

Franklin Township

Somerset County, New Jersey



Township Technical Review Committee (TRC)

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MEMORANDUM

To: Zoning Board of Adjustment

From: Technical Review Committee (TRC)

Date: February 14, 2020

Re: Neil Patel – Setback Variance (ZBA-20-00005)
237 Lenox Place (Block 300, Lot 22-27)

Site and Project Description

The subject site is an undeveloped 15,000 square foot (0.34 acre) property. The site is located on the easterly side of Lenox Street between Clinton and Arden Streets. The site is located within the R-15 zoning district which permits single-family detached homes on 15,000 square foot lots. The site is 150 feet in width and 100 feet in depth. The lot thus conforms with the lot area and lot frontage requirements of the R-15 zone.

The applicant seeks a variance for the construction of a new single-family detached home on the property. The design and layout of the home are reflected on the 6-sheet set of architectural plans prepared by Robert A. Hernandez, Architect dated 1/14/20. The proposed placement of the home on the property is reflected on the 1-sheet "Plan of Survey and Grading Plan" prepared by Formosa Engineering, Inc. dated 12/16/16. The "Plan of Survey and Grading Plan" reflects construction of a curb along the site frontage. The application form indicates proposed connection to public water and public sewer.¹

The applicant seeks the following variances in association with the proposed home construction:

- Front Yard: 30 feet required – 27.5 feet proposed to the covered front porch²³
- Rear Yard: 50 feet required – 33.87 feet proposed

¹ The applicant must confirm in testimony as lack of either would increase the minimum lot area to 20,000 square feet per footnote 2 of Schedule 2.

² The applicant must confirm this distance in testimony as it is not dimensioned on the Plan of Survey and Grading Plan

³ The main line of the house is setback a compliant distance of 30.5 feet

Review Comments

1. The applicant needs to present rationale in support of the variances – i.e., hardship and/or benefits of granting the variance and further needs to prove that grant of the variances would not result in a substantial detriment to the public good.

The TRC does note the relatively shallow lot depth of 100 feet which, when combined with the 30 foot front yard setback and 50 foot rear setback of the zone, results in a building envelope that is only 20 feet deep. This depth renders construction of a compliant new home rather difficult and/or could result in an oddly-shaped house (i.e., a very long but excessively narrow house that may be inconsistent with surrounding properties).

The above notwithstanding the applicant should their demonstrate attempts to place the proposed home in a manner that is compatible with setbacks prevailing in the surrounding neighborhood.

2. Other Comments

- Compliance with Chapter 222 (tree replacement) will be determined at the time of building permit. Provision of street trees will be reviewed at that time as well.
- Compliance with the Township's Stormwater Ordinance (e.g., drywell size/ design) will be conducted at the time of building permit. It is noted that the "Plan of Survey and Grading Plan" appears to contemplate the need to address this requirement as stormwater management measures are proposed.
- Construction of the new dwelling will be subject to the payment of affordable housing development fees.
- The applicant will be required to submit an as-built survey after construction so that compliance with Board approvals can be confirmed.
- Connection to sewer will require necessary approval for the Sewer Authority.
- Lot consolidation should be a condition of any approval granted by the Board.



