

**TOWNSHIP OF VERONA  
BOARD OF ADJUSTMENT APPLICATION**

DATE APPLICATION December 23, 2024

CASE # \_\_\_\_\_

PROPERTY ADDRESS 176 Grove Avenue

BLOCK 1403 LOT 90 ZONE R-60

APPLICANT'S NAME Jonathan Lamkin and Michelle Lamkin

PHONE # \_\_\_\_\_ CELL PHONE # (973) 219-9282

EMAIL jonl@rate.com

PROPERTY OWNER'S NAME Jonathan Lamkin and Michelle Lamkin

PROPERTY OWNER'S ADDRESS 14 Shawnee Drive, Short Hills, NJ 07078

PROPERTY OWNER'S PHONE # \_\_\_\_\_ CELL # (973) 219-9282

PROPERTY OWNER'S EMAIL jonl@rate.com

RELATIONSHIP OF APPLICANT TO OWNER same

REQUEST IS HEREBY MADE FOR PERMISSION TO DO THE FOLLOWING:

~~Subdivide the property into two lots. The existing two-family dwelling will be retained and a new one-family building will be constructed on the subdivided lot.~~

CONTRARY TO THE FOLLOWING:

~~See attached list of variances~~

LOT SIZE: EXISTING 41,760 sq feet PROPOSED 20,577 and 21,183 TOTAL 41,760 sq feet

HIEGHT: EXISTING N/A PROPOSED No change

PERCENTAGE OF BUILDING COVERAGE: EXISTING 5.6% PROPOSED 11.4% Lot 90.01

PERCENTAGE OF IMPROVED LOT COVERAGE: EXISTING 16% PROPOSED 32.5% Lot 90.01

PRESENT USE two-family home PROPOSED USE retain existing home and construct new single family home

SET BACKS OF BUILDING:	REQUIRED	EXISTING	PROPOSED
FRONT YARD	<u>30 feet</u>	<u>54.2 feet</u>	<u>54.2 feet</u>
REAR YARD	<u>30 feet</u>	<u>244.8 feet</u>	<u>88.8 feet</u>
SIDE YARD (1)	<u>8 feet</u>	<u>3.8 feet</u>	<u>3.8 feet</u>
SIDE YARD (2)	<u>18 feet</u>	<u>59.5 feet</u>	<u>59.5 feet</u>

DATE PROPERTY WAS ACQUIRED July, 2022

TYPE OF CONSTRUCTION PROPOSED:

Not Applicable

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

Not applicable

AREA PER FLOOR (square feet):	EXISTING	PROPOSED	TOTAL
BASEMENT	N/A		
FIRST FLOOR	N/A		
SECOND FLOOR	N/A		
ATTIC	N/A		

NUMBER OF DWELLING UNITS: EXISTING<sup>2</sup> PROPOSED<sup>3</sup>

NUMBER OF PARKING SPACES: EXISTING<sup>5</sup> PROPOSED<sup>5 plus parking on new lot</sup>

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

The Applicants previously applied to the Planning Board for minor subdivision approval. Said application was withdrawn when it became apparent that a "d" variance was required for expansion of the existing nonconforming use of the property as a two-family dwelling.

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

The variance to expand the nonconforming use of the property can be granted pursuant to NJSA 40:55D-70d(2). If the subdivision is approved, the existing two-family dwelling will be situated on a lot with 20,577 square feet of area which is almost three times the minimum lot area required in the R-60 Zone (7,200 square feet) whereas the minimum lot area that the proposed exterior improvements are appropriate for the house and the property and the benefits of granting the variances substantially outweigh any detriments.

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

Given the usually large size of the property, it can easily be subdivided into two lots each of which will contain almost three times the required minimum lot area, and both lots will comply with all applicable bulk requirements in the R-60 Zone, except for the driveway width at the curb line. A variance to permit a two-way driveway width of 18.22 feet at the curb line will have no detriment to the public good and one slightly wider driveway is a better planning alternative than providing separate driveways and two separate curb cuts for the two lots.

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	Phone #
Name	Address	Phone #
Name	Address	Phone #
Name	Address	Phone #

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

Attorney: Name Alan G. Trembulak, Esq.  
Address 363 Bloomfield Avenue, Montclair, NJ 07042  
Phone # 973-746-7500  
Fax # 973-509-9521  
Email atrembulak@montclairlaw.com

Architect/Engineer: Name Michael Pronesti, P.L.S.  
Address 870 Pompton Avenue, Cedar Grove, NJ 07009  
Phone # 973-857-3319  
Fax # 973-857-3608  
Email mike@pronesti.com

Planner: Name Matthew Flynn, P.P.  
Address 101 Gibraltar Drive, Suite 1A, Morris Plains, NJ 07950  
Phone # 973-222-6011  
Fax # email: jmcdonoughpp@gmail.com

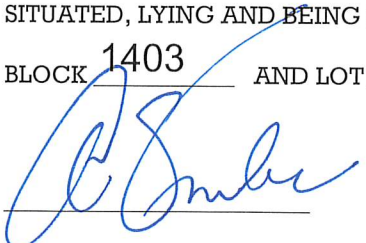
AFFIDAVIT OF OWNERSHIP

STATE OF NEW JERSEY  
COUNTY OF ESSEX

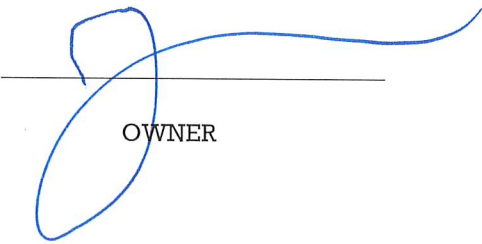
Jonathan Lamkin

OF FULL AGE, BEING DULY SWORN ACCORDING TO LAW ON  
OATH DEPOSED AND SAYS, THAT DEPONENT RESIDES AT 14 Shawnee Drive, IN THE CITY OF  
Millburn IN THE COUNTY OF Essex AND STATE OF New Jersey AND THAT  
he

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 1403 AND LOT 90 AS SHOWN ON THE TAX MAPS OF THE TOWNSHIP OF VERONA.



NOTARY  
ALAN G. TREMBULAK  
An Attorney at Law of  
New Jersey



OWNER

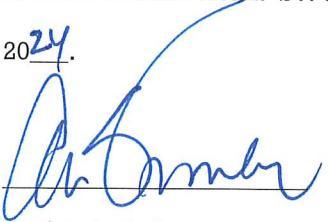
AFFIDAVIT OF APPLICANT

COUNTY OF ESSEX  
STATE OF NEW JERSEY

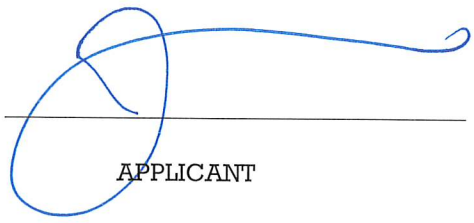
Jonathan Lamkin

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 23rd DAY OF December

2024.



NOTARY  
ALAN G. TREMBULAK  
An Attorney at Law of  
New Jersey



APPLICANT

## **VARIANCES REQUIRED**

1. Per §150-17.3 (1) Single-family homes. The existing dwelling located in the front of the property, proposed lot 90.01, is a multi-family dwelling - pre-existing non-conforming condition. A variance is required for the subdivision per New Jersey Zoning & Land Use 24-14.1.
2. Per §150-12.4 B. (2) Access drives or driveways for one-family dwellings shall be not more than 14 feet wide at the curb line for single driveways or 16 feet for double driveways – A Variance is required to permit a two-way driveway with a width of 18.22 feet at the curb line.

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

DEPARTMENT OF PUBLIC WORKS  
10 COMMERCIAL COURT  
VERONA, NEW JERSEY 07044

(973) 239-3220  
WWW.VERONANJ.ORG

Zoning Office      880 Bloomfield Avenue, Verona, NJ 07044      973-857-4772

December 10, 2024

Zoning Permit      #2024-210 – DENIED – Minor Subdivision

Owner/ Applicant: Jonathan Lamkin  
14 Frawnee Road  
Short Hills, NJ 07078

Attorney: Alan Trembulak, Esq.  
Montclair Real Estate Law Group  
363 Bloomfield Avenue, Suite 2C  
Montclair, NJ 07042

Property: 176 Grove Avenue; Block 1403, Lot 90

Zone: R-60 (Medium-Density Single-Family) Zone District

**Submittals:**

This office is in receipt of the following:

- Boundary Survey & Minor Subdivision by Pronesti Surveying, Inc., signed and sealed by Michael Pronesti, P.L.S. dated October 30, 2024

**ZONING REQUEST:**

Applicant is seeking approval for a minor subdivision. No other requests have been submitted or shown and therefore have not been considered in this departmental review.

**ZONING DETERMINATION:**

- The property is located within the R-60 (Medium-Density Single-Family) Zone District;
- The rear of the property shows a 1024 sq. ft. gore;
- The application is for a minor subdivision of the property with no details of any future dwelling on the new proposed rear lot, 90.02;
- Per § 150-17.3 (1) Single-family homes. The existing dwelling located in the front of the property, proposed lot 90.01, is a multi-family dwelling - pre-existing non-conforming condition. A **variance** is required for the subdivision based on the following:
  - Per New Jersey Zoning & Land Use 24-14.1. *Subdivision of a lot occupied by a nonconforming use. Where a nonconforming use exists on a tract of land and an*

*application is made to divide the tract into two or more parcels, the question was sometimes raised as to whether the planning board or board of adjustment has jurisdiction. The issue was decided by Razberry's, Inc. v. Kingwood Tp., 250 N.J. Super. 324 (App. Div. 1991), in a well-considered opinion written for the Appellate Division by Judge Skillman. In Razberry's it was held that a use variance was required where the owner of an 8.17 acre tract in a commercial zone, occupied by a single family residence (the nonconforming use), proposed to subdivide so as to convey 5.17 acres. The court pointed out that N.J.S. 40:55D-68, protecting nonconforming uses, specifies that they may be continued on "the lot...so occupied" and that a subdivision results in two or more lots so that a prerequisite for lawful continuation of the use, that it occupy the same lot, can no longer be satisfied. The subdivision would result in an expansion of the nonconformity:*

Per § 150-17.3	REQUIRED	EXISTING LOT 90	PROPOSED LOT 90.01 FRONT LOT	PROPOSED LOT 90.02 REAR LOT
D (1) Minimum Lot Size	7,200	41,760	20,577	21,183
D (2) Minimum Lot Width	60	100	100	97.92
E (1) Minimum Front Yard Setback	30	54.2	54.2	-
E (2) Minimum Side Yard Setback (one)	8	3.8**	3.8**	-
E (3) Minimum Side Yard Setback (both)	18	59.5	59.5	-
E (4) Minimum Side Yard Setback (% of lot width)	25	59.5%	59.5%	-
E (5) Minimum Rear Yard Setback	30	244.8	88.8	-
E (6) Maximum (stories/ft.)	2.5/30	2.5/-	2.5/-	-
D (3) Maximum Lot Coverage (%)	25	5.6	11.4	-
D (4) Maximum Improved Lot Coverage (%)	40	16	32.5	-
F (4) Maximum aggregate area covered by accessory structures in the yard it is located in – Rear Yard	15%	3.16% or 942 sq. ft.	10.86% or 942 sq. ft.	-

**Driveway Expansion/Access Easement:**

- Existing driveway is 10 feet wide and 208.66 feet in length;
- Proposed access driveway is 18.22 feet wide at curb line and 18.02 a proposed rear lot line of 90.01 and 212.38 feet deep; proposed access driveway is 1792± sq. ft. of new disturbance;
- Per § 150-25.2 A. Minor Development is 400 or more square feet of new impervious surface; proposed access driveway is 1792± sq. ft. of new disturbance. – **Engineering/Stormwater Management review is required prior to being heard by the Board;**
- Per § 150-12.4 B. (2) Access drives or driveways for one-family dwellings shall be not more than 14 feet wide at the curb line for single driveways or 16 feet for double driveways – **A Variance is needed;**
- Proposed ingress and egress easement should be addressed through testimony at the Board of Adjustment hearing;

- The proposed limit of disturbance is below 5,000 square feet, so HEPSCD certification will not be required.

**Tree Removal**

- The Boundary Survey & Minor Subdivision Plan submitted does not depict any trees or notate any proposed tree removal.

**ZONING DECISION:**

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

**Please Note:** No electrical, plumbing or building codes were reviewed as part of this application.

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

Respectfully Submitted,



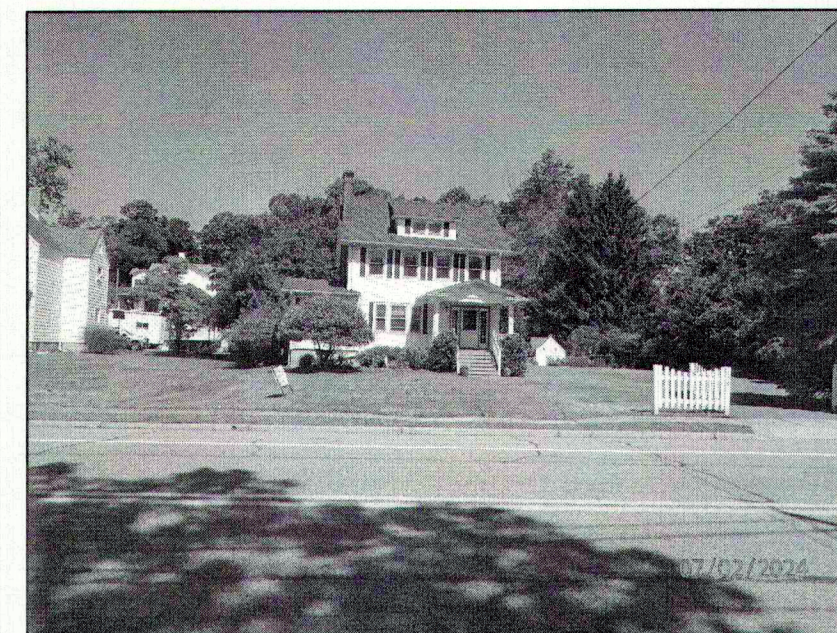
**Kathleen Miesch**

Zoning Official

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

cc: Tom Jacobsen, Construction Official  
Caitlin Kester, Board Secretary





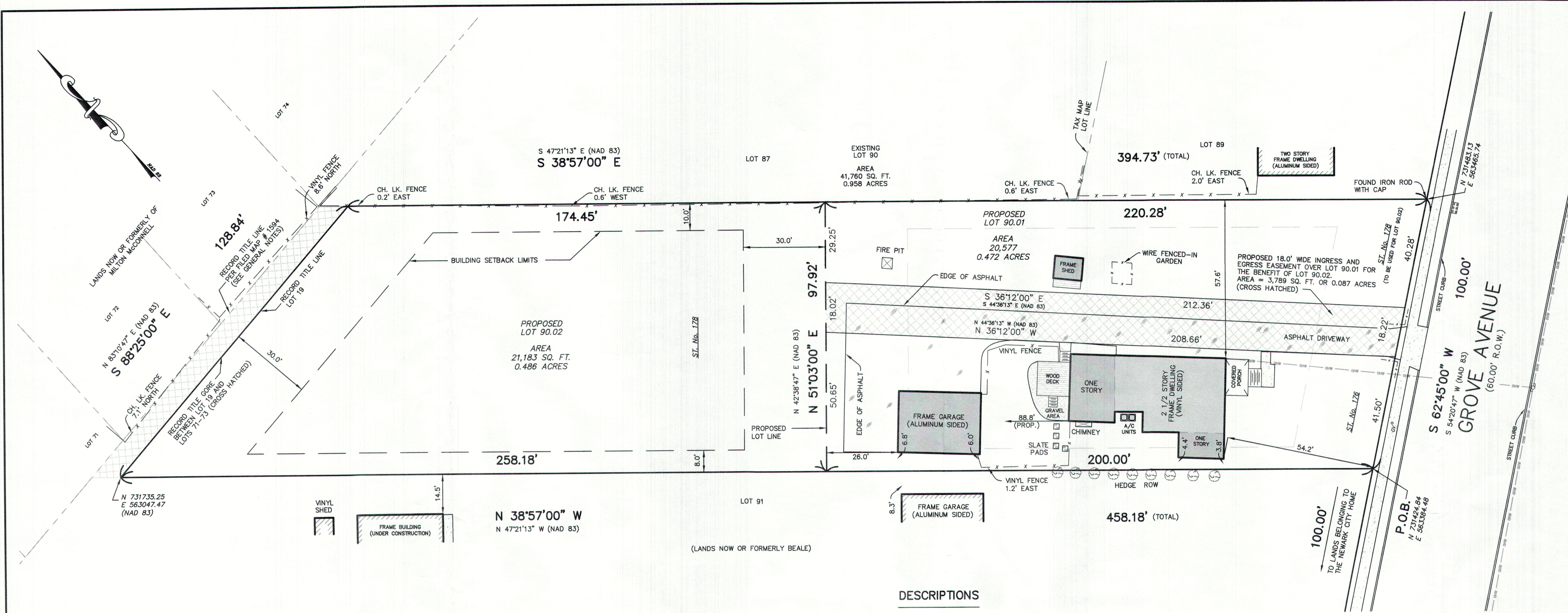
SITE PHOTO

GENERAL NOTES

- Total project area = 41,760 sq. ft. or 0.958 acres.
- This survey is subject to the facts and findings of a complete title search.
- This survey is not valid unless signed and sealed by the licensed surveyor.
- Referenced Filed Map entitled, "Section 2, Improvement Plan, Lynwood Road and Ferncliff Road, Verona, N.J. for Verona Estates," dated 1945. Said map filed at the Essex County Register's Office on March 23, 1946 as Map No. 1594.
- Per the National Flood Insurance Program Map No. 34013C 0103 F with an effective date of June 4, 2007 the property shown here on falls in Zone X and does not fall in a Special Flood Hazard Area.

LEGEND

- PROJECT BOUNDARY LINE
- CHW OVERHEAD WIRES
- CURB LINE
- DROP CURB
- FENCE
- CATCH BASIN
- GAS VALVE
- UTILITY POLE
- CONCRETE
- ASPHALT



DESCRIPTIONS

Existing Lot 90

**BEGINNING** at a point in the northwesterly sideline of Grove Avenue, said point being distant northeasterly 100.00 feet from the corner formed by the intersection of the said northwesterly sideline of Grove Avenue with northeasterly line of lands formerly belonging to the Newark City Home, said point also being at the northeast corner of lands now or formerly of Beale; thence running

- Northwesterly along the northeasterly line of lands now or formerly Beale, North 38 degrees 57 minutes 00 seconds West, 458.18 feet to lands now or formerly of Milton McConnell, thence
- Along said lands of McConnell, South 88 degrees 25 minutes 00 seconds East, 128.84 feet to a point, thence
- On a line parallel with the first course, South 38 degrees 57 minutes 00 seconds East, 220.28 feet to a point in the aforesaid northwesterly sideline of Grove Avenue, thence
- Southwesterly along said sideline, South 62 degrees 45 minutes 00 seconds West, 100.00 feet to the **POINT AND PLACE OF BEGINNING**.

The above described parcel contains 41,760 square feet or 0.958 acres of land.

Proposed Lot 90.01

**BEGINNING** at a point in the northwesterly sideline of Grove Avenue, said point being distant northeasterly 100.00 feet from the corner formed by the intersection of the said northwesterly sideline of Grove Avenue with the northeasterly line of lands formerly belonging to the Newark City Home, said point also being at the northeast corner of lands now or formerly of Beale; thence running

- Northwesterly along the northeasterly line of lands now or formerly Beale, North 38 degrees 57 minutes 00 seconds West, 200.00 feet to a point, thence
- North 51 degrees 03 minutes 00 seconds East, 97.92 feet to a point, thence
- On a line parallel with the first course, South 38 degrees 57 minutes 00 seconds East, 220.28 feet to a point in the aforesaid northwesterly sideline of Grove Avenue, thence
- Southwesterly along said sideline, South 62 degrees 45 minutes 00 seconds West, 100.00 feet to the **POINT AND PLACE OF BEGINNING**.

The above described parcel contains 20,577 square feet or 0.472 acres of land.

Proposed Lot 90.02

**BEGINNING** at a point said point being the following two courses from the corner formed by the intersection of the northwesterly sideline of Grove Avenue with the northeasterly line of lands formerly belonging to the Newark City Home; running thence

- From said intersection, North 62 degrees 45 minutes 00 seconds West along the said northwesterly sideline of Grove Avenue, 100.00 feet to a point, said point being the northeast corner of lands now or formerly of Beale, thence
  - Along the northeasterly sideline of Beale, North 38 degrees 57 minutes 00 seconds West, 200.00 feet to the point of beginning; thence running
- North 38 degrees 57 minutes 00 seconds West, 258.18 feet to lands now or formerly of Milton McConnell, thence
  - Along said lands of McConnell, South 88 degrees 25 minutes 00 seconds East, 128.84 feet to a point, thence
  - On a line parallel with the first course, South 38 degrees 57 minutes 00 seconds East, 174.45 feet to a point, thence
  - South 51 degrees 03 minutes 00 seconds West, 97.92 feet to the **POINT AND PLACE OF BEGINNING**.

The above described parcel contains 21,183 square feet or 0.486 acres of land.

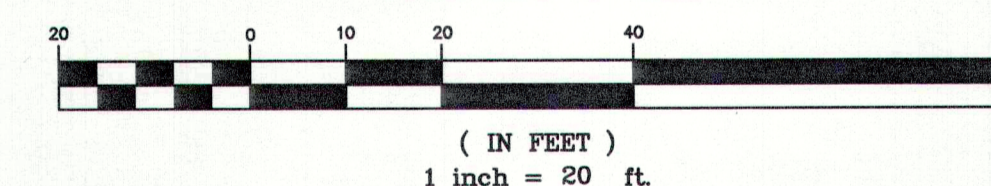
Ingress / Egress Easement

**BEGINNING** at a point in the northwesterly sideline of Grove Avenue, said point being distant northeasterly 141.50 feet from the corner formed by the intersection of the said northwesterly sideline of Grove Avenue with northeasterly line of lands formerly belonging to the Newark City Home; thence running

- North 36 degrees 12 minutes 00 seconds West, 208.66 feet to a point in the southeasterly sideline of Proposed Lot 90.02, thence
- Along said sideline, North 51 degrees 03 minutes 00 seconds East, 18.02 feet to a point, thence
- South 36 degrees 12 minutes 00 seconds East, 212.36 feet to the aforesaid northwesterly sideline of Grove Avenue, thence
- Southwesterly along said sideline, South 62 degrees 45 minutes 00 seconds West, 18.22 feet to the **POINT AND PLACE OF BEGINNING**.

The above described easement contains 3,789 square feet or 0.087 acres of land.

GRAPHIC SCALE



OWNER/APPLICANT  
JONATHAN LAMKIN  
4 SHAWNEE ROAD  
SHORT HILLS, NJ 07078

A written waiver and direction not to set corner markers has been obtained from the ultimate user pursuant to P.L. 2003, c.14 (N.J.S.A. 45:8-36.3) and N.J.A.C. 13:40-5.2(d).

No.	DATE	DESCRIPTION	BY
1	10-30-24	SUBDIVISION REVISED, EASEMENT ADDED	GRP

BOUNDARY SURVEY & MINOR SUBDIVISION

OF  
176 GROVE AVENUE  
EXISTING LOT 90 IN BLOCK 1403  
PROPOSED LOTS 90.01 & 90.02 IN BLOCK 1403 ON TAX MAPS OF  
TOWNSHIP OF VERONA ESSEX COUNTY NEW JERSEY

PREPARED FOR  
JONATHAN LAMKIN



870 POMPTON AVENUE, SUITE B1  
CEDAR GROVE, NJ 07009  
TEL. (973) 857-3319 • FAX (973) 857-3608  
www.PRONESTI.com  
MICHAEL PRONESTI, P.L.S.  
PROFESSIONAL LAND SURVEYOR  
NJ LIC. No. 37605

This minor subdivision has been reviewed and approved by the Verona Planning Board.

Chairperson of the Planning Board \_\_\_\_\_ Date \_\_\_\_\_

Secretary of the Planning Board \_\_\_\_\_ Date \_\_\_\_\_

This map was approved by the Essex County Planning Board on \_\_\_\_\_

Secretary, Essex County Planning Board \_\_\_\_\_ Date \_\_\_\_\_

SCAN FOR PHOTOS, ZONING & ADDITIONAL INFORMATION



© PRONESTI SURVEYING, INC.

NJ CERTIFICATE OF AUTHORIZATION: 246428072100	
DRAWN BY: M. STEPANO	DATE: 7-2-2024
CHECKED BY: M. PRONESTI	SCALE: 1"=20'
JOB No. 55983	SHEET 1 OF 1

ZONING CHART

	REQUIRED	EXISTING LOT 90	PROPOSED LOT 90.01	PROPOSED LOT 90.02
R-60 (SINGLE FAMILY)				
MINIMUM LOT SIZE (SQ. FT.)	7,200	41,760	20,577	21,183
MINIMUM LOT WIDTH (ft)	60	100	100	97.92
MINIMUM FRONT YARD SETBACK (ft)	30	54.2	54.2	-
MINIMUM SIDE YARD SETBACK (one) (ft)	8	3.8 **	3.8 **	-
MINIMUM SIDE YARD SETBACK (both) (ft)	18	59.5	59.5	-
MINIMUM SIDE YARD SETBACK (% of lot width)	25	59.5 %	59.5 %	-
MINIMUM REAR YARD SETBACK (ft)	30	244.8	88.8	-
MAXIMUM (stories/ft)	2.5 / 30	2.5 / -	2.5 / -	-
MAXIMUM LOT COVERAGE (%)	25	5.6	11.4	-
MAXIMUM IMPROVED LOT COVERAGE (%)	40	16	32.5	-
FLOOR AREA RATIO (%)	-	-	-	-

\* VARIANCE REQUIRED  
\*\* EXISTING NON CONFORMING

MAP OF  
176 GROVE AVENUE  
VERONA, N.J.

200' RADIUS AREA MAP  
NOT TO SCALE

