

**Township of Lawrence
Mercer County NJ
Department of Community Development**

Application No. 2B-2/25

Land Use Application Master Checklist

Name of Applicant: BENJAMIN + KRISTIN PETRICK

	Required for all applications:	Complete form:
<input checked="" type="checkbox"/>	General Information	Form G-1
<input checked="" type="checkbox"/>	Certifications	Form C-1
<input checked="" type="checkbox"/>	Taxpayer Identification number & certification	IRS form W-9

Type of approval sought (check all as appropriate):

<input type="checkbox"/>	Appeal from decision of Administrative Officer	Form A-1
<input type="checkbox"/>	Bulk Variance (parcel)	Form B-1
<input type="checkbox"/>	Bulk Variance (signage)	Form B-2
<input checked="" type="checkbox"/>	Bulk Variance (homeowner)	Form B-3
<input type="checkbox"/>	Conditional Use	N/A
<input type="checkbox"/>	Informal	N/A
<input type="checkbox"/>	Interpretation	N/A
<input type="checkbox"/>	Lot Consolidation	N/A
<input type="checkbox"/>	Site Plan, Informal	N/A
<input type="checkbox"/>	Site Plan, Waiver	N/A
<input type="checkbox"/>	Site Plan, Minor	N/A
<input type="checkbox"/>	Site Plan, Preliminary Major	N/A
<input type="checkbox"/>	Site Plan, Final Major	N/A
<input type="checkbox"/>	Subdivision, Minor	N/A
<input type="checkbox"/>	Subdivision, Preliminary Major	N/A
<input type="checkbox"/>	Subdivision, Final Major	N/A
<input type="checkbox"/>	Use Variance	Form U-1
<input type="checkbox"/>	Other (specify)	N/A

List all accompanying material:

<u>Description</u>	<u>Number Submitted</u>
<u>WRITTEN STATEMENT</u>	
<u>CONTRIBUTION DISCLOSURE STATEMENT</u>	

List name & address of all expert witnesses expected to testify:

Township of Lawrence
Mercer County NJ
Department of Community Development

Application No. 2B-2/25

General Information

1. Applicant:

Name BENJAMIN + KRISTIN PETRICK Phone 267.566.0148
Address 163 GEDNEY ROAD Fax -
LAURELCEVILLE, NJ 08648 Email benpetrick@hotmail.com

2. Owner of land (as shown on current tax records):

Name BENJAMIN + KRISTIN PETRICK Phone 267.566.0148
Address 163 GEDNEY ROAD Fax -
LAURELCEVILLE, NJ 08648 Email benpetrick@hotmail.com

3. Attorney (where applicable):

Name _____ Phone _____
Address _____ Fax _____
_____ Email _____

4. Engineer (where applicable):

Name _____ Phone _____
Address _____ Fax _____
_____ Email _____

5. If the applicant is a corporation or partnership, list the names and addresses of all stock holders or partners owning a 10% or greater interest in said corporation or partnership in accordance with P.L.1977 Ch.336.

6. Location of Land:

Lot No(s) 1 Block(s) 1903 Tax Map pg(s) 19
Street(s) GEDNEY ROAD

7. Zoning designation of parcel (see Zoning Map):

R-4

8. Name of proposed development:

Township of Lawrence
Mercer County NJ
Department of Community Development

Application No. 28-2/25

Certifications

Certification of applicant:

I/we do hereby certify that all statements made herein and in any documents submitted herewith are true and accurate.

Applicant's signature *Bryan J. Petrick*
Kristin Petrick

Date *3.2.2025*
Date *3.2.25*

Owner's consent to filing of application:

If the applicant is not the owner of the property, have owner sign below or file with the application a letter signed by the owner consenting to the application.

I am the current owner of the subject property and am aware of and consent to the filing of this application.

Owner's signature _____

Date _____
Date _____

Acceptance of reasonable review & inspection costs:

I/we do hereby agree to pay all reasonable costs for professional review of the plan(s) and material submitted herewith and for subsequent township inspection of any improvements to be constructed in connection therewith or future bond releases, where such inspection is required.

Applicant's signature *Bryan J. Petrick*
Kristin Petrick

Date *3.2.2025*
Date *3.2.25*

Authorization for township officials to enter upon property:

I/we do hereby grant authorization to township officials, including Planning or Zoning Board members, to enter upon the subject property for the purpose of inspection related to this application.

Owner's signature *Bryan J. Petrick*
Kristin Petrick

Date *3.2.2025*
Date *3.2.25*

Township of Lawrence
Mercer County NJ
Department of Community Development
Bulk Variance (Homeowner)
(Attach additional pages as necessary)

Application No. ZB-2/25

Request is hereby made for permission to erect, alter or convert a DECK AND PERGOLA contrary to the requirements of §907 of the Land Use Ordinance, or for other relief as follows:

WITHIN THE SETBACK FROM REAR + SIDE PROPERTY LINES

1. Is the property a corner lot? NO
2. Is public sewer available to property? YES Public Water? YES
3. Explain the **EXCEPTIONAL** conditions or circumstances uniquely affecting the property involved or the structures existing on the property which would cause peculiar and exceptional practical difficulties or undue hardship and which do not apply generally to other properties in the same zone or neighborhood or

Explain how the purposes of the municipal land use law would be advanced by the proposed deviation(s) from the zoning ordinance requirements and how the benefits of the proposed deviation(s) would be advanced by the benefits of the proposed deviation(s) would substantially outweigh any detriment:

THE DECK + PERGOLA WERE LOCATED TO AVOID EXISTING TREES AND BASED ON WHERE THE EXISTING GARAGE IS LOCATED. WITH A 50' WIDE PROPERTY AND THE LOCATION OF THE GARAGE + TREES, LOCATION THE DECK + PERGOLA PER THE MINIMAL SETBACKS AS PRESCRIBED WOULD HAVE PLACED BOTH IN AN AWKWARD POSITION IN THE MIDDLE OF THE YARD.

4. State how the proposed variance(s) can be granted without substantial detriment to the public good.

IT IS VERY COMMON IN OUR NEIGHBORHOOD TO HAVE ACCESSORY STRUCTURES CLOSER TO PROPERTY LINES THAN ALLOWABLE PER THE R-4 ZONING ORDINANCE, INCLUDING THE GARAGE ON OUR PROPERTY. THE PERGOLA IS IN KEEPING WITH OTHER ACCESSORY STRUCTURES IN HEIGHT + SIZE.

5. State how the proposed variance(s) will not substantially impair the intent and purpose of the zone plan and zoning ordinance:

THE DECK IS AT GRADE, AND THE PERGOLA IS 11'0" AT THE TALLEST POINT. BOTH ARE AT THE REAR OF THE PROPERTY AND ADJACENT TO THE REAR YARDS OF NEIGHBORING PROPERTIES, SOME OF WHICH HAVE PRE-EXISTING, NON-COMPLIANT ACCESSORY STRUCTURES WITHIN THE SETBACK.

(continued next page)

Township of Lawrence
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Department of Community Development
Bulk Variance (Homeowner)

Application No. ZB-2/25

(Attach additional pages as necessary)

6. Explain what efforts have been made by the applicant to acquire adjoining lands so as to reduce the extent of the variance or eliminate the necessity for the variance.

OUR NEIGHBORING PROPERTIES ARE NOT FOR SALE.

7. Has there been any previous appeal, request, or application to this or any other Township Boards or the Building Inspector involving these premises?

_____ Yes X No

If Yes, state the nature, date, application no. and disposition of said matter.

(continued next page)

Township of Lawrence
Mercer County NJ
Department of Community Development

Application No. 2B-2/25

Existing and proposed property dimensions as compared to the zoning ordinance requirements:

Zoning District <u>R-4</u>	Permitted for zone in which property is located	Existing	Proposed	Extent of variance requested
LOT DATA				
Lot Area	<u>7,500</u> SF	<u>8,750</u> SF	SF	SF
Lot Frontage	<u>60</u> FT	<u>50</u> FT	FT	FT
Lot Width	FT	<u>50</u> FT	FT	FT
Lot Depth	FT	<u>175</u> FT	FT	FT
Floodplain Buffer (if applicable)	FT	FT	FT	FT
Total Impervious Coverage	<u>60.0</u> %	<u>37.3</u> %	<u>42.5</u> %	%
PRINCIPAL BUILDING				
Front Yard setback	<u>30</u> FT	<u>40.67</u> FT	FT	FT
Left Side Yard setback	<u>10</u> FT	<u>5</u> FT	FT	FT
Right Side Yard setback	<u>10</u> FT	<u>19.8</u> FT	FT	FT
Rear Yard setback	<u>35</u> FT	<u>86</u> FT	FT	FT
Building Height	<u>35</u> FT	<u>< 35</u> FT	FT	FT
ACCESSORY BUILDING / DECK				
Side Yard setback	<u>10</u> FT	FT	<u>2.92</u> FT	<u>7.08</u> FT
Rear Yard setback	<u>15</u> FT	FT	<u>2.42</u> FT	<u>12.58</u> FT
Building Height	<u>15</u> FT	FT	<u>11</u> FT	FT

Mark any pre-existing variance with an "*".

NOTE: SIDE YARD SETBACK FOR DECK IS 10' SINCE PRINCIPAL SIDE YARD SETBACK IS 10'. PER SECTION 429 (C).

Dear Zoning Board,

We live at 163 Gedney Road, a couple houses east of Lawrenceville Road, in the R-4 zoning district. The neighborhood consists of older, single-family homes, with varying lot sizes. Most properties have detached garages and/or sheds at the rear of the property. Many of these accessory structures are non-compliant with the current zoning requirements for the R-4 district as they are sited within the minimum setback areas. Our property is no different. In fact, many aspects of our property are non-compliant with respect to the current zoning ordinance. For example (non-compliant standards are **bolded**):

Bulk Standard	Required	Existing
Minimum Lot Area	7,500 sf	8,750 sf
Minimum Lot Frontage	60 ft	50 ft
Minimum Front Yard	30 ft	40.67 ft
Minimum Side Yard	10 ft	5 ft
Minimum Rear Yard	35 ft	1.67 ft
Max. Impervious Surface Ratio	.60	37.3
Accessory Building Setback For lots < 15,000 sf	5 ft	1.67 ft

Our existing garage is located 1'-8" from the rear property line and about 5'-4" from one of the side property lines, and many of our neighbors have a similar condition. Additionally, our house is also only 5 feet from our eastern side property line. We have a 6' wooden fence around our backyard.

To provide more usable outdoor space for our family, we considered purchasing a pergola kit to install in the back of our yard near the garage. After shopping around, we decided it was best to build our own. Unfortunately, when we made this decision, we did not seek zoning approval. I personally built the pergola and associated deck in 2022. In order to fit the pergola within the yard and around the existing trees, we used our garage as a gauge to help site the structure. With the garage only 1'-8" from the property line, we assumed the pergola and deck could be close to our property lines. The pergola and deck are approximately 2'-5" from the rear property line, and 2'-11" from the side property line adjacent to our neighbor's garage. The deck is located at grade with no step up from the surrounding yard. The pergola has a simple shed roof with the high point facing the interior of our property with a high point of about 11'-0" and the low point around 8'-10".

We are seeking a variance for the setback of the pergola and deck. In review of the Lawrence Township zoning ordinance, our understanding is that accessory buildings and uses are required to have a setback of 5 feet for lots less than 15,000 square feet. However, in reading section 429 (C) Decks/Patios, it notes:

"For single family dwellings, any deck or patio shall be at least 15' from any property line or the allowable principal setback, whichever is the lesser."

We believe this means the deck and pergola are required to be 15' from the rear property line, and 10' from the side property line per the Minimum Side Yard setback in the R-4 district. As such, we are requesting a variance for a rear yard setback for the deck and pergola as they intrude into the 15' setback by 12'-7"; and are requesting a variance for a side yard setback for the deck and pergola as they intrude into the 10' setback by 7'-1".

As seen on the attached photo, the pergola and associated deck are nestled into the back of the yard with the pergola in the corner of the property. The scale of the pergola structure is in keeping with the neighboring detached garages and sheds, and is constructed with pressure treated wood and galvanized corrugated metal roofing. We have 6-foot-tall wooden fences at the property line and the space is visually screened from neighbors by the fence as well as landscape.

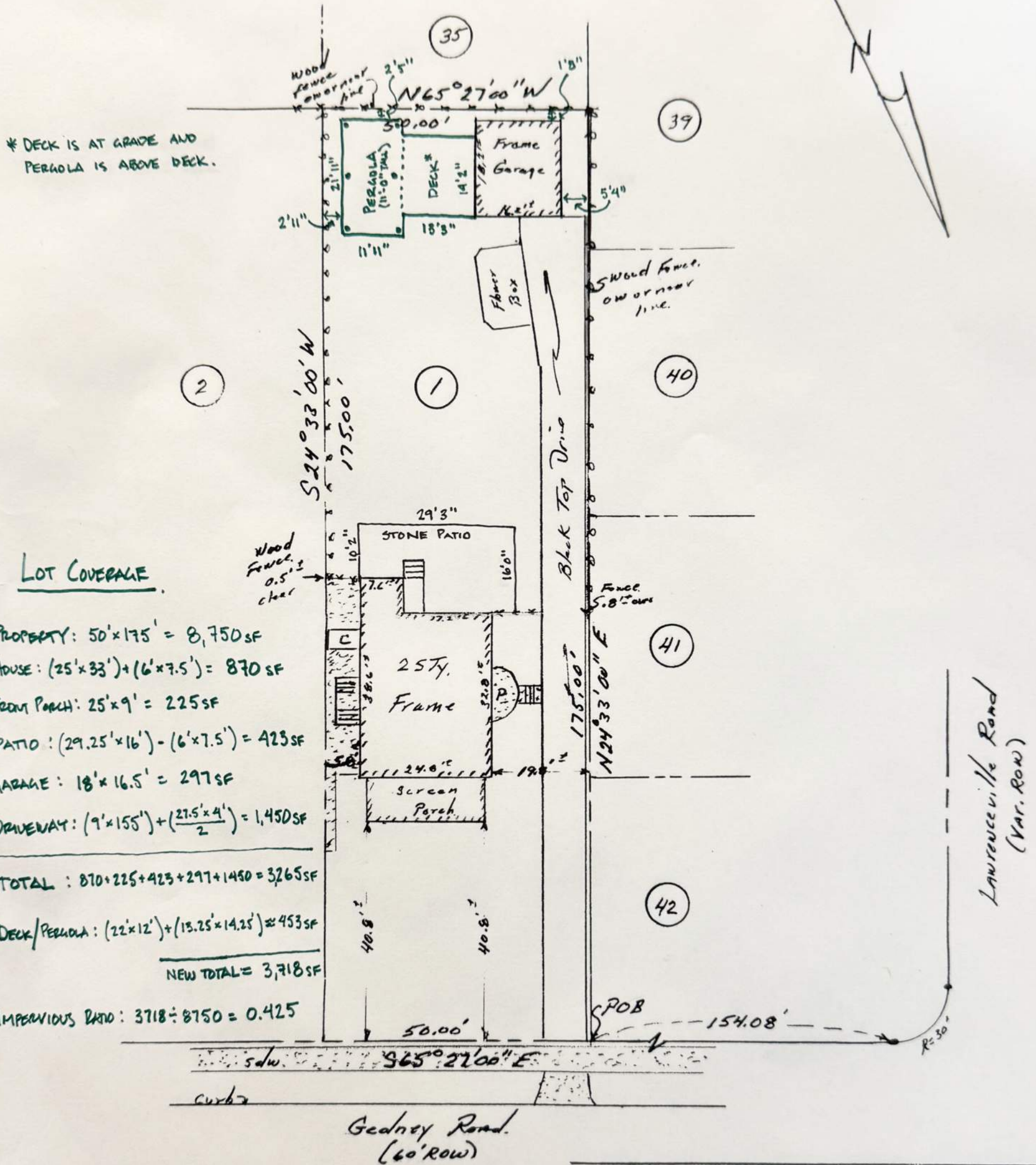
We are hopeful of receiving zoning approval for these variances given the built condition of the pergola and deck do not represent a detriment to the public good, are in keeping with the neighborhood and other accessory structures on neighboring properties, and provide much utilized space for our family. It is not possible to move the pergola or deck without deconstruction or demolition. The pergola and deck have been in place since the summer of 2022. We have never received complaints regarding them (on the contrary have received many compliments) and feel they bring great value to our family and home by increasing our usable space of our property regardless of the weather.

We appreciate your consideration!

Benjamin and Kristin Petrick



Survey is certified for use of:
 Benjamin J. Patrick and Kristin E. Mansmann
 Seelig and Redner, Esqs.
 Sun Trust Mortgage, Inc., its successors
 and/or assigns
 Sterling Title Agency
 There are no encroachments either way across
 property lines except as shown hereon:



LOT COVERAGE

PROPERTY: 50' x 175' = 8,750 SF
 HOUSE: (25' x 33') + (6' x 7.5') = 870 SF
 FRONT PORCH: 25' x 9' = 225 SF
 PATIO: (29.25' x 16') - (6' x 7.5') = 423 SF
 GARAGE: 18' x 16.5' = 297 SF
 DRIVEWAY: (9' x 155') + (27.5' x 4' / 2) = 1,450 SF
 TOTAL: 870 + 225 + 423 + 297 + 1450 = 3,265 SF
 DECK/PERGOLA: (22' x 12') + (13.25' x 14.25') = 453 SF
 NEW TOTAL = 3,718 SF
 IMPERVIOUS RATIO: 3718 ÷ 8750 = 0.425

Notes:

Lawrence Twp. Tax Data:
 Lot 1
 Block 1903
 Page 19
 * Waiver of Setting Corner Markers obtained
 from ultimate user pursuant to P.L. 2003,
 614 (45:8-36.3) and N.J.A.C. 13:40-5.1(d)

Plan of Survey
 for
 Benjamin J. Patrick & Kristin E. Mansmann
 located
 163 Gedney Road
 Lawrence Twp. Mercer Co., N.J.
 Scale: 1" = 20' Date: 6/24/05
 by
 ROBERT H. LESSLIE
 N.J. Professional Land Surveyor No. 246502637900
 28 Dousy Road Yardville, N.J. 08620
 6/25/05