

# **BOROUGH OF FAIR LAWN**

## **Agenda for Regular Meeting of the Zoning Board of Adjustment**

**September 13, 2023**

1. Call meeting to order at **7:00 p.m.**
2. Declaration by Chairman that meeting is in accordance with Open Public Meeting Law.
3. Roll Call.
4. Declare a Quorum
5. Flag Salute

**6. Carried Residential Applications:**

**1. *Application #23-013, Vincent Polisi,  
12-72 6<sup>th</sup> Street, Block 5615, Lot 5, Zone R-2***

Property received a variance in 2006 for addition and alterations. 2006 variance ranted building coverage 26.96%, impervious courage 34.94%, increase the north side yard from 5' to 6.9'. FAR was not added to the ordinance until 2007 Lot is 4998 sq. ft. where 6500 sq. ft. is required. Proposal is to covert the attic area to living space, add a shed, patio, walkways and widen the driveway. Building coverage increases from 26.96% to 27.1% where 25% is permitted. Impervious coverage increase from 34.9% to 46.9% where 35% is permitted. Side yard on the north side would be reduced to 4.10' where 6.9' and 5' was approved with prior variance and on the south side 9.4' where 10' is required as per Borough Ordinance section 125-12 schedule of area yard and building requirements. FAR would increase from 50.2% to 58.7% where 40% is permitted. Requires a D-4 variance as per Borough Ordinance 125-57D(1)(d)(1) Other variances and waivers may be required for this application.

**7. New Residential Applications:**

**1. *Application #23-021, Danny Santos,  
12-71 Edward Street, Block 5606, Lot 19, Zone R-1-3***

Proposed roof over existing steps would reduce the front yard setback from 14.9' to 11.1' where 25' is required as per Borough Ordinance 125-12 Schedule of area yard and building requirements. Other variances and waivers may be required for this application.

**2. Application #23-022, Robert Marotta,  
4-19 Hartley Place, Block 3407, Lot 16, Zone R-1-3**

Expansion of a non-conforming structure. Ordinance 125-32C (4) permits expansion without variance, provided requirements meet-existing non-conforming side or front yard setbacks, are not less than 50% of the required side or front yard setbacks, but in no case closer than 12 feet to the existing dwelling on the adjoining property.

Proposed addition. Expansion requires a C-1 variance as per section 125-57D(1)(c)(1). Maintain the existing side yard setback from 5'6" and 5'7" where 8' is required and is 11.5' from neighboring structure on the south side where 10' is required as per section 125-32C (4) and 125-12 Schedule of area yard and building requirements. Other variances and waivers may be required for this application.

**3. Application #23-023, Moshe & Sharon Caplan  
15-10 Ellis Avenue, Block 4514, Lot 16, Zone R-1-3**

Prior variance approved application #2013-32 – rear addition

Building coverage 34.68%, Impervious coverage 40.50%, side yard reduced from 5.95" to 5', maintain the existing front yard setback of 13.96."

Proposed addition would increase the building coverage from 34.68% to 35.03% where 25% is permitted. Would increase the impervious coverage from 40.50% to 41.08% where 35% is permitted as per Borough Ordinance 125-12 Schedule of area yard and building requirements. Increase the FAR from 40% to 52% where 40% is permitted as per Borough Ordinance 125-57 D (1) (d) (4) Other variances and waivers may be required for this application.

**8. Carried Commercial Applications:**

- 1. Application #23-002, 13-13 River Road, LLC. 13-13 River Road, Block 5610, Lot 29&39, Zone B-4.** Proposed new mixed use building with 6 residential units above. Proposed six (6) residential units exceed the permitted density in the B-4 River Road Affordable Housing Overlay District as per Borough Ordinance 49-12C (3) Borough Ordinance 125-57D(1)(d)[1] D-5 density variance required. No off street parking spaces shall be situated beneath or within the footprint of a building located within the B-4 zone as per Borough Ordinance 125-25 C(6)(d) and the ground level foot print of any building may not be exceeded in its rear by more than two feet by any higher story of the building as per Borough Ordinance 125-25C (4) Site plan required as per Borough ordinance 125-65 B (4) Parking variance required for 22 spaces required where only 15 spaces are provided as per Borough Ordinance 125-48A. Waivers required for one (1) loading space where zero (0) is proposed 125-48. B and no buffer proposed in the rear where a buffer of no less than 5' at the rear lot shall be provided and a fence shall be provided at the rear lot line 125-25. C. (1). Other variances and waivers may be required for this Application.

**9. Resolutions:**

**11. Minutes to be Approved:**

**12. Adjourn.**