

Franklin Township

Somerset County, New Jersey



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Technical Review Committee

MEMORANDUM

To: Zoning Board of Adjustment

From: Technical Review Committee

Date: May 5, 2020

Re: Constance Rossi – “C” Variance for Sunroom in Rear Yard
23 Hughes Road (Block 399; Lot 7)

As requested, we have reviewed the submitted application materials listed below and issue the following report for the Board’s consideration.

Site and Project Description

The subject site is a roughly 15,000 square foot site located on Hughes Road within the R-20 Residential zoning district. The site is currently improved with a single-family home which is served by public water and sewer.

The application seeks to erect a 12-foot by 16-foot (192 square foot) sunroom attached to the rear of the existing house. The following variances are required:

- *Rear Yard Setback*: 50 feet required – 34 feet proposed
- *Lot (Building) Coverage*: 15% permitted – 20% proposed
- *Impervious Coverage*: 25% permitted – 35% proposed

Variations - Overview

‘C’ Variations

With respect to the ‘c’ variations, the applicant needs to demonstrate whether each would satisfy the c-1 (hardship) and/or c-2 (advancement of the MLUL) criteria.

With respect to the c-2 criteria, the applicant would need to demonstrate that the proposed variations would represent a better zoning alternative than compliant development such that the purposes of the MLUL would be advanced. Alternatively, the applicant would need to prove that a hardship (C-1) exists such that the application cannot be made to comply.

With respect to the negative criteria, the applicant must demonstrate that the variances would not result in substantial detriment to the public good (“1st prong” of negative criteria) and will not substantially impair the intent and purpose of the zone plan and zoning ordinance (“2nd prong of negative criteria). Finally, the applicant must prove that benefits of granting the variances would substantially outweigh any detriments resulting from grant of the variances.

Review Comments

- 1. The TRC offers no comments or concerns related to the variance request.





