



April 16, 2021

MEMORANDUM TO: Vernon Land Use Board

FROM: Jessica C. Caldwell, P.P., A.I.C.P., L.E.E.D. – G. A., Land Use Board Planner

SUBJECT: Variance for Snowshoe Homes, LLC
LU# 3-21-3
Block 526, Lot 12
Located at 4 Alpine Trail
Vernon Township, Sussex County

Dear Board Members:

The Applicant Snowshoe Homes, LLC is seeking bulk variance approval for the construction of a single-family dwelling on the above-referenced property, which is located in the R-4 Single-Family Residential Zone.

1. **Items Submitted:** The Applicant has submitted the following
 - A. One (1) sheet of a Preliminary and Final Site Plan entitled, "Plot Plan 4 Alpine Trail Block 526, Lot 12 Township of Vernon, Sussex County, New Jersey," prepared by G. Gloede and Associates, dated January 2, 2021.
 - B. Two (2) sheets of plans entitled, "Soil Erosion & Sediment Control 4 Alpine Trail Block 526, Lot 12 Township of Vernon, Sussex County, New Jersey, dated January 2, 2021.
 - C. Three (3) sheets of Architectural and Elevation Plans entitled, "Proposed New Residence," for Snow Show Trail, LLC, prepared by Elizabeth Reeves, dated October 14, 2020.
 - D. Property Survey prepared for 526, Lot 12 situated in the Township of Vernon, County of Sussex, New Jersey, prepared by Greenway Surveying, dated April 20, 2020.
 - E. Slope Map, prepared by G. Gloede and Associates, consisting of one sheet dated April 9, 2021.
 - F. Copy of Site Application with supporting documentation
2. **Existing Site & Use:** The subject property is located at 4 Alpine Trail in the R-4 Single Family Residential Zone and is 0.5316 (23,162 square feet). The subject property is a corner lot with street frontage on three sides.

3. **Highlands Area Designation:** The subject property is located in the Highlands Planning Area.
4. **Proposed Development:** The Applicant is seeking variance approval to construct a single-family dwelling on the subject property, which is currently a vacant lot.
5. **Area and Bulk Requirements:** The subject site is located in the R-4 Single Family Residential Zone. The following table reviews existing and proposed requirements.

R-4 Single Family Residential Zone

Standard	Required	Existing	Proposed
Min. Lot Area	10,00 SF	23,162 SF	23,162 SF
Min. Lot Width	100 FT	183.5 FT	183.5 FT
Min. Front Yard Setback	50 FT	N/A	50 FT
Min. Front Yard Setback	50 FT	N/A	51.5 FT
Min. Rear Yard Setback	50 FT	N/A	41.3 FT (V)
Max. Building Height	35 FT 2 ½ Stories	N/A	35 FT 2 ½ Stories
Max. Building Coverage	20%	N/A	4.7%
Max. Lot Coverage	30%	N/A	13.0%

(E) = Existing Non-Conforming
 N/C = No Change

(V) = Variance Required
 N/A = Not Applicable

6. **Review:**
 - A. **Rear Yard Setback:** According to Schedule B, Bulk and Yard Requirements of the Township of Vernon Land Development Code, the minimum rear yard setback of the R-4 Single Family Residential Zone is 50 feet. Section 330-174 requires corner lots to meet the front yard setback for all street frontage sides of the lot. The lot line opposite the street, is then the rear yard. In this case, there are no side yards on the property, only three front yards and one rear yard and all setbacks are 50 feet. The Applicant is proposing a rear yard setback of 41.3 feet, which does not comply with the 50 feet minimum required. **A variance is requested.**
 - B. The signature block should be updated to note that it is a variance plan, not a site plan.
 - C. A small deck is shown on the rear of the residence on the architectural plans. It does not appear to be on the variance plan and would extend an additional 6.5 feet into the setback. The Applicant should confirm variance requested.
7. **Criteria for Granting "C" Variances:** Variances can be granted by the Board, pursuant to N.J.S.A. 40:55d-70c where two provisions exist for the granting of bulk variances:
 - i. The first provision for granting a "c" variance is under N.J.S.A. 40:55D-70c(1) where the Board must find whether there has been a showing of peculiar exceptional practical difficulties or exceptional undue hardship arising out of the exceptional narrowness, shallowness, or shape of a piece of property, or by

reason of an extraordinary and exceptional situation uniquely affecting this specific piece of property or the structures lawfully existing thereon.

- ii. The second provision for granting a "c" variance is under N.J.S.A. 40:55D-70c(2) where the Board must find that the application relates to a unique situation on a specific piece of property, that the purposes of the MLUL would be advanced by the requested deviation, that the variance can be granted without substantial detriment to the public good, that the benefits of granting the variance outweigh any detriments and that the variance will not substantially impair the zone plan or ordinance. Under c(2), the Applicant should show that the proposal is a better zoning alternative to that which is permitted by the ordinance and provides benefits to the community as a whole, not just the applicant.
- iii. In both cases, the negative criteria must be met, which includes a showing that the proposed variances will not cause a substantial detriment to the public good (the neighborhood) or substantial impairment of the master plan and zoning.

Very truly yours,



Jessica C. Caldwell, P.P., A.I.C.P., L.E.E.D. - G.A.
J. CALDWELL & ASSOCIATES, LLC.
Vernon Land Use Board Planner

cc: Via E-Mail Only

Kimberley Decker, Land Use Administrator
Glenn C. Kienz, Esq., Vernon Board Attorney
Cory Stoner, P.E., C.M.E., Board Engineer
John E. Ursin, Esq., Applicant's Attorney
George R. Gloede, Jr, Applicant's Engineer