

JOINT LAND USE BOARD OF THE  
BOROUGH OF DUMONT

RESOLUTION

APPLICATION FOR BULK VARIANCES

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In the Matter of the Application of:  
MARCOS AND OLGA PIMENTEL  
139 Depew Street, Block 924, Lot 19

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WHEREAS, MARCOS AND OLGA PIMENTEL (the "Applicant" or "Owner") is the Applicant upon property located at 139 Depew Street, and designated as Lot 19 in Block 924 on the Tax Map of the Borough of Dumont (the "Property"); and

WHEREAS, the Property is located in the RA One and Two Family Zoning District of the Borough and is presently developed with a single family structure on a 52' x 100' lot; and

WHEREAS, the Property is an interior lot that is slightly undersized. The structure has long had a front porch on the left side of the structure that had a partial roof. This porch was previously removed. The right side of the house is set back 19.9' from the street and the original porch was set back 21' from the street; and

WHEREAS, the Applicant seeks to rebuild the porch on the left side of the structure and to bring same forward to line up with the 19.9' setback that is on the right side of the house. The proposed porch would have full roof and be a "covered porch"; and

WHEREAS, the Applicant has made application to the Joint Land Use Board of the Borough of Dumont for necessary bulk variances in connection with the proposed residential construction; and

WHEREAS, public hearings were held by the Board on October 24, 2017 at which time the Applicant, presented the matter, pro se, and presented the following:

A-1	Survey prepared by G. Cassetta & Associates, dated 8/7/06
A-2	Architectural Plans prepared by Chris Blake, AIA, dated 8/10/17
A-3	Photographs

WHEREAS, at the aforesaid public hearings, the Applicant presented the testimony of:

- (a) Applicants;
- (b) Chris Singh of A. Frame Construction.

NOW, THEREFORE, BE IT RESOLVED that the Board makes the following findings of fact with respect to the within Application:

1. The Property is located on the east side of Depew Street. The Property is approximately 5,200 square feet and is located in the RA Residential Zone.
2. The Property presently contains a single family home.
3. The Applicant seeks to add a porch to the structure that protrudes forward no further than other nonconforming portions of the existing structure that have a 20' setback where 25' is required.
4. While this setback currently exists, the Applicant seeks to extend the existing variance across the front of the house and include a newly constructed porch,

with a roof, at the same setback. This is an expansion of the existing non-conforming setback and constitutes an increase in the existing variance.

CONCLUSIONS AND DETERMINATIONS

1. All findings of fact set forth above are made a part hereof as if set forth herein at length.
2. ~~The proceedings in this matter were voice recorded. The foregoing facts in this~~ Resolution are not intended to be all inclusive but merely a summary and highlight of the complete record made before the Board.
3. ~~N.J.S.A. 40:55D-70(c) (2) provides that a variance may be granted where the~~ Board finds that the benefits of the granting of the variances outweigh any detriments. The Board finds that the Applicant has demonstrated that this ~~covered porch is aesthetically pleasing and a common feature of homes in the~~ area.
4. The Board finds that the variance can be granted without detriment to the ~~public good or any neighboring properties, as the non-conforming conditions~~ are de minimus in nature. The Board further finds that this approval will not substantially impair the intent and purpose of the Dumont Zone Plan and Zoning Ordinance and is in the furtherance of the purposes set forth in N.J.S.A. 40:55D-2.
5. As such, the Board grants the following variances:
  - a. ~~Continuation/Expansion of Front Yard Setbacks to be approximately 20'~~ across the entire frontage so that the proposed porch and roof can be constructed at a 20' setback.

CONDITIONS

A. The Applicants shall comply with all of the ordinances of the Borough of Dumont and all applicable county, state, and federal ordinances, rules, statutes and regulations including the payment of real estate taxes.

Motion was made by:  
 Motion was seconded by:  
 Roll Call to Approve:


	Yes	No	Absent	Abstain	Recuse
Ron Burkert	✓				
Michael Affrunti	✓				
Jared Geist				✓	
Michael Worner				✓	
Timothy Hickey	✓				
Elmer Pacia	✓				
Michael Cremin	✓				
Barbara Chen				✓	
Ken Armellino Alt #1	✓				
Alfred Moriarty Alt #2	✓				
Janet Masio Alt #3	✓				
Nicole Talmo Alt #4			✓		
Chairman William Bochicchio	✓				

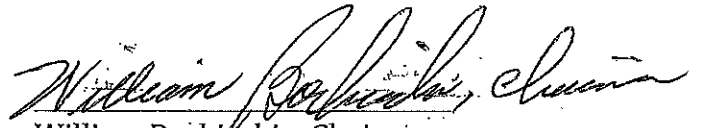
IT IS HEREBY CERTIFIED that this is a true and correct copy of a Resolution adopted by the Joint Land Use Board of the Borough of Dumont upon a roll call vote at its regular meeting held on October <sup>24<sup>th</sup></sup> ~~25~~ 2017.

A copy of this Resolution shall be given to the Tax Assessor, Applicants (through counsel), Borough Clerk, Building Department, Zoning Officer and Borough Engineer.

ATTEST:

SO APPROVED:

  
Lois Rusch, Secretary

  
William Bochiechio, Chairman

Adopted: \_\_\_\_\_