

**A RESOLUTION OF THE ZONING BOARD OF ADJUSTMENT OF THE BOROUGH OF  
HADDONFIELD GRANTING VARIANCE APPROVAL TO:  
SUSAN BORKOWSKI  
ZBA #2018-26**

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A public hearing on this matter was conducted by the Board on February 19, 2019

APPLICATION NUMBER: ZBA#2018-26

PROPERTY ADDRESS: 128 North Drive  
Block 91.10, Lot 09 on the Tax Map

NAME OF APPLICANT: Susan Borkowski

OWNER OF PROPERTY: Susan Borkowski

DATE OF HEARING: February 19, 2019

BOARD MEMBERS PRESENT  
AND VOTING: Linda Kuritzkes, Chairperson  
Kevin Burns, Vice Chairperson  
Susan Baltake  
Wayne Partenheimer  
Steve Sweet (Alternate IV)

APPEARANCES: Susan Borkowski, Applicant  
Pat DelRossi, Applicant's Builder  
Greg Sullivan, Borough Engineer  
Tavis Karrow, Zoning Officer & Board Secretary  
Francis X. Ryan, Esquire, Board Solicitor

**PROPERTY DESCRIPTION**

ZONING DISTRICT: R-5A

LOT DIMENSIONS: 75' x 217'

LOT AREA: 16,275 square ft +/-

STREET FRONTAGE: 75'

STRUCTURES LOCATED  
ON LOT: Single family residence

**DEVELOPMENT PROPOSAL**

1. Installation of interior elevator.

**RELIEF/VARIANCE REQUESTED**

1. A variance from Section 135-30.1(D)(2)(b) which requires a minimum single side yard of 12' and 6.8' is proposed and existing.

### **SUBMISSIONS**

Application and supporting documents.

### **SUMMARY OF TESTIMONY AND EVIDENCE**

The Applicant appeared and explained the nature of the proposed development. The proposal is to "square off" the first floor in the rear of the house. Presently, the second floor overhangs the first floor in the rear corner. The proposal is to close off that space and install an interior elevator. The walls of the additional building area will match the siding on the existing structure and the existing windows will be repurposed to match the existing exterior. There will be no further expansion of the existing structure.

No member of the public appeared or testified.

### **FINDINGS OF FACT AND CONCLUSIONS**

1. The subject property is located in the R-5A Residential Zone.
2. The variance requested does not include any requests for coverage relief either total building or impervious.
3. The proposed improvements merely square-off the existing first floor and fill-in an open area currently covered by the second floor. In that regard, there will be no increase of the building beyond the existing side-yard and rear-yard setbacks.
4. To obtain a (c)(1) variance the Applicant must show the existence of peculiar and practical difficulties to, or exceptional undue hardship upon the Applicant arising out of (a) the exceptional narrowness, shallowness or shape of a specific piece of property, or (b) 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 structures lawfully existing thereon. Because the existing structure already violates the single side-yard setback requirement the Applicant cannot perform any development without variance relief. With this proposal there is no increase in the setback violation and no adverse effect on the surrounding properties whatsoever.
5. Due notice has been given in accordance with the Municipal Land Use Law (N.J.S.A. 40:55D-1 et. seq.) and the rules of the Board of Adjustment.

### **RESOLUTION**

**NOW, THEREFORE, BE IT RESOLVED**, by the Zoning Board of Adjustment of the Borough of Haddonfield, that subject to the conditions noted below, that the application for a variance be and is hereby granted, pursuant to N.J.S.A. 40:55D-70(c).

### CONDITIONS OF APPROVAL

1. The development approved by this resolution must comply with the plans and specifications submitted with this application.
2. Applicant must comply with all other applicable ordinances and codes including but not limited to Shade Tree Ordinance, building codes, fire codes and all water management requirements.
3. The proposed construction enclosing the existing open area will match the exterior siding and windows of the existing structure.

Motion by: Baltake; seconded by Burns

Board members voting to grant the requested variance: Kuritzkes, Burns, Baltake, Partenheimer and Sweet

Board members voting to deny the requested variances: None

### CERTIFICATION

I hereby certify that the foregoing is a true, accurate, and complete copy of the resolution of memorialization adopted by the Zoning Board at its regular monthly meeting on March 19, 2019, memorializing action taken by the Zoning Board on February 19, 2019.

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Tavis A. Karrow, Board Secretary