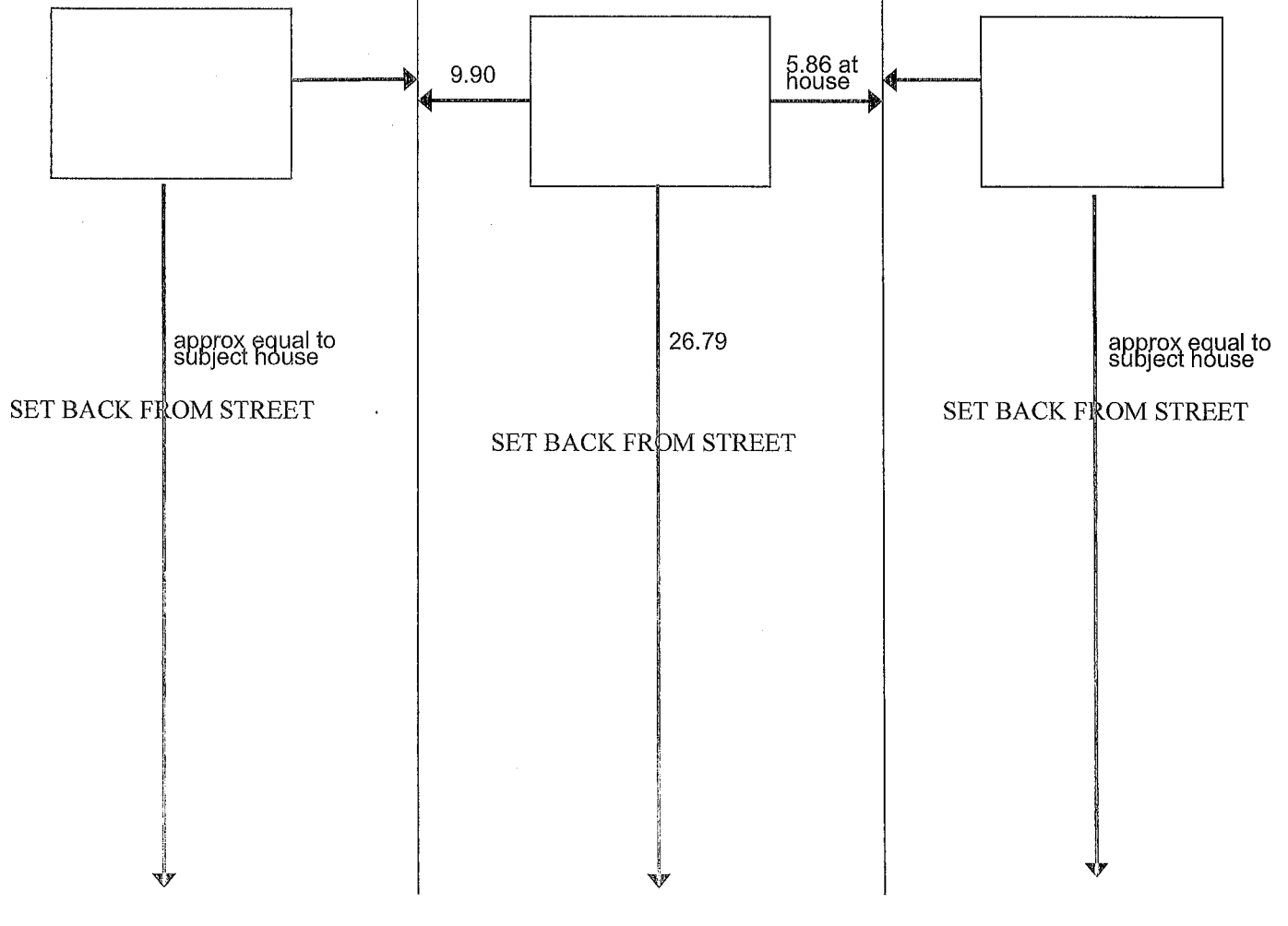
# BOARD OF ADJUSTMENT APPLICATION SITE PLAN

O INDICATES SHRUBS OR TREES  
X INDICATES FENCES

NEIGHBOR'S HOUSE  
ESTIMATE DISTANCE FROM  
THE PROPOERTY LINE  
  
HOUSE ON LEFT

APPLICANT'S HOUSE  
SHOW THE DISTANCE TO THE  
PROPERTY LINE FROM  
SURVEY  
  
CENTER HOUSE

NEIGHBOR'S HOUSE  
ESTIMATE DISTANCE FROM  
THE PROPOERTY LINE  
  
HOUSE ON RIGHT



STREET



AFFIDAVIT OF OWNERSHIP

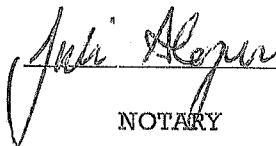
STATE OF NEW JERSEY  
COUNTY OF ESSEX

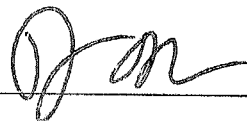
Thomas J. Monroe

OF FULL AGE, BEING DULY SWORN ACCORDING TO LAW ON

OATH DEPOSED AND SAYS, THAT DEPONENT RESIDES AT 57 Hillside Avenue, IN THE CITY OF Verona IN THE COUNTY OF Essex AND STATE OF New Jersey AND THAT

Thomas J. Monroe and Susan P. Monroe IS THE OWNER IN FEE OF ALL THAT CERTAIN LOT, PIECE OF LAND, SITUATED, LYING AND BEING IN THE TOWNSHIP OF VERONA AFORESAID AND KNOWN AND DESIGNATED AS BLOCK 100 AND LOT 4 AS SHOWN ON THE TAX MAPS OF THE TOWNSHIP OF VERONA.

  
NOTARY

  
OWNER

JULIA E. ALEGRIA  
NOTARY PUBLIC  
STATE OF NEW JERSEY  
MY COMMISSION EXPIRES OCTOBER 14, 2022

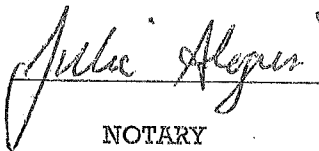
AFFIDAVIT OF APPLICANT


COUNTY OF ESSEX  
STATE OF NEW JERSEY

Thomas J. Monroe

OF FULL AGE, BEING DULY SWORN ACCORDING TO LAW, ON

OATH DEPOSED AND SAYS THAT ALL OF THE ABOVE STATEMENTS CONTAINED IN THE PAPERS SUBMITTED HEREWITH ARE TRUE. SWORN TO AND SUBSCRIBED BEFORE ME ON THIS 5th DAY OF September, 2024  
20  .

  
NOTARY

  
APPLICANT

JULIA E. ALEGRIA  
NOTARY PUBLIC  
STATE OF NEW JERSEY  
MY COMMISSION EXPIRES OCTOBER 14, 2027

**TOWNSHIP OF VERONA**  
**COUNTY OF ESSEX, NEW JERSEY**

*TOWNSHIP MANAGER*  
**JOSEPH O. D'ARCO**  
*TOWNSHIP CLERK*  
**JENNIFER KIERNAN**



*DEPUTY MANAGER*  
**KEVIN O'SULLIVAN**  
*TOWNSHIP ATTORNEY*  
**BRIAN J. ALOIA, ESQ.**

**VERONA COMMUNITY CENTER**  
880 BLOOMFIELD AVENUE  
VERONA, NEW JERSEY 07044

**MUNICIPAL BUILDING**  
600 BLOOMFIELD AVENUE  
VERONA, NEW JERSEY 07044  
(973) 239-3220  
WWW.VERONANJ.ORG

**DEPARTMENT OF PUBLIC WORKS**  
10 COMMERCE COURT  
VERONA, NEW JERSEY 07044

**Zoning Office**

**880 Bloomfield Avenue, Verona, NJ 07044**

**973-857-4772**

**May 29, 2024**

**Zoning Application #2024-069 –Deck - Denied**

**Applicant/Owner:** Thomas & Susan Monroe  
57 Hillside Avenue  
Verona, NJ 07044

**Property:** 57 Hillside Avenue; Block 100 Lot 4

**Zone:** R-50 (High-Density Single-Family) Zone

**Submittals:**

This office is in receipt of the following:

- Township of Verona Residential Permit Application;
- Copy of Survey signed Robert L. Cigol, NJLS, dated 6/17/2002;

**ZONING REQUEST:**

Based upon the zoning permit application, the applicant is seeking approval for installation of a 528 square foot deck. No other requests have been requested or shown and therefore have not been considered in this departments review.

**ZONING DETERMINATION:**

- The site is located in the R-50 (High-Density Single-Family) Zone District § 150-17.5 where per § 150-17.5 A (1) single family dwellings are permitted - Compliant;
- Per § 150-17.5 B (4) A deck is a permitted
- Proposed height of deck in on grade.
- Per § 150-17.5 D (1) the Minimum lot size: 5,000 square feet, existing lot size of 7109± exists – Compliant;
- Per § 150-17.5 D (2) the minimum lot width is 50 square feet, existing lot width is 50 square feet – Compliant;
- Per § 150-17.5 D (3) Maximum lot coverage permitted is 30%/2133 square feet where existing is 1166 square feet/16.4% - Compliant
- **Per § 150-17.5 D (4) Maximum improved lot coverage permitted 40%/2843.06 square feet where existing is 2,482 square feet/35% and proposed is 2,944 square feet/41.4% - A Variance is Required**

- Per § 150-17.5 E (1) Minimum front yard setback: 30 feet. A pre-existing non-conforming 26.9 foot setback exists;
- Per § 150-17.5 E (2) Minimum side yard setback (one): eight feet. A 22 foot setback is proposed on the left side of the property – Compliant.
- Per § 150-17.5 E (2) Minimum side yard setback (one): eight feet. An existing pre-existing non-conforming setback of 1 foot exists on the NE property line; a 3 foot setback is proposed reducing the non-conformity - Compliant.
- Per § 150-17.5 E (3) Minimum side yard setbacks (both): 18 feet. A 25 foot combined setback is proposed – Compliant.
- Per § 150-17.5 E (4) Minimum side yard setbacks (both) percentage of lot width: 25% of lot width is 12.5 feet - A 25 foot combined setback is proposed – Compliant.
- Per § 150-17.5 E (5) Minimum rear yard setback: 30 feet. Proposed is 50 feet from rear of deck to rear property line; 47 feet from end of steps to rear property line – Compliant.
- **Per § 150-17.4 F (4) Maximum aggregate area covered by accessory structures in the rear yard it is located in is 15%. Existing conditions in the rear yard are:**
  - Yard square footage from rear of principal structure to the rear property line is 3830 square feet where 15% is 574.5 square feet.
  - The existing rear yard coverage is 794 square feet or 20.7% - Existing Non-Conforming;
    - Garage 336 square feet
    - Existing Deck & Steps 350 square feet
    - Existing Deck & Steps on NE side of Property 108 square feet
    - 794 square feet or 20.7%
  - The proposed rear yard coverage is **972** square feet or **25%** - the existing non-conforming coverage is increased therefore a **Variance is required.**
    - Garage 336 square feet
    - Proposed Deck 528 square feet
    - Existing Deck on NE side of Property 108 square feet
    - **972 square feet or 25%**

Based on the reviewed submitted items, the applicant's request for a Zoning Permit has been **DENIED** by this office.

Please feel free to contact this office should you have any questions.

Respectfully Submitted.



**Kathleen Miesch**  
Zoning Official

cc: Tom Jacobsen, Construction Official  
Kristin Spatola



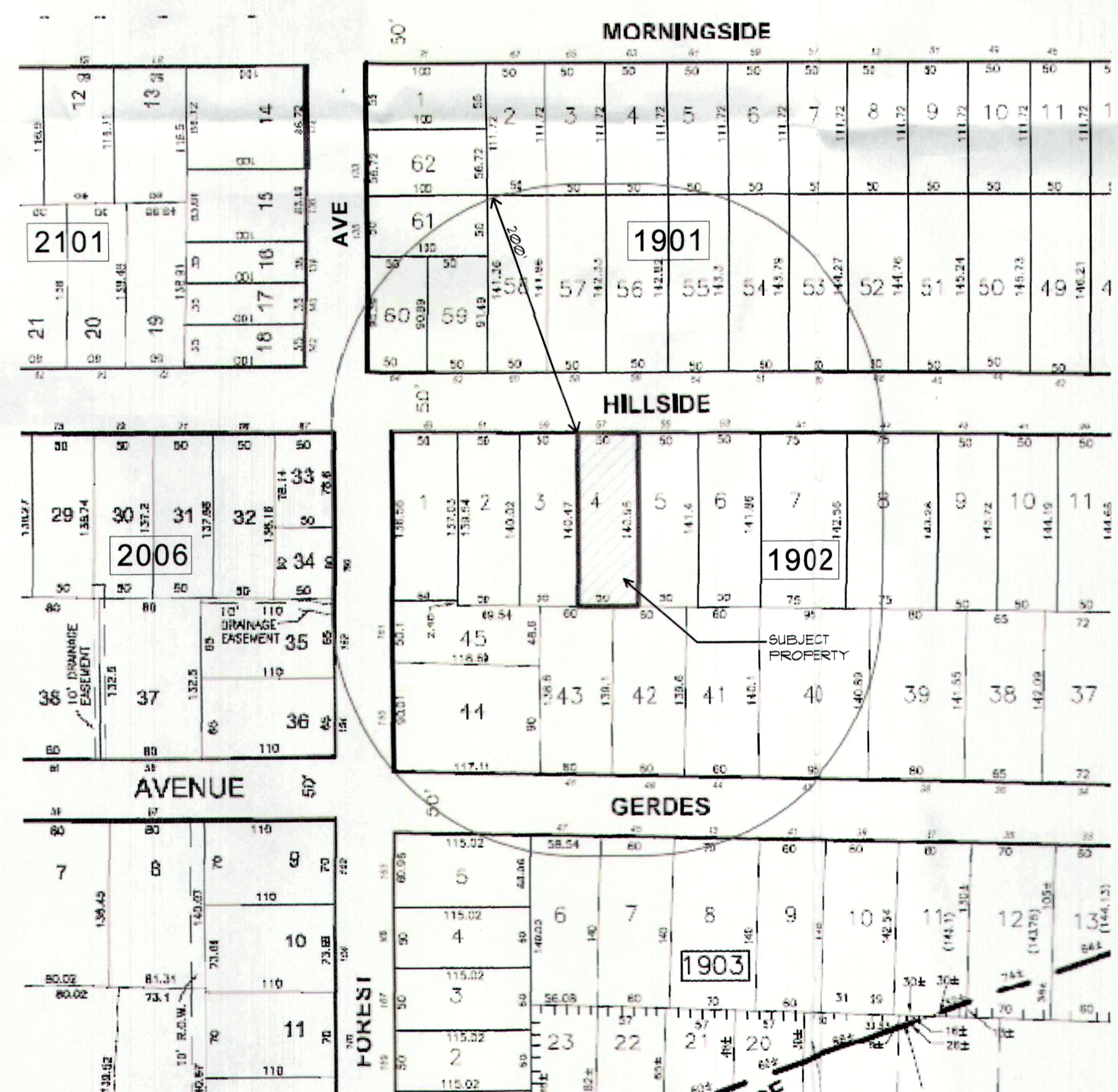
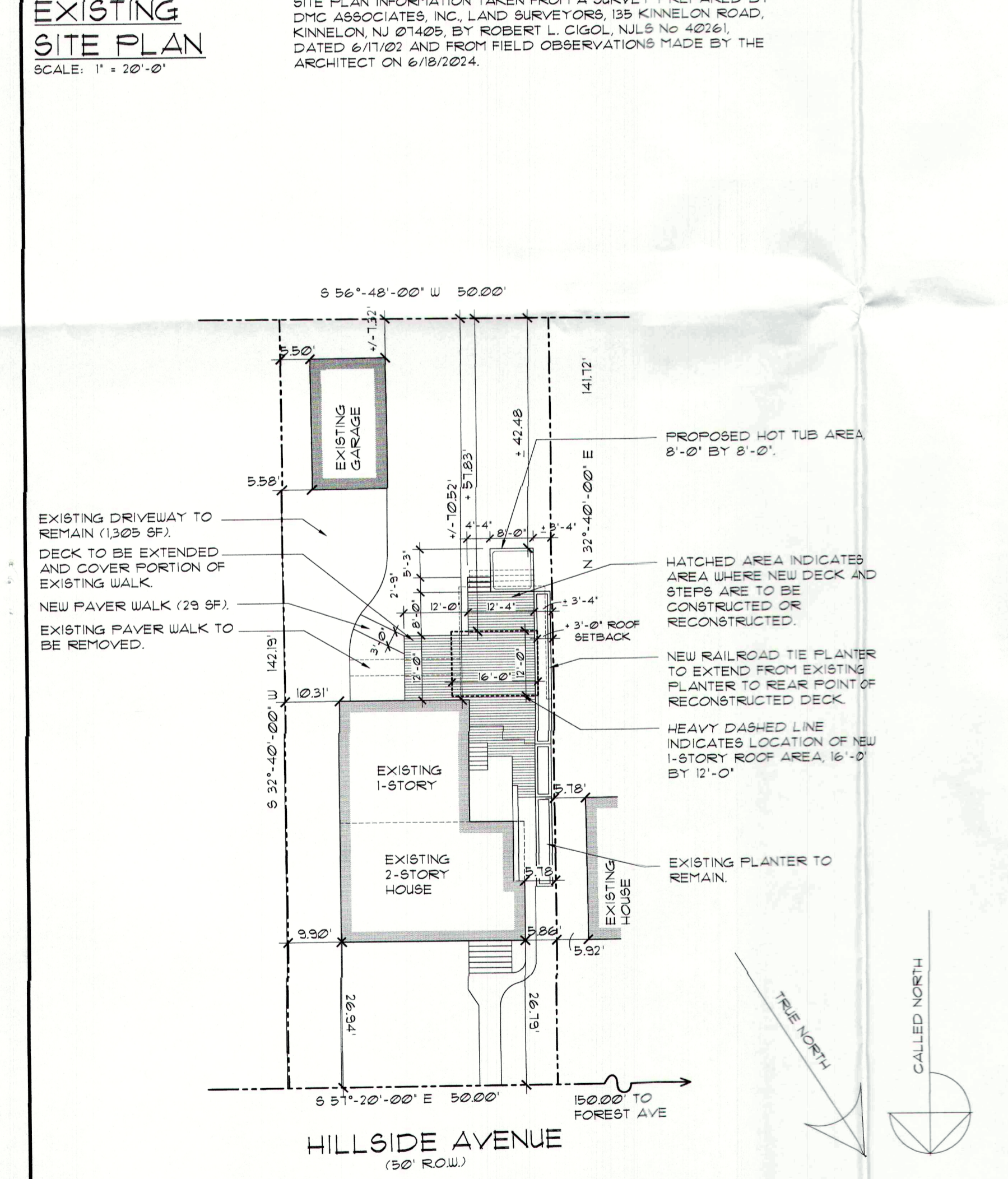
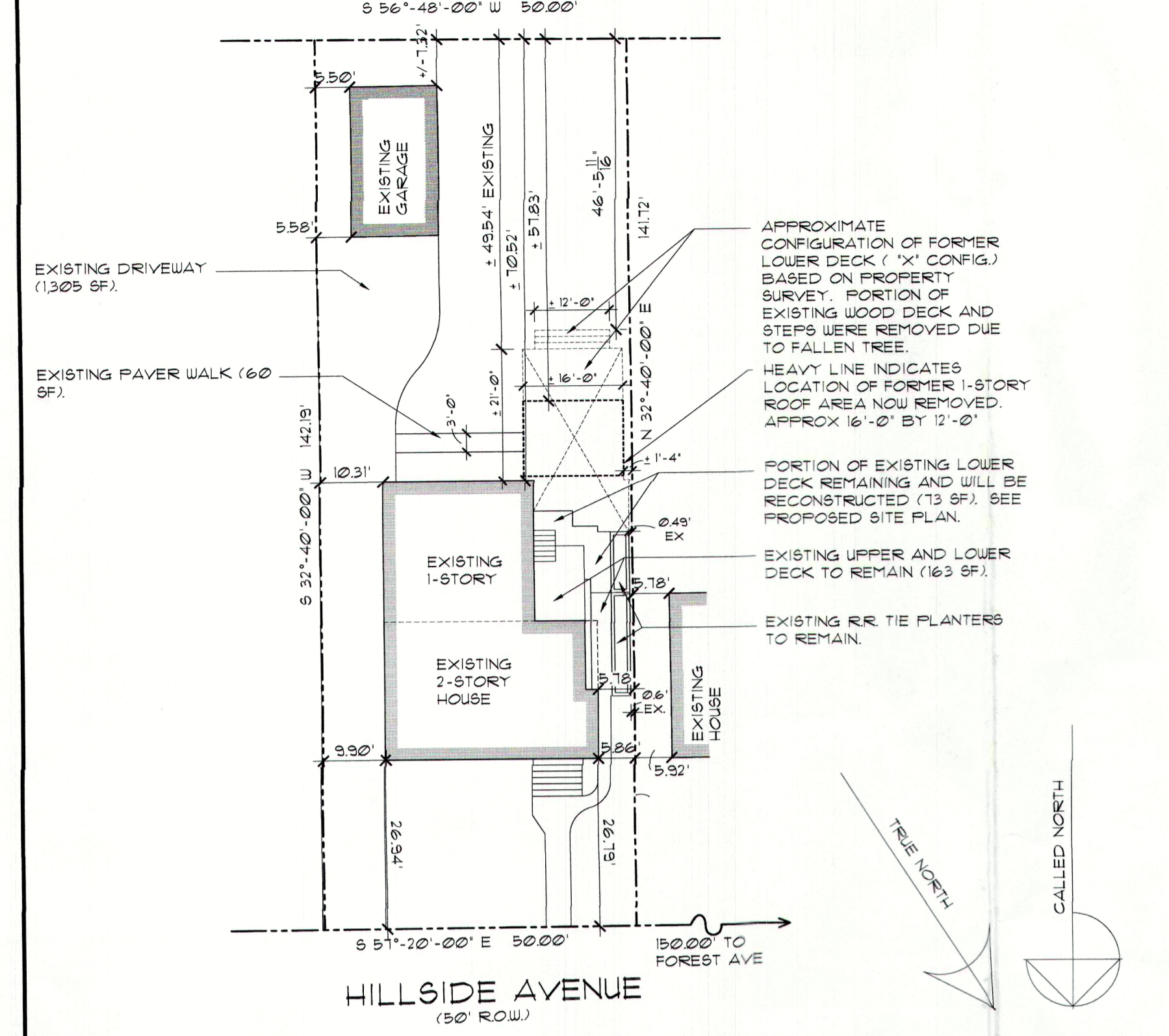
SITE AND BUILDING DATA				
ZONE: R-50 (HIGH DENSITY SINGLE FAMILY)		BLOCK: 1902, LOT 4		
USE: 1-FAMILY RESIDENCE EXISTING, UNCHANGED				
ZONING CRITERIA:	REQUIREMENT:	EXISTING:	PROPOSED:	COMMENT:
MINIMUM LOT AREA:	5,000 SF.	10,917.5 SF.	10,917.5 SF.	COMPLIES
MINIMUM LOT WIDTH:	50 FEET	50 FEET	50 FEET	COMPLIES
MINIMUM LOT DEPTH:	NO REQUIREMENT	141.72 FEET	141.72 FEET	
SETBACKS OF PRINCIPAL BUILDING:				
FRONT YARD:	30 FEET	26.79 FEET	26.79 FEET	EXISTING CONDITION. NO CHANGES WITH PROPOSED WORK.
SIDE YARD:				
AT HOUSE - ONE SIDE (WEST)	8 FEET	5.78 FEET	5.78 FEET	EXISTING CONDITION. PROPOSED WORK DOES NOT MAKE HOUSE CONDITION WORSE.
- BOTH SIDES	18 FEET OR 25% (12.5 FEET) WHICH EVER IS GREATER	15.68 BOTH SIDES	15.68 BOTH SIDES	
AT COVERED DECK ROOF	4'-1'-4"	4'-3'-4"	4'-3'-4"	COVERED DECK AREA SETBACK IS INCREASED BY 4'-2'-0"
REAR YARD:	30 FEET			
AT HOUSE		4'-10.52 FEET (SCALED)	4'-10.52 FEET (SCALED)	COMPLIES
AT COVERED DECK ROOF		4'-5.783 FEET	4'-5.783 FEET	COMPLIES
AT REAR STAIR OF DECK:		4'-49.54 FEET	4'-42.48 FEET	COMPLIES
PRINCIPAL BUILDING HEIGHT:	2-1/2 STORY / 35 FEET	2 STORY, 4'-29'-10"	2 STORY, 4'-29'-10"	NO CHANGE - COMPLIES
MAXIMUM BUILDING COVERAGE (INCLUDES HOUSE, COVERED DECK ROOF AND DETACHED GARAGE):	30% (2,129.33 SF. MAX. OF ACTUAL LOT AREA)	25.71% (1,825 SF.)	25.71% (1,825 SF.)	NO CHANGE - COMPLIES
MAX IMPERVIOUS AREA (HOUSE, COVERED DECK ROOF, DETACHED GARAGE, STAIRS, PAVEMENTS, WALKS AND NEW HOT TUB):	40% (2,839.10 SF. MAX. OF ACTUAL LOT AREA)	55.71% (3,954 SF.)	57.31% (4,072 SF.)	INCREASE OF 1.66% (126 SF.) VARIANCE REQUIRED.
MAX AGGREGATE AREAS COVERED BY ACCESSORY STRUCTURES LOCATED IN THE REAR IS 15%:	REAR YARD (FROM BACK WALL OF EXISTING HOUSE TO REAR PROPERTY LINE) IS 3,526 SF. 15% IS 528.90 SF.)	20.08% (708 SF.)	23.09% (814 SF.)	INCREASE OF 3.01% (106 SF.) VARIANCE REQUIRED.

SITE AND BUILDING AREAS:			
EXISTING CONDITIONS		PROPOSED CONDITIONS	
<b>BREAKDOWN OF BUILDING COVERAGE AREAS:</b>			
EXISTING HOUSE:	1,291 SF	EXISTING HOUSE:	1,291 SF
EXISTING ROOFED DECK:	192 SF	NEW ROOFED DECK:	192 SF
EXISTING GARAGE:	336 SF	EXISTING GARAGE:	336 SF
TOTAL BUILDING AREAS:	1,825 SF	TOTAL BUILDING AREAS:	1,825 SF
<b>BREAKDOWN OF IMPERVIOUS COVERAGE AREAS (NON-BUILDING):</b>			
EXISTING FRONT STEPS 4 WALK:	180 SF	EXISTING FRONT STEPS 4 WALK:	180 SF
EXISTING REAR PAVEMENT WALK:	60 SF	NEW PAVEMENT WALK:	29 SF
EXISTING DRIVEWAY:	1,305 SF	EXISTING DRIVEWAY:	1,305 SF
EXISTING UNCOVERED DECKS (NOT IN BUILDING AREA ABOVE) AND INCLUDES FORMER DECK AREA THAT WAS REMOVED DUE TO STORM DAMAGE AND PARTIAL AREA TO BE RECONSTRUCTED:	584 SF	EXISTING UPPER AND PARTIAL LOWER UNCOVERED DECK AREAS TO REMAIN (NOT IN BUILDING AREA ABOVE):	163 SF
TOTAL NON-BUILDING IMPERVIOUS AREAS:	2,129 SF	EXISTING PARTIAL DECK AREA TO BE RECONSTRUCTED:	73 SF
		NEW DECK AREA (NOT INCLUDING BUILDING AREA ABOVE):	433 SF
		NEW HOT TUB AREA:	64 SF
		TOTAL NON-BUILDING IMPERVIOUS AREAS:	2,247 SF
<b>ALL BUILDING AND IMPERVIOUS COVERAGE AREAS:</b>			
EXISTING BUILDINGS:	1,825 SF	EXISTING BUILDINGS:	1,825 SF
EXISTING IMPERVIOUS:	2,129 SF	EXISTING/NEW IMPERVIOUS:	2,247 SF
TOTAL AREAS:	3,954 SF	TOTAL AREAS:	4,072 SF

APPLICANT:  
 THOMAS + SUSAN MONROE  
 57 HILLSIDE AVENUE  
 VERONA, NJ 07044

APPROVED BY VERONA TOWNSHIP LAND USE BOARD

BOARD CHAIR \_\_\_\_\_ DATE \_\_\_\_\_  
 BOARD SECRETARY \_\_\_\_\_ DATE \_\_\_\_\_  
 MUNICIPAL ENGINEER \_\_\_\_\_ DATE \_\_\_\_\_



**KURT H. SCHMITT ARCHITECT**  
 7 SHAWNEE TRAIL, DENVER, NJ 07834  
 TELEPHONE: 862-432-9895  
 EMAIL: kurttschmitt@optonline.net  
 NJ LIC. No. A1-09190

DECK RECONSTRUCTION FOR  
 THE MONROE RESIDENCE  
 57 HILLSIDE AVENUE  
 VERONA, NEW JERSEY

REVISIONS:  
 JULY 16, 2024  
 AUG 7th 2024

DATE: JULY 16, 2024  
 DRAWN BY: KHS  
 CHECKED BY: KHS  
 PROJECT NUMBER: 24346

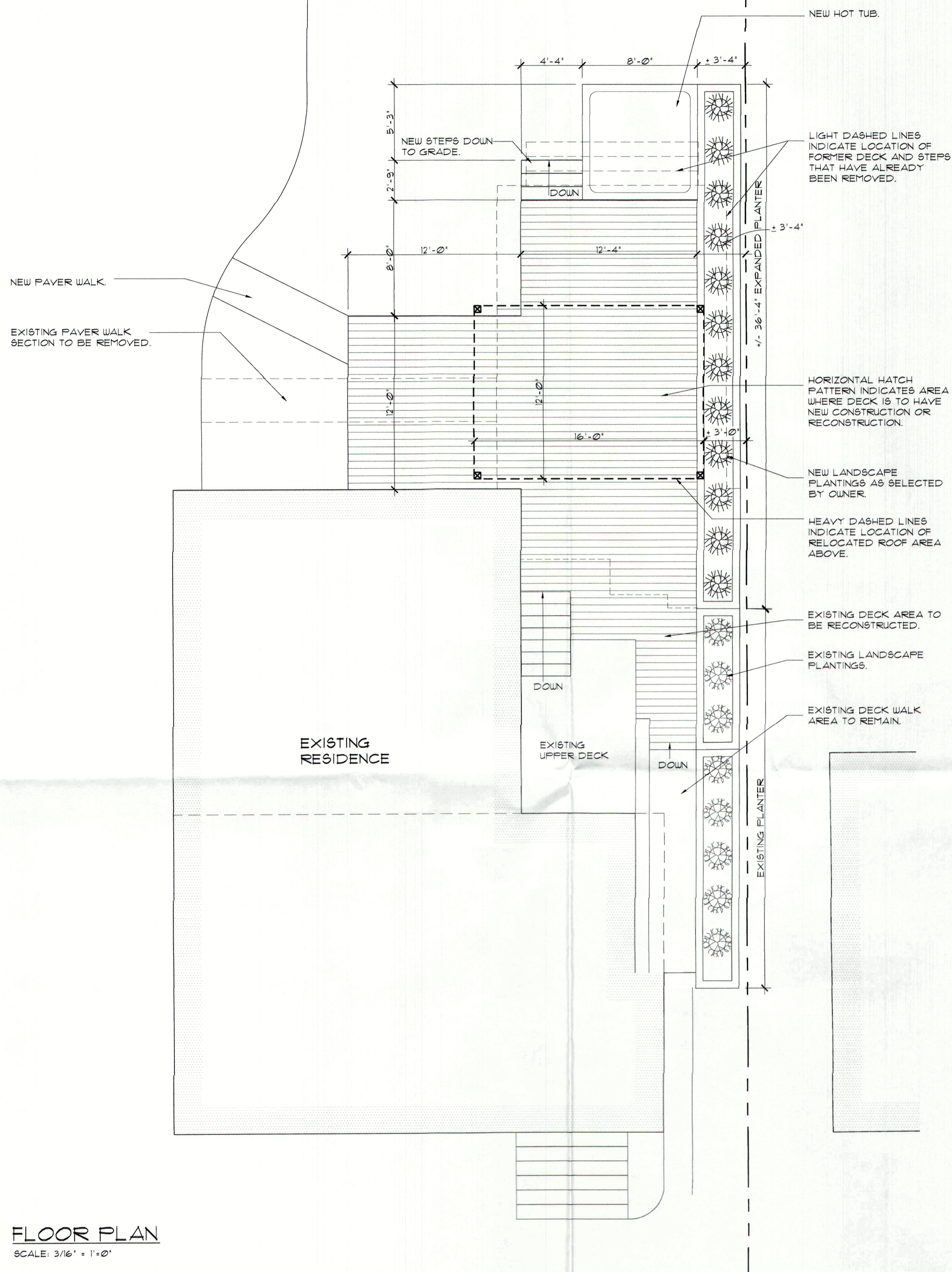
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SHEET: 1 OF 2  
 A-1

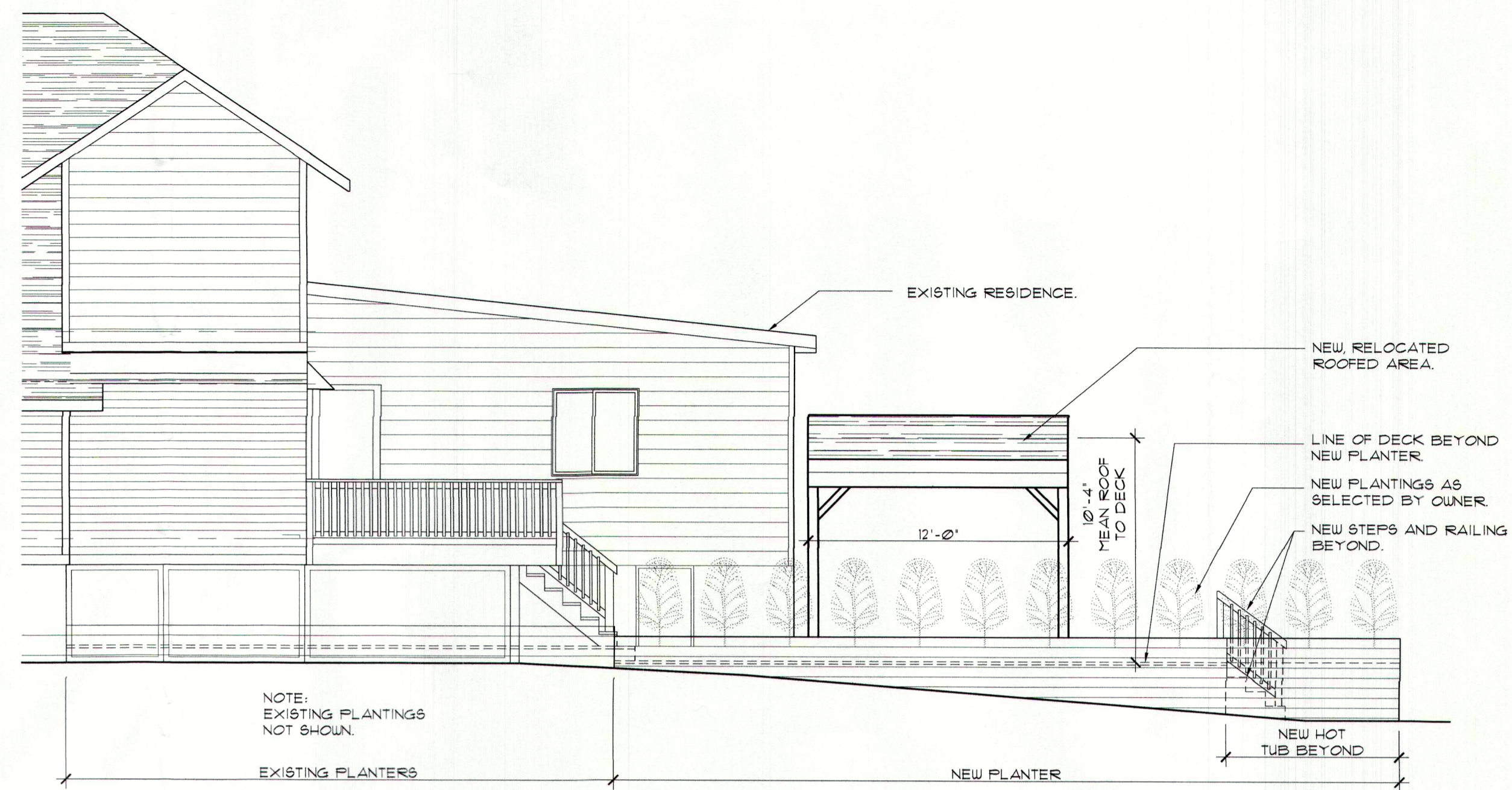
DO NOT SCALE DRAWINGS. ACTUAL FIELD CONDITIONS SHALL BE MEASURED AND VERIFIED PRIOR TO PERFORMING ANY WORK.



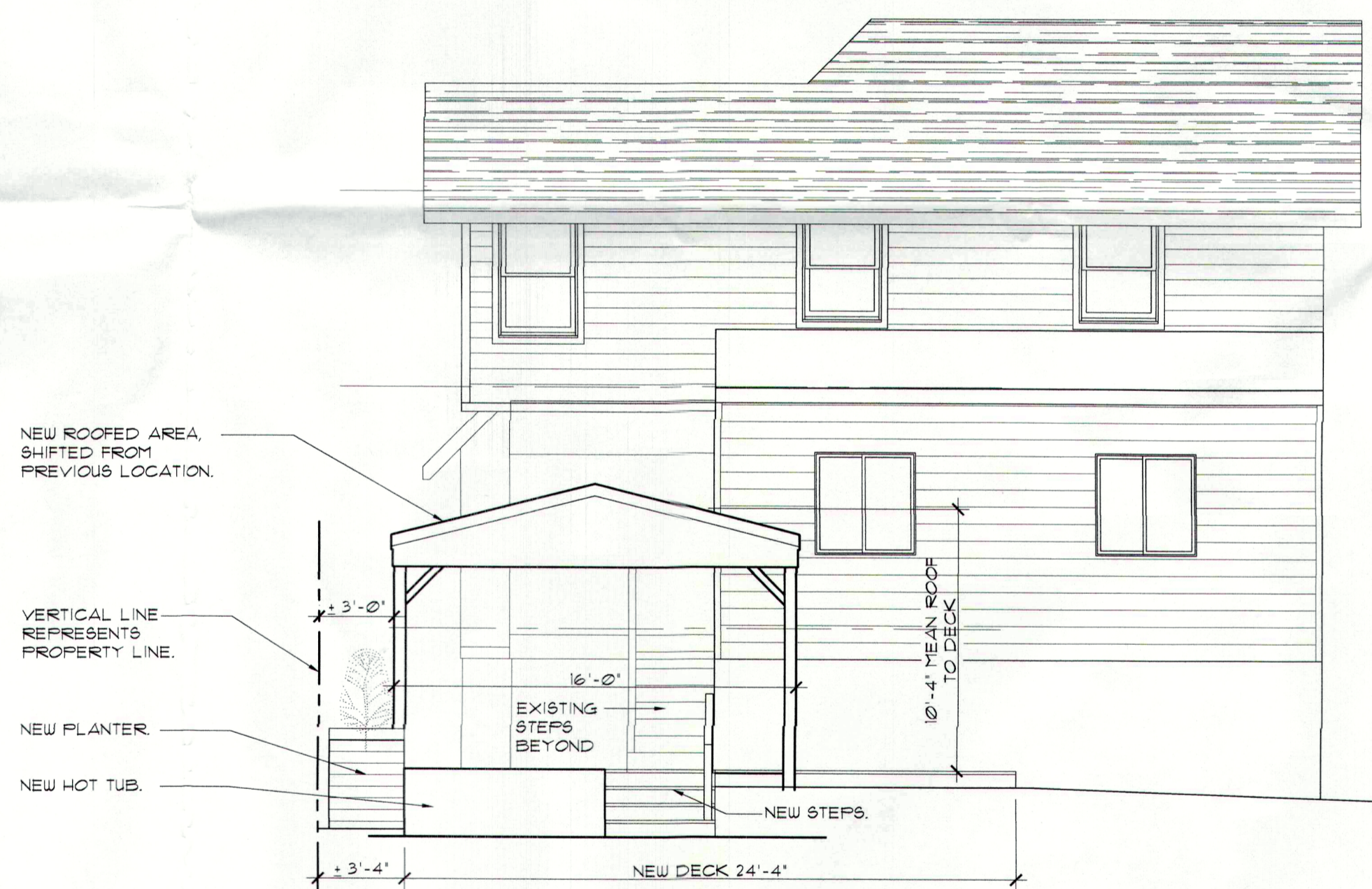
FLOOR PLAN  
SCALE: 3/16" = 1'-0"



WEST ELEVATION  
SCALE: 3/16" = 1'-0"



SOUTH ELEVATION  
SCALE: 3/16" = 1'-0"



DECK RECONSTRUCTION FOR  
THE MONROE RESIDENCE  
57 HILLSIDE AVENUE  
VERONA, NEW JERSEY

KURT H. SCHMITT ARCHITECT  
7 SHAWNEE TRAIL, DENVER, NJ 07834  
TELEPHONE: 862-432-9895  
EMAIL: kurt@khschmitt.com  
NJ LIC. No. AI-09190

REVISIONS:  
AUG 20, 2024

DATE:  
JUL 16, 2024

DRAWN BY:  
JCS

CHECKED BY:  
KSB

PROJECT NUMBER:  
24346

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SHEET: 2 OF: 2

DO NOT SCALE DRAWINGS. ACTUAL FIELD CONDITIONS SHALL BE MEASURED AND VERIFIED PRIOR TO PERFORMING ANY WORK.

A=2

NOT VALID FOR CONSTRUCTION UNLESS SIGNED AND SEALED BY THE ARCHITECT

*Kurt H. Schmitt*