



ZONING BOARD OF ADJUSTMENT

Borough of Waldwick
63 Franklin Turnpike
Waldwick, New Jersey 07463



In The Matter of:
The Application of
JOZEF & DANUTA LICHTARSKI
For Variance Relief with Respect to:
84 Donald Place
R-2 Zone
Lot 14, Block 44
Waldwick, New Jersey

Resolution of Memorialization
As To "Official Action" **Granting**
Variance Relief To build a
covered rear deck and
extend roof eaves.

WHEREAS, Jozef and Danuta Lichtarski, hereinafter referred to as "Applicant", applied to this Board of Adjustment for variance relief to build a covered rear deck and extend the roof eaves on the existing premises located on Lot 14 in Block 44, 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 14 in Block 44, District R-2 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 covered rear deck and to extend the roof eaves on the subject premises. The proposed improvements further violate the required side yard setback distance, by continuing the sideline of the existing house for an additional twelve (12') feet. Applicant has requested that the existing non-conformity with respect to side yard setback, which configuration long predates this application, be granted continued variance relief. Further, variance relief is requested for the additional encroachment of twelve (12') feet along the same line, not reducing the distance of the side yard setback. The property survey shows the existing side yard setback is already non-conforming for the R-2 zone, as detailed below and is proposed to be exacerbated by the addition of the proposed deck and eaves. In all other respects the property will remain fully conforming after the proposed renovations and addition. The subject premises are presently conforming, with the percentage of improved lot coverage and all required setbacks, except for side yard setback. With respect to the continued variance and exacerbation of that nonconformity requested for side yard setback, three and sixty hundredths (3.6') feet exists and that condition is proposed to

continue and simply be carried further toward the rear of the property, but the proposed improvement will, if approved, create a longer side of the house which will be too close to the side lot line, exacerbating the existing non-conformity of three and six tenths (3.6') feet, where ten (10') feet are required.

6. The percentage of impervious coverage is and will continue to be conforming.
7. The rear yard setback will continue to be conforming after the construction of the rear deck, being forty-two and seventy-eight hundredths (42.78') feet, where thirty-five (35') feet are required.
8. The subject property meets all of the R-2 Zone bulk requirements, and it is reasonable to permit the side yard setback relief by way of continuing the existing variance, as identified herein.

Memorialization of Determination

This Board of Adjustment has determined that the requested relief from the above noted requirements for the construction of a covered rear deck, with an extension of the roof eaves, 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 variance, as noted, does not change any side yard setback distances 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 covered rear deck and extension of the roof eaves, as described in the application and did grant the continuation and extension of the existing variance relief for the 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 8 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