


Township of Lawrence
ENGINEERING DEPARTMENT

TO: File

FROM:  Brenda Kraemer, Assistant Municipal Engineer

SUBJECT: Bulk Variance Application No. ZB-1/25
Jitesh Patel, 6 Morrell Road
Tax Map Page 52.02, Block 5201.09, Lot 3

DATE: February 27, 2025

General:

The applicant has requested a variance to permit construction of an in-law suite addition on the rear of the existing dwelling at 6 Morrell Road in the Yorkshire Village development.

Detailed Report:

1. The Zoning Board has reviewed several applications for sunrooms, enclosed decks and enlarged decks in the Yorkshire Village development. For background information, the required rear yard setback is 25' as established during Planning Board review which reflected a reduction in the 35' rear yard required in the zone.

Variances have been previously granted; however, the properties abutted open space. The rear yard variance in this application will directly impact the property at 118 Canal View Drive.
2. The applicant shall provide testimony regarding whether any alternate layout options or dimensions have been considered.
3. Buffering should be discussed.
4. If a variance is granted, there will be insufficient space for any additional improvements (such as a shed), as the rear yard provided will only be 8.5'. The applicant shall provide information regarding future plans for the rear yard. If the addition is approved, it is recommended that any future deck be limited to the required deck setback of 15' (not permitted to align with addition).

BK/jrl

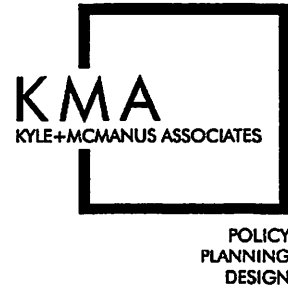
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Documents Reviewed:

- Application No. ZB-1/25

March 11, 2025

Lawrence Township Zoning Board of Adjustment (via e-mail)
2207 Lawrenceville Road
PO Box 6006
Lawrence Township, NJ 08648



**Re: Jitesh Patel – ZB-1/25
Block 5201.9, Lot 3 – 6 Morrell Road
Bulk Variance Relief
PVD-2 Planned Village District 2**

Dear Board Members:

Pursuant to the Board's request, we have reviewed the above captioned matter for compliance with the Land Use Ordinance of the Township of Lawrence. The material reviewed, as supplied by the applicant, included the following:

1. Land Use Application and supporting documents.
2. Homeowner statement.
3. Property Survey, dated February 14, 2000.
4. Floor plans and elevations.

Based on the information provided, the applicant seeks bulk variance relief to construct an 18' long by 16' wide in-law suite at the rear of the existing dwelling. The addition will include a full bath.

The subject property, known as Block 5201.9, Lot 3, with a street address of 6 Morrell Road, is 6,865.87 square feet in size with frontage on both Morrell Road and Canal View Drive. Presently the property contains an existing two-story detached single-family dwelling and no accessory structures. Immediately adjacent uses are all single-family dwellings, but the Mercer One shopping center is located to the east and an emergency access roadway extends from Morrell Road to the shopping center.

Zoning

The subject property is located in the PVD-2 Planned Village Development District, and the existing single-family use is permitted. The table on the following page lists the bulk requirements for the PVD-2 District and compares them to the applicant's proposal. We note that while there are existing nonconforming conditions relative to the standards, according to the Board Engineer, the developer was granted relief at the time the project was approved in the early 2000's.

	Permitted	Existing	Proposed
Minimum Lot Size	9,000 SF	6,865.87 SF *	No Change
Minimum Lot Frontage	75'	84.27'	No Change
Minimum Lot Width	75'	70'*	No Change
Minimum Lot Depth	90'	100'	No Change
Minimum Front Yard	30'	26.03'* (Morrell) 30' (Canal View)	No Change
Minimum Side Yard	10'	6.01' *	No Change
Minimum Rear Yard	35'	26.55' *	8.55'**
Minimum Useable Yard Area	20% of each yard	>20%	No change
Maximum Building Height	35' / 2.5 stories	Not specified	Not specified

* Indicates existing nonconforming condition

** Indicates variance required

As noted in the table above, there are several existing nonconforming conditions related to minimum required lot size, minimum lot width and minimum front yard that are not impacted by the proposed addition. The applicant requires the following "new" bulk variance relief:

1. §412.E.1.g – minimum rear yard setback, where 35' is permitted, 26.55' exists, and 8.55' is proposed.

Consideration of Bulk Variances

The Board has the power to grant c(1) or hardship variances "(a) by reason of exceptional narrowness, shallowness or shape of a specific piece of property, (b) or by reason of exceptional topographic conditions or physical features uniquely affecting a specific piece of property, or (c) by reason of an extraordinary and exceptional situation uniquely affecting a specific piece of property or the structure lawfully existing thereon, the strict application of any regulations...would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardship upon the developer of such property." The Board may also consider the grant of c(2) variances where the purposes of the New Jersey Municipal Land Use Law would be advanced and the benefits of the deviation would substantially outweigh any detriment. In either case, the Board cannot grant "c" or bulk variances unless the negative criteria are satisfied, or that there is no substantial impact to surrounding properties (first prong) and the grant of the variance will not cause substantial impairment to the intent and purpose of the zone plan (master plan) or zoning ordinance (second prong).

Relative to the first prong of the negative criteria, the rear of the dwelling and addition face the side of the dwelling on Lot 4 to the south. The picture on the following page shows the relationship between the two structures, and the addition will be within 8.5' feet of the common property line. The shed on adjacent Lot 4 is approximately 17' from the property line and the main structure is approximately 30' from the property line. Based on the plans submitted, it does

not appear there are any windows on the south elevation of the addition. Landscape screening should be considered to address any potential visual impact to Lot 4. As to the second prong of the negative criteria, the Board will need to be satisfied that the intent of the setback standards, mainly the provision of adequate light, air and open space, is not substantially impaired by the grant of relief in this instance.



Plan Comments

1. The applicant should clarify if access from the in-law suite is proposed to the back yard.
2. The applicant should confirm that separate kitchen facilities are not proposed for the addition.

We trust the Board will find this information useful in consideration of the matter at hand and reserve the right to provide additional comment based on the applicant's presentation at the public hearing. Should you wish to discuss this review memo, please feel free to contact our office.

Sincerely,

A handwritten signature in black ink, appearing to read "J.T. Kyle". The signature is fluid and cursive, with the first name "J.T." and the last name "Kyle" clearly distinguishable.

James T. Kyle, PP/AICP, Board Planner

Cc: Brenda Kraemer, PE (via e-mail)
Ed Schmierer, Esq., Board Attorney (via e-mail)