



ZONING BOARD OF ADJUSTMENT

Borough of Waldwick
63 Franklin Turnpike
Waldwick, New Jersey 07463



In The Matter of:
The Application of
PATRICK & LAUREN LEONARD
For Variance Relief with Respect to:
42 Schuler Avenue
R-1 Zone
Lot 72, Block 149
Waldwick, New Jersey

Resolution of Memorialization
As To "Official Action" **Granting**
Variance Relief To build rear
and second story additions,
plus a deck.

WHEREAS, Patrick and Lauren Leonard, hereinafter referred to as "Applicant", applied to this Board of Adjustment for variance relief to build rear and second story (also known as "add a level") additions, as well as a deck, onto the existing premises located on Lot 72 in Block 149, as it appears on the current Tax Map of the Borough of Waldwick, hereinafter referred to as the "premises in question"; and

WHEREAS the Applicant's application and accompanying drawings, schematic design, site plan and survey were the subject of a public hearing

held by this Board of Adjustment on July 23, 2025, during the hearing testimony was taken from Edwin P. Sherman, R.A.P.P., architect for the applicant, and exhibits were submitted by the Applicant in favor of this Board of Adjustment granting the requested relief; and

NOW, THEREFORE, BE IT REMEMBERED, that this Board of Adjustment at its official public monthly meeting held on July 23, 2025, did make the following findings of fact, determination, and decision:

Memorialization of Findings of Fact

1. All persons required to be served with notice of the public hearing were duly served, notice of the public hearing was duly published, and proof thereof has been filed with this Board of Adjustment.
2. The premises in question is located on Lot 72 in Block 149, District R-1 Residential.
3. The Applicant has paid all taxes and assessments.
4. No member of the public commented on this application even though an opportunity was given.

5. The Applicant proposes to build a second story addition, a rear addition and a deck. All of the proposed additions will be built without the requirement of any new variances being granted. All of the proposed improvements fit completely within the building envelope created by the required setbacks under the Waldwick Zoning Code, except insofar as three (3) of those setbacks are already violated and the subject of variance relief. Thus, the proposed improvements, without exception, are either entirely conforming or require no additional variance relief. Applicant has requested that the existing non-conformities and variances therefore, with respect to side yard setback, rear yard setback and front yard setback, both of which configurations long predate this application, be granted continued variance relief. Further, variance relief is requested for one (1) additional, already existing nonconformity relating to lot size, as is set forth below. In all other respects the property will remain fully conforming after the proposed renovations and additions. The subject premises are presently conforming, with the percentage of improved lot coverage. With respect to the continued variance relief requested for front yard setback, twenty-six and three tenths (26.3') feet exists,

where fifty (50') feet are required. That condition is proposed to continue unchanged.

6. The percentage of impervious coverage is and will continue to be conforming, despite the additions.
7. The rear yard setback will continue to be non-conforming after the construction of the deck and will remain unchanged, being thirty-four and three hundredths (34.03') feet, where fifty (50') feet are required. No change is proposed for this setback.
8. The subject property fails to meet the R-1 Zone bulk requirements by a substantial amount. The R-1 Zone requires that lots be one hundred (100') feet in width, one hundred fifty (150') feet in depth and have an area of fifteen thousand (15,000) square feet. The subject property is sixty (60') feet in width, one hundred (100') feet in depth, with a resulting area of six thousand (6,000) square feet in area. As a result, the property fails to meet the required side yard setbacks of ten (10') feet for one side and a minimum of thirty-five (35) feet combined. Specifically, the subject premises have one side of eight and three tenths (8.3') feet and a combined side yard measurement of nineteen and nine tenths (19.9') feet, respectively. While these non-conformities will not be ameliorated by the

proposed construction, neither will they be exacerbated by it. Presumably these discrepancies, as well as the rear yard were the subject of waivers or variance relief issued at the time the lot was created. As a result of all of the factors noted above, as well as the fact that no exacerbations of the existing setback variances, which is appropriately the subject of continued relief it is reasonable for the instant application to be approved, by way of continuing the existing variances as identified herein.

Memorialization of Determination

This Board of Adjustment has determined that the requested relief from the above noted requirements for the construction second floor, rear additions and a deck, may be granted without any substantial detriment to the public good and without substantially impairing the intent and purpose of the Waldwick Zoning Code and the Waldwick Master Plan; that the requested continuation and extension of the existing variances, as noted, are resulting from the extreme deficiency of the lot relative to the borough's bulk requirements of the subject property and that the benefits

to be derived from granting the continuation of existing variances substantially outweigh any detriments which might possibly arise therefrom.

Memorialization of Decision

This Board of Adjustment therefore did **grant** Applicant's application for **approval of the construction of a rear addition, a second story (add a level) addition and a rear deck, as described in the application and did grant the continuation and extension of the existing variance relief for the front yard setback and side yard setback of the existing structure, as detailed above,** in the amounts and dimensions shown herein and subject to the following condition:

- Pursuant to Chapter 56A-20 of the Ordinances of the Borough of Waldwick, this variance relief will expire by limitation unless such construction or alteration approved herein shall have been commenced on each structure permitted by said variance within one year from the date of publication of the notice of decision by this Board of Adjustment.

- All representations and testimony provided at the public hearing, as well as any and all representations made within any documents submitted or correspondence to the Waldwick Zoning Board of Adjustment or any other department of the Borough of Waldwick, is hereby deemed to be incorporated into this Resolution by reference, as if set forth at length herein.
- All work shall be done in strict accordance with the Uniform Construction Code and the proposed development plan.

BE IT REMEMBERED that the members of this Board of Adjustment who voted in favor of said variance relief at its official meeting held July 23, 2025, do hereby **Memorialize and Confirm** the foregoing findings of fact, determination and decision set forth in this Resolution of memorialization as the "official action" taken by this Board of Adjustment on that date in accordance with the provisions of N.J.S.A. 40:55d-10(g)(2) of the New Jersey Municipal Land Use Law on this August 27, 2025.

Official Public Monthly Meeting: August 27, 2025

	Moved	Seconded	Yes	No	Abstain	Absent
Marty Nieman					✓	
Richard Cericola			✓			
Brian Walsh		✓	✓			
Ted Sanzo	✓		✓			
Nadia Luppino					✓	
Stanley Wekarski			✓			
Phil Centineo					✓	
Bruce Mitchell					✓	
Joseph Myerjack			✓			

I hereby certify that this Resolution of memorialization consisting of 9 pages was duly adopted by the members of the Board of Adjustment of the Borough of Waldwick who voted in **favor** of Applicant's application as described herein on July 23, 2025, a quorum of the membership being present, at the regular official public meeting of said Board of Adjustment held on August 27, 2025.



JOYCE SINCLAIR, Secretary
Waldwick Zoning Board of Adjustment

Official Public Monthly Meeting:
August 27, 2025