



LETTER OF NONCOMPLIANCE

Sent Via Email

May 12, 2020

Asan Bretton  
c/o Colin Quinn, Esq.  
745 Kinderkamack Road  
River Edge, NJ 07661

Re: Application for Zoning Officer Review  
17 Elizabeth Street  
Block 1407 Lot 2  
Proposed Two-Family Dwelling

Dear Mr. Bretton,

Your request for zoning approval to construct an addition to the existing single-family dwelling and convert the structure to a two-family dwelling at 17 Elizabeth Street, Block 1407 Lot 2, River Edge New Jersey is in violation of the following sections of the Borough Ordinance:

1. §416b Schedule of Zoning District Use Regulations. The proposed two-family dwelling is not a permitted use in the C-2 Zone wherein the site is located. 'D'(1) use variance relief is required.
2. Schedule of Zoning District Area, Bulk and Yard Requirements, Minimum Front Yard Setback. The C-2 Zone requires a minimum front yard setback of 30 feet where the proposed front yard setback is 18.1 feet. Variance relief is required.
3. Schedule of Zoning District Area, Bulk and Yard Requirements, Minimum Side Yard Setbacks. The C-2 Zone requires a minimum side yard setback of 15 feet and minimum combined side yard setback of 35 feet where the proposed side yard setbacks are 0.1 feet (from the proposed portico) feet, 3.8 feet (addition) and 5.2 feet (addition) and the combined side yard setback is 5.3 feet. Variance relief is required. In addition, please note the Land Use Board does not have jurisdiction to approve the front steps and concrete walkway that are located partially off of the premises.

4. Schedule of Zoning District Area, Bulk and Yard Requirements, Minimum Rear Yard Setback. The C-2 Zone requires a minimum rear yard setback of 20 feet where the proposed rear yard setback is 16.9 feet. Variance relief is required.
5. Any proposed exterior equipment such as air condensers or generators shall have a minimum setback of 5 feet from property lines.
6. §416-41 Off-Street Parking for Single-Family and Two-Family Dwellings and Residential Site Improvement Standards (N.J.A.C. 5:21). Compliance with the Borough's parking requirements as set forth in §416-41 and Residential Site Improvement Standards for two-family dwellings shall be demonstrated.
7. A basement floor plan shall be submitted with any Land Use Board application illustrating the dimensions and proposed uses of space(s).

Should you believe that your proposal is in compliance with the Borough Ordinance, you may appeal this decision to the River Edge Land Use Board. Alternatively, if you wish to seek variance relief from the Ordinance requirements, you may submit an application to the River Edge Land Use Board. You have the right to appeal this decision and ask for alternative relief in the form of a variance at the same time. If you wish to appeal and/or apply for a variance, please contact the Borough Land Use Clerk at 201-599-6306.

Sincerely,

A handwritten signature in blue ink, appearing to read 'T. Behrens', with a stylized flourish at the end.

Thomas M. Behrens, Jr., P.P., AICP  
Zoning Officer

Cc: Robert Byrnes, River Edge Construction Official