

**TOWNSHIP OF VERONA  
BOARD OF ADJUSTMENT APPLICATION**

DATE APPLICATION 5/5/24 CASE # 2024-09

PROPERTY ADDRESS 8 Randolph Place Verona NJ 07044

BLOCK 606 LOT 2 ZONE R-70

APPLICANT'S NAME Amanda Sarcone & Michael Sarcone

PHONE # 908-295-2834 CELL PHONE # 347-680-2074

EMAIL Amanda.sarcone@gmail.com / michael.sarcone@gmail.com

PROPERTY OWNER'S NAME Michael Sarcone

PROPERTY OWNER'S ADDRESS 8 Randolph Place Verona NJ 07044

PROPERTY OWNER'S PHONE # 908-295-2834 CELL # 347-680-2074

PROPERTY OWNER'S EMAIL michael.sarcone@gmail.com

RELATIONSHIP OF APPLICANT TO OWNER owner of home

**REQUEST IS HEREBY MADE FOR PERMISSION TO DO THE FOLLOWING:**

Install a 531 square foot patio in the back yard, thereby increasing the Impervious Lot Coverage to 41.4% versus the 35% maximum allotment per Section 150-17.2 D (4). Install 5-foot black aluminum (see-through) safety fencing behind proposed and existing retaining walls (combined height to exceed 6-feet) within the required 3-foot horizontal offset per Section 150-2.2, due to site constraints and safety concerns.

**CONTRARY TO THE FOLLOWING:**

Impervious Lot Coverage proposes 4,485 square feet / 41.4%; Per Section 150-17.2 D (4), maximum improved lot coverage is 35% (a variance is required). A 5-foot high black aluminum fence is proposed atop the existing retaining walls and proposed along the new retaining wall along the left side. Per Section 150-2.2 when two structures (other than buildings) are less than 3-feet apart measured horizontally from one another, they shall be considered one structure. The combination of the wall and fence would be 8-feet ± which will exceed a maximum height of 6-feet and requires a variance. The fence would need to be moved 3-feet back from the top of the retaining wall to be considered a separate entity allowing the 5-feet in height.

LOT SIZE: EXISTING 10,841 PROPOSED N/A TOTAL 10,841

HIEGHT: EXISTING 29'-2" PROPOSED N/A

PERCENTAGE OF BUILDING COVERAGE: EXISTING 13% PROPOSED N/A

PERCENTAGE OF IMPROVED LOT COVERAGE: EXISTING 34.70% PROPOSED 41.4%

PRESENT USE Single-Family Residential PROPOSED USE N/A

| SET BACKS OF BUILDING: | REQUIRED      | EXISTING      | PROPOSED   |
|------------------------|---------------|---------------|------------|
| FRONT YARD             | <u>30'-0"</u> | <u>51'-6"</u> | <u>N/A</u> |
| REAR YARD              | <u>30'-0"</u> | <u>45'-9"</u> | <u>N/A</u> |
| SIDE YARD (1)          | <u>8'-0"</u>  | <u>12'-4"</u> | <u>N/A</u> |
| SIDE YARD (2)          | <u>18'-0"</u> | <u>20'-4"</u> | <u>N/A</u> |

DATE PROPERTY WAS ACQUIRED 7/27/2023

**TYPE OF CONSTRUCTION PROPOSED:**

Landscape construction work: (2) retaining walls and grading (levelling) of the back yard to accommodate a usable lawn area. Proposed gate/fencing to address safety concerns. Proposed patio, area drains, and steps leading from driveway. Plans feature the existing mudroom addition and proposed deck steps for reference, which are part of a separate permit filed by others. Tree removal also part of a separate permit filed by Owner.

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

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| AREA PER FLOOR (square feet): | EXISTING   | PROPOSED   | TOTAL      |
|-------------------------------|------------|------------|------------|
| BASEMENT                      | <u>N/A</u> | <u>N/A</u> | <u>N/A</u> |
| FIRST FLOOR                   | <u>↓</u>   | <u>↓</u>   | <u>↓</u>   |
| SECOND FLOOR                  | <u>↓</u>   | <u>↓</u>   | <u>↓</u>   |
| ATTIC                         | <u>↓</u>   | <u>↓</u>   | <u>↓</u>   |

NUMBER OF DWELLING UNITS: EXISTING N/A PROPOSED N/A

NUMBER OF PARKING SPACES: EXISTING N/A PROPOSED N/A

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

NO

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

The existing 6-foot (maximum height) retaining wall separating the existing lawn and driveway presents a safety hazard (fall risk). The primary structure is situated directly adjacent to this wall and does not allow for a 3-foot safety fence offset. Similarly, the layout of the property does not allow for a safety fence to be offset the required 3-foot minimum from back of existing retaining wall without the potential for a person to maneuver behind the fence and risk falling off the wall. The impervious surface allotment is currently maxed out, making it infeasible to have a patio anywhere on the property.

**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 project proposes privacy planting to help screen the view of the proposed patio from the neighbor at 24 Mountainview Road. The view of the patio from the neighbor at 10 Randolph Place is obscured by existing vegetation and by the existing retaining wall / grade change. There is no habitable structure directly behind the rear property line. The existing back yard area has a difference in elevation of ±12-feet between the back of driveway and property corner to the east, where stormwater runoff sheetflows toward the driveway and neighbor. The project proposes a leveling of the back yard and subsequent improvement to the control of stormwater runoff, which will be better distributed and absorbed by the lawn before being collected in (2) proposed catch basins. The proposed safety fencing along the existing retaining wall significantly mitigates fall risk. The fence itself is ornamental (from an aesthetic perspective) and is see-through, meaning it will not create a significant visual obstruction.

**History of any deed restrictions:**

NO

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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 _____ | 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 Erik Rowan, Licensed Landscape Architect (NJ #AS001439)  
Address Business: 382 Lackawanna Pl., South Orange, NJ 07079  
Home: 16 Walker Court, West Orange, NJ 07052  
Phone # 973-941-1070  
Fax # \_\_\_\_\_  
Email erowan@scalora.com

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

AFFIDAVIT OF OWNERSHIP

STATE OF NEW JERSEY  
COUNTY OF ESSEX

Michael Sarcone OF FULL AGE, BEING DULY SWORN ACCORDING TO LAW ON  
OATH DEPOSED AND SAYS, THAT DEPONENT RESIDES AT 8 Randolph Place, IN THE CITY OF  
Verona IN THE COUNTY OF Essex AND STATE OF New Jersey AND THAT  
Michael Sarcone 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 606 AND LOT 2 AS SHOWN ON THE TAX MAPS OF THE TOWNSHIP OF VERONA.

  
\_\_\_\_\_

Michael Sarcone  
\_\_\_\_\_

NOTARY

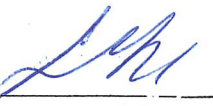
OWNER

SANDRA L. SEARLS  
NOTARY PUBLIC STATE OF NEW JERSEY  
Comm. # 50090108  
My Commission Expires 9/14/2028

AFFIDAVIT OF APPLICANT

COUNTY OF ESSEX  
STATE OF NEW JERSEY

Michael Sarcone 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 1 DAY OF May  
2024.

  
\_\_\_\_\_

Michael Sarcone  
\_\_\_\_\_

NOTARY

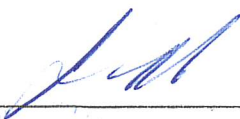
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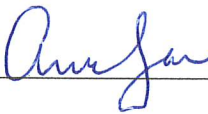
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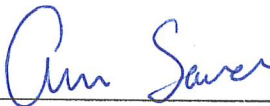
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2024.



NOTARY  
SANDRA L. SEARLS  
NOTARY PUBLIC STATE OF NEW JERSEY  
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APPLICANT

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

April 18, 2024

**ZONING PERMIT:**                      #2024-039 – Denied – Patio; Fence; Retaining Walls

**APPLICANT:**                      Scalora Brothers, Inc. (Erik Rowan)  
382 Lackawanna Pl  
South Orange, NJ 07079

**OWNER:**                              Michael Sarcone  
8 Randolph Place  
Verona, NJ 07044

**PROPERTY:**                      8 Randolph Place; Block 606, Lot 2

**ZONE:**                                  R-70 (Low Density) Zone

**SUBMITTALS:**

- Township of Verona Zoning Permit Application;
- Impervious Coverage Calculation Worksheet;
- Survey by Richard J Hingos Inc. dated 7/19/2023;
- Survey by Richard J Hingos Inc. dated 10/24/2023;
- Construction Plan, 1 page, by Scalora Construction Services, sealed by Erik W. Rowan.

**ZONING REQUEST:**

Applicant requests zoning approval for installation of a 531 square foot patio; 5 foot fence above new retaining walls. No other improvements have been requested or shown and, therefore, have not been considered in this review.

**ZONING DETERMINATION:**

These proposed improvements meet all the zoning requirements for the R-70 Zone (§150-17.2).

- As per Section 150-17.2 (1) the minimum lot area is 8,400 square feet, lot is 10,841 square feet – Compliant;
- The existing building lot coverage is 1,534 square feet/14.15%; proposed is 1,447 square feet/13.25% - Compliant;
- Impervious Lot Coverage proposed 4,485 square feet/41.4%; Per Section § 150-17.2 D (4) Maximum improved lot coverage is 35%. **A Variance is required.**
- The total “new” impervious coverage is 531 square feet which is above the 400 square foot threshold which would require stormwater mitigation and Engineering review;

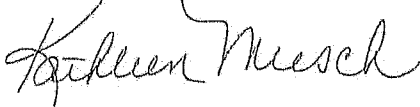
- Two Trees are proposed to be removed; **a tree permit is required.**
- 44.6 feet  $\pm$  of retaining wall (18 feet along the right rear, 10.6 feet in the right corner and 16 feet along the right rear side) is proposed 4 feet maximum wall height from bottom of footings; Per Section 150-7.12 (A) No retaining wall shall exceed four feet in height in the minimum front yard setback and six feet in height elsewhere. Please note construction code requirements for retaining walls per NJAC 5:23-2.14(g). **A Drainage review required.**
- 44.6 feet  $\pm$  of retaining wall (26 feet along top of existing retaining wall with 4 feet between existing and proposed walls; 17 feet along left side of property and 17.6 feet along the left rear side of property), 4 feet maximum wall height from bottom of footings. Per Section 150-7.12 (A) No retaining wall shall exceed four feet in height in the minimum front yard setback and six feet in height elsewhere. **Drainage review required.**
- A five foot high black aluminum fence is proposed atop the existing retaining walls and proposed along the new retaining wall along the left side. Per Section § 150-2.2 when two structures (other than buildings) are less than three feet apart measured horizontally from one another, they shall be considered one structure. The combination of the wall and fence would be 8 feet  $\pm$  which will exceed a maximum height of 6 feet and **require a variance.** The fence would need to be moved 3 feet back from the top of the retaining wall to be considered a separate entity allowing the 5 feet in height.
- **Engineering review is required.**

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

**Please Note:** An application can be made to the Verona Township Board of Adjustment for variance(s) if you so choose. The Board of Adjustment Variance Application can be found on the Verona Township Website > Committees > Board of Adjustment > Board of Adjustment Variance Application.

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

Respectfully Submitted,



**Kathleen Miesch**

Zoning Official

[kmiesch@VeronaNJ.org](mailto:kmiesch@VeronaNJ.org)

cc: Tom Jacobsen, CPM - Construction Official/Code Enforcement Officer  
Kristen Spatola – Technical Assistant  
Kelly Lawrence – Technical Assistant



# Township of Verona Zoning Permit Application For Residential Properties

Zoning Department  
880 Bloomfield Ave  
Verona, New Jersey 07044  
Phone (973) 857-4772  
Fax (973) 817-5134  
APPLICATION #24-039

Zoning Permits are required for fences, decks, sheds, driveways (new, expanded) sidewalks, patios, porticos, porches (open, closed) pools (in-ground, above-ground), hot tub/spa, standby emergency generators, ac condensers, detached garages, building additions, new homes

Property Information (Location of Project)

Block No: 606 Lot No: 2 Lot Area: 10,841 Sq. Ft. Zone District: R-70

Street Address: 8 Randolph Place, Verona, NJ 07044

Applicant Information

Name: Scalora Brothers, Inc. (Erik Rowan)

Street Address: 382 Lackawanna Pl Town: South Orange State: NJ Zip: 07079

Contact Information: Phone No. 973-941-1070 Email: erowan@scalora.com

Property Owner Information (If other than Applicant)

Name Michael & Amanda Sarcone

Street Address: 8 Randolph Place Town: Verona State: NJ Zip: 07044

Contact Information: Phone No. 347-680-2074 Email: michael.sarcone@gmail.com

Type of Project (Check all that apply)

- Addition(s) \_\_\_\_\_ Sq. Ft.  Deck(s) \_\_\_\_\_ Sq. Ft.  Fence 5-feet \_\_\_\_\_ (height)
- In-ground Pool \_\_\_\_\_ Sq. Ft.  Above-ground Pool \_\_\_\_\_ Sq. Ft.  Patio 531 \_\_\_\_\_
- Driveway \_\_\_\_\_ Sq. Ft.  Shed(s) \_\_\_\_\_ Sq. Ft. & \_\_\_\_\_ (height)
- Detached Garage \_\_\_\_\_ Sq. Ft. & \_\_\_\_\_ (height)
- Generator  Central AC Condenser/HVAC
- Project requires tree removal  Other (provide description) \_\_\_\_\_

For all zoning requests please provide all documents in accordance with the Instruction/Checklist.

- Projects that require a foundation and/or projects that disturb 400 square feet or more of land area shall be required to submit the following to the Township Engineer for review and approval as well as the above.
- 3 copies of property survey
  - 3 copies of topographical survey
  - 2 copies of grading plot plan, drainage mitigation plan, details and stormwater calculations.
  - 3 copies of foundation location
  - 3 copies of an "As-Built survey (Signed and sealed by NJ Lic. Land Surveyor).

If Zoning is found to be acceptable, but Engineering approval is required, you cannot begin any portion of the project nor apply for any Building permits until the Engineering Approval is obtained.

Signature of Owner - Applicant Erik Rowan Date 3/4/2024  
**ERIK ROWAN, LLA**  
Zoning Permit No: \_\_\_\_\_

For Office Use Only  
Approved by: \_\_\_\_\_ Date \_\_\_\_\_  
Denied by: K. Misch Date 4-18-2024  
Reason for Denial: Lot Coverage, Fence/Wall Hgt



