



\*Public noticing is required pursuant to Section 4.03 & 4.04 \*\* A major site plan review is also required with a conditional use application

**IV. Application Description:** Briefly describe the nature and scope of this application, including proposed uses and improvements. All subdivision appeals must state the present and proposed number of lots.

Add a small addition, single level to the back of our house to include an open floor plan for a kitchen and family room.

**V. Reasons:** Briefly summarize the reasons why you believe this appeal should be granted.

Since the expansion is taking the place of our deck, it has little to no impact on our neighbors. Also, our living space is small for our family and this will afford us more room.

**VI. Property Description:** Please provide the following information about the property, which is the subject of this appeal.

•Enclose a scaleable (full size) copy of a location survey of the property, showing the surveyors name and license number, and date of survey, if this information is not otherwise provided on a site plan or subdivision plat. Survey can be no more than 2 years old.

•Street address 106 Marion Avenue  
Zone district RS-4B Block No. 2818 Lot No. 2

•Dimensions of lot 57' x 120' Area of lot 6,120 sq. ft.

•Use of premises present deck  
proposed Kitchen & family room

The proposed use is:  permitted by ordinance  a conditional use which has been granted by the Planning Board or Zoning Board of Adjustment  
 a use permitted by variance  a nonconforming (i.e. "grandfathered") use  not a permitted use

Name of Owner Kenneth Waddell Telephone No. 917-565-1626  
Street address of Owner 106 Marion Avenue Fax No. \_\_\_\_\_

•Does the above owner also own any property that abuts the subject property?

No  Yes If yes, address: \_\_\_\_\_

If yes, is the abutting property subject to the Loechner-Campoli rule of merger?  No  Yes (If you don't know, check with the Tax Assessor in the Municipal Building.)

•Are there any present deed restriction(s) which affect this property?  No  Yes If yes, attach copy of deed, including language of restriction(s).

•Are there any pending proceedings, concerning the property which is the subject of this application, before any federal, state, or local board of authority?  No  Yes If yes, list here and attach a brief description of each.

11/16/20

**VII. Attorney Identification:** Private individuals, or sole proprietors may represent themselves (i.e. present the application) before the Board. All other categories of applicants must be represented by an attorney. (reference: 1998 Cox - pages 477 & 478)

If applicant (or owner) is to be represented by an attorney, please furnish the following information:

Attorney's name \_\_\_\_\_ Telephone No. \_\_\_\_\_  
Attorney's firm \_\_\_\_\_ Fax No. \_\_\_\_\_  
Street address \_\_\_\_\_

**VIII. Notarization:**

I/We, the undersigned applicant(s) do hereby grant permission for the members of the Planning Board, and the Zoning Board of Adjustment, their Attorney and the Zoning Officer of the Town of Westfield, NJ to enter upon the property which is the subject of this application, during all daylight hours during the pendency of this application. Permission to enter structures will be given for a mutually agreeable time.

I hereby depose and say that all the above statements and the statements contained in the papers submitted herewith are true and correct.

[Signature]  
Signature of Applicant (in the presence of a Notary)

Print Name: Kenneth Waddell

Address: 100 Marion Ave  
Westfield, NJ 07090

Sworn and Subscribed to before me this 18 day of December, 2019

[Signature]  
Notary Public

**EUGENE S. CERULLI** Home phone 917-565-1626  
NOTARY PUBLIC OF NEW JERSEY  
Commission Expires 1/26/2022 Business phone \_\_\_\_\_

**IX. Do not write in the following spaces:**

**TO BE COMPLETED BY THE ZONING OFFICER:**

- To the best of my knowledge and belief, this application is complete and correct.
- This application is currently the subject of a:
  - \_\_\_\_\_ Zoning violation notice. No. \_\_\_\_\_, copy enclosed.
  - \_\_\_\_\_ Municipal Court complaint, docket No. \_\_\_\_\_, copy enclosed.
  - \_\_\_\_\_ Other pending action. (describe) \_\_\_\_\_
  - \_\_\_\_\_ None of the above

\_\_\_\_\_  
Signature

**TO BE COMPLETED BY THE BOARD SECRETARY:**

Has there been any previous appeals(s) involving these premises?  
 No       Yes      If yes, attach copies of resolution(s)

**TO BE COMPLETED BY THE COMPLETENESS DESIGNEE:**

Application accepted as complete on 7/13/20

[Signature]  
Signature

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TOWN OF WESTFIELD

LIST OF EXISTING NON-CONFORMING ZONING CONDITIONS

Section 7.01B Review of existing non-conforming conditions in connection with applications for variances or for the direction of the issuance of certain permits.

When reviewing applications for variances or for the direction of the issuance of certain permits, the Board shall determine whether any existing non-conforming conditions involving the subject property will exacerbate, intensify, alter, affect or in some way result in a significant impact on the proposed use, structure or land. If the Board finds that no substantial impact or detriment will result, the Board shall so state in its findings of fact in the resolution for the application, without the need for such existing non-conforming conditions to meet the criteria established by N.J.S.A. 40:55D-34, 36, 51a, 51b, 70c and 70d and this ordinance for variances or exceptions. If the Board finds that substantial impacts or detriments will result, however, the application shall not be approved unless and until the applicant agrees to mitigate or eliminate such impacts or detriments to the maximum extent possible.

The above shall not be construed to alter the review procedures not the criteria for granting variances or exceptions for violations proposed by the development or existing illegally on the subject property.

Note: This list must be consistent with the Variance Table, if otherwise required.

Section:	Permitted:	Present:	Proposed:	Nature of Deficiency:
	10.0'	4.14'	8.14' 4/1/14'	
Section: 11.09E				SIDE YARDS
	40.0'	25.74'	N/A	
Section: 11.09E				FRONT
Section:				

SDS  
7/13/20

1/16/20

Permitted: \_\_\_\_\_ Present: \_\_\_\_\_ Proposed: \_\_\_\_\_

TOWN OF WESTFIELD

LIST OF NEW C.40:55D-70 c AND d VARIANCES REQUESTED

**SECTION 9.02: GENERAL REQUIREMENTS; SUPPORTING DOCUMENTATION**

In addition to the submission requirements for the individual categories of applications in the following sections, categories of applications, except for conceptual site plans and conceptual subdivisions, shall be required to submit a statement indicating all of the provisions of the Land Use Ordinance from which a waiver or variance is requested.

This list must be consistent with the Variance Table, if otherwise required.

Section: 11.09E 6 Nature of Deficiency: side yard setback

Permitted: 10.0' Present: 4.14' Proposed: 6.14'

Section: ~~11.09E 14~~ Nature of Deficiency: ~~side yard setback~~  
Required Garage space

Permitted: 1 garage space Present: 0 Proposed: 0

Section: 12.04 F3 / 11.09E 10 Nature of Deficiency: Maximum coverage with deck and porch

Permitted: 24.2% / 1641.5 SF Present: 24.2% / 1653.5 SF Proposed: 24.4% / 1674.5 SF

Section: \_\_\_\_\_ Nature of Deficiency: \_\_\_\_\_

Permitted: \_\_\_\_\_ Present: - Proposed: \_\_\_\_\_

Section: \_\_\_\_\_ Nature of Deficiency: \_\_\_\_\_

Permitted: \_\_\_\_\_ Present: \_\_\_\_\_ Proposed: \_\_\_\_\_

Section: \_\_\_\_\_ Nature of Deficiency: \_\_\_\_\_

Permitted: \_\_\_\_\_ Present: \_\_\_\_\_ Proposed: \_\_\_\_\_

Section: \_\_\_\_\_ Nature of Deficiency: \_\_\_\_\_

Permitted: \_\_\_\_\_ Present: \_\_\_\_\_ Proposed: \_\_\_\_\_

Section: \_\_\_\_\_ Nature of Deficiency: \_\_\_\_\_

Permitted: \_\_\_\_\_ Present: \_\_\_\_\_ Proposed: \_\_\_\_\_

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Revised by DBS  
1/13/2020

**TOWN OF WESTFIELD**

**REQUIREMENTS AND VARIANCES SUMMARY TABLE PER SECTION 911 B.7.**

**THIS TABLE MUST BE INCLUDED WITH ALL APPLICATIONS FOR "C" AND "D" VARIANCES, AND MUST BE SHOWN ON ALL REQUIRED SITE PLANS, SUBDIVISION PLANS, AND PLOT PLANS AND MUST BE SHOWN ON ALL REQUIRED SITE PLANS, SUBDIVISION PLANS, AND PLOT PLANS**

The below regulations are for all RS, RM and P zones applications. All RA, O, CBD and GB zone applications use the "Bulk and Lot Regulations" for the zone.

APPLICANT: Kenneth Waddell STREET ADDRESS: 106 Marion Avenue PROPOSED

REG. NO.	REGULATION	UNITS	REQUIRED	USE SEPARATE COLUMN FOR EACH LOT	
				LOT No. 2	VARIANCE?*
11.04	Minimum gross area	sq. ft.	6000	6840	
11.04	Minimum area within first	ft.	N/A	57.0'	
11.04	Minimum width	ft.	50.0'	57.0'	
11.04	Minimum frontage	ft.	120.0'	120.0'	
11.04	Minimum depth	ft.	40.0'	25.74'	*6.14'
11.04	Minimum front yard (per Sections 12.03C & D & E)	ft.	10.0'	20.53'	
11.04E	Minimum Sideyard	ft.	10.0'	43.67'	
	"	ft.	30.0'	19.205'	15.2%
12.04E	Minimum rear yard	ft.	20%	19.80%	19.1%
12.04FA	Maximum building coverage (without deck)	%	22%	29.75%	30.5%
12.04FA	Maximum building coverage (with deck)	%	37%	27.04%	
12.04E	Maximum FAR or total habitable floor area	ft.	32.0'	41.81%	38.4%
11.04	Maximum building height	ft.	50%	40' offset of lot	
12.04G	Maximum all improvements coverage	ft.	2' offset / 25.0'	24.9%	*
12.04F3	Other: MAX WALL LINK		24% / 1,911.5'		*
11.04EM	Other: max 8'2" curbside road side		150'		
	Other: Required Coverage space				
	Other:				

NOTE: This table must be consistent with the two variance lists, if they are included in the application.

\* Single star all variances which are new variances; i.e. are not pre-existing, non-conforming conditions which will continue.

Revised  
By DDBS  
7/13/2020  
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Block: 2817 ...

Lot: 2

Qualifier:

Owner: WADDELL, KENNETH & REBECCA ... Account Id: 00004427 ... PTR Form Restricted Edit

Prop Loc: 106 MARION AVE

General Assessed Value Additional Billing Deductions Balance All Charges Add/Omit Notes

Year	Qtr	Type	Billed	Principal Balance	Interest	Total Balance
2020	2		2,961.09	2,961.09	.00	2,961.09
2020	1		2,961.09	2,961.09	.00	2,961.09
2020		Total	5,922.18	5,922.18	.00	5,922.18
2019	4		2,722.11	2,722.11	.00	2,722.11
2019	3		2,716.00	.00	.00	.00
2019	2		3,282.87	.00	.00	.00

Other Delinquent Balances: Interest Date: 10/01/19 Interest Detail: 07/19/2019

Other APR2 Threshold Amt: .00 Per Diem: .0000 Last Payment Date: .00

TOTAL TAX BALANCE DUE

Principal: .00 Penalty: .00 Total: .00

Misc. Charges: .00 Interest: .00

\* Indicates Adjusted Billing in a Tax Quarter.

CERTIFICATION TAXES PAID UP TO DATE

NEXT TAX DUE Nov 1, 2019

ANY QUESTIONS, CALL 908-769-0651

TAX COLLECTOR

11/16/20

TOWN OF WESTFIELD  
UNION COUNTY NEW JERSEY

AFFIDAVIT OF OWNERSHIP

I, Kenneth Waddell of full age, being duly sworn  
(Print Name)

according to law, do hereby certify that I am the (check one)  owner or  duly authorized officer  
of the owner (as listed on the application form), of the following property which is the subject of the  
within application to the Westfield Planning Board or Zoning Board of Adjustment:

Block & Lot (s) 2818 & 2

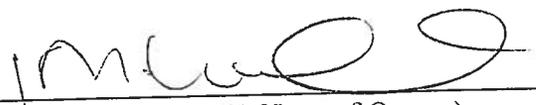
Street Address(es) 106 Marion Avenue

Check one:

- As the owner (or officer of), I am the Applicant in the within application.
- As the owner (or officer of), I am not the Applicant. I certify that I have reviewed and consent to the within application and that the information contained herein is true and correct to the best of my knowledge. I authorize the following entity/individual to act as the Applicant in making this application:

a. Authorized Individual/Entity: \_\_\_\_\_

b. Authorized Individual/Entity Interest in Property (i.e., Tenant, Contract Purchaser): \_\_\_\_\_

  
(Signature of Owner/Officer of Owner)

Sworn and subscribed to  
before me on this 18  
day of December, 2019

  
Notary Public

**EUGENE S. CERULLI**  
NOTARY PUBLIC OF NEW JERSEY  
Commission Expires 1/26/2022

1/16/20

## OWNER &amp; ADDRESS REPORT

WESTFIELD

106 MARION AVE

01/22/20 Page 1

BLOCK	LOT	QUAL	CLA	PROPERTY OWNER	PROPERTY LOCATION	Add'l Lots
2704	23		2	SPAFFORD, MARIA F 42 WOLF HILL DRIVE WARREN, NJ 07059	708 W BROAD ST	
2704	24		1	BETTER VIEW HOMES, INC 714 W BROAD ST WESTFIELD, NJ 07090	714 W BROAD ST	
2704	25		2	BIRK, JOAO GREGORY 732 W BROAD ST WESTFIELD, NJ 07090	732 W BROAD ST	
2704	26		2	CAMACHO, OSCAR O & MARY 736 W BROAD ST WESTFIELD, NJ 07090	736 W BROAD ST	
2704	27		2	GONNELLA, MICHAEL JR 744 W BROAD ST WESTFIELD, N J 07090	744 W BROAD ST	
2704	28		2	MACKTA, JESSICA & SMITH, BRIAN 748 W BROAD ST WESTFIELD, NJ 07090	748 W BROAD ST	
2817	1		2	SIU, ANGELA & ROSS, AGNES SIU-YING 102 MARION AVE WESTFIELD, NJ 07090	102 MARION AVE	
2817	2		2	WADDELL, KENNETH & REBECCA 108 HAZEL AVE WESTFIELD, NJ 07090	106 MARION AVE	
2817	3		2	FENNIK, MITCHELL & ELIZABETH 108 MARION AVE WESTFIELD, NJ 07090	108 MARION AVE	
2817	4		2	HENRY, MARIAN R 114 MARION AVE WESTFIELD, NJ 07090	114 MARION AVE	
2817	5		2	DIAZ, EDISON R & STEPHANIE K 120 MARION AVENUE WESTFIELD, NJ 07090	120 MARION AVE	
2817	6		2	HICKEY, BRENDAN & KATHARINE 124 MARION AVE WESTFIELD, NJ 07090	124 MARION AVE	
2817	7		2	DUMONT, ROGER - SEDLOCK, JULIE 128 MARION AVE WESTFIELD, NJ 07090	128 MARION AVE	
2817	8		2	IDLAND, ROGER & ELLEN M 736 FIRST ST WESTFIELD, NJ 07090	736 FIRST ST	
2817	9		2	FOWLER, KIMBERLY A GOSEN & THOMAS R 740 FIRST ST WESTFIELD, NJ 07090	740 FIRST ST	
2817	10		2	SULMONT, GREGOIRE & PUSPASARI R 744 FIRST ST WESTFIELD, NJ 07090	744 FIRST ST	
2817	11		2	MCSWEENEY, WILLIAM & JENNIFER 750 FIRST ST WESTFIELD, NJ 07090	750 FIRST ST	
2817	19		2	LORENZO, SHANNON 749 W BROAD ST WESTFIELD, NJ 07090	749 W BROAD ST	
2817	20		2	MARTONE, DAVID P & NAJOZIN, JEAN J 745 W BROAD ST WESTFIELD, NJ 07090	745 W BROAD ST	

OWNER & ADDRESS REPORT

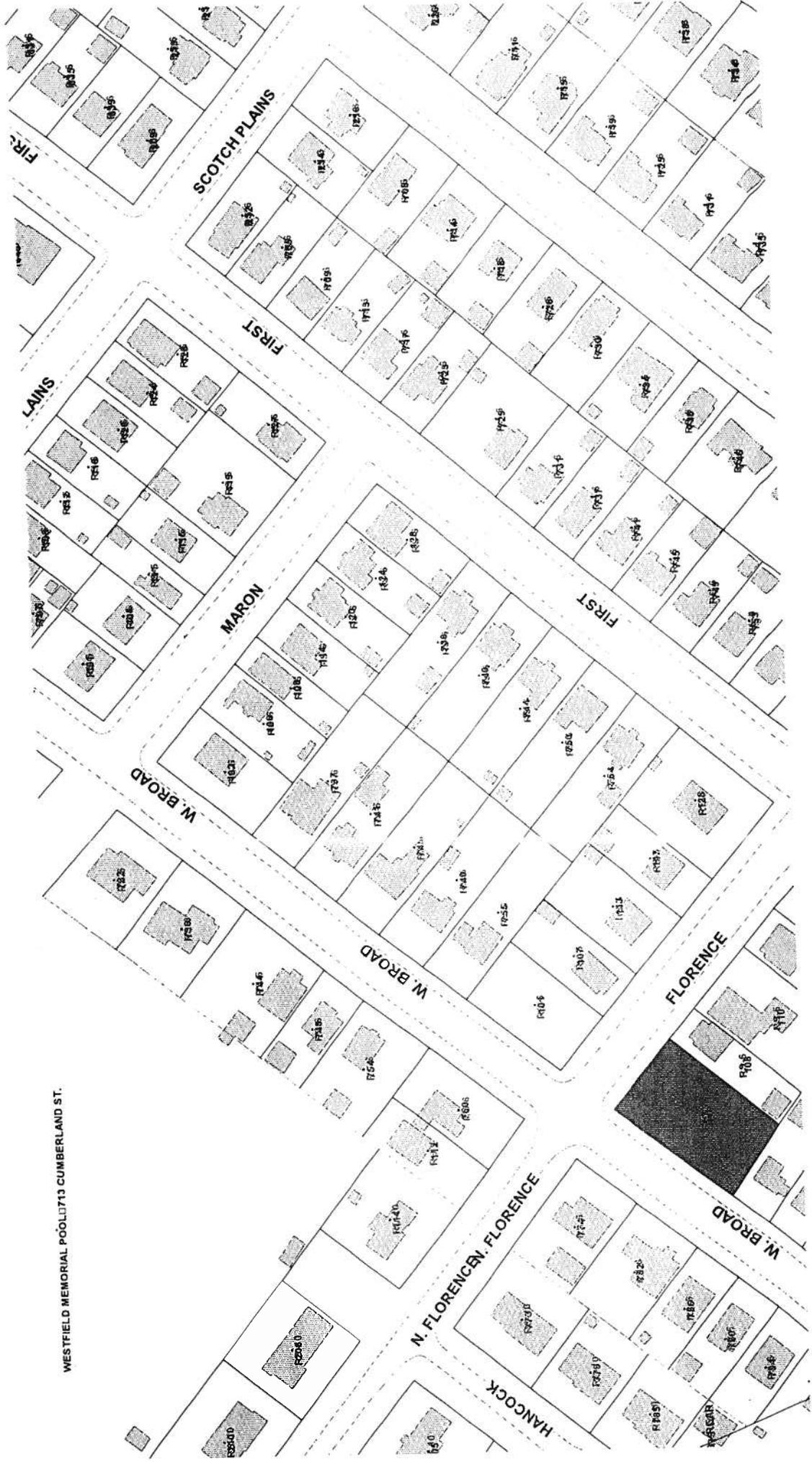
WESTFIELD

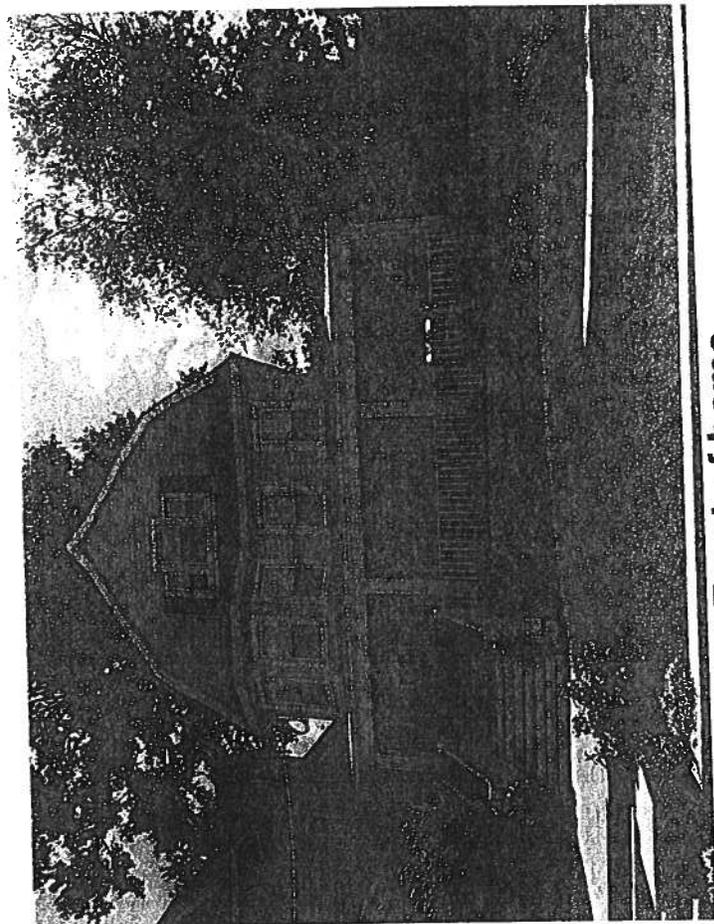
106 MARION AVE

01/22/20 Page 2

BLOCK	LOT	QUAL	CLA	PROPERTY OWNER	PROPERTY LOCATION	Add'l Lots
2817	21		2	LANE, ANDREW & ELIZABETH 741 W BROAD ST WESTFIELD, NJ 07090	741 W BROAD ST	
2817	22		2	HOPKINS, AGNES E 737 WEST BROAD ST WESTFIELD, NJ 07090	737 W BROAD ST	
2818	2		2	PECKHAM, JONATHON & BEDI, MARIE 108 SCOTCH PLAINS AVE WESTFIELD N J 07090	108 SCOTCH PLAINS AVE	
2818	3		2	FENTON, NEVILLE & JENNIFER ST. JOHN 112 SCOTCH PLAINS AVE WESTFIELD, NJ 07090	112 SCOTCH PLAINS AVE	
2818	4		2	O'NEILL, RICHARD JR & BETHEA 116 SCOTCH PLAINS AVE WESTFIELD, NJ 07090	116 SCOTCH PLAINS AVE	
2818	5		2	WILSON, FRANZISKA M 120 SCOTCH PLAINS AVE WESTFIELD, NJ 07090	120 SCOTCH PLAINS AVE	
2818	7		2	ICK, WILLIAM & PATRICIA 127 MARION AVE WESTFIELD, NJ 07090	127 MARION AVE	
2818	8		2	FREY, DAVID & ELLEN 119 MARION AVE WESTFIELD, N J 07090	119 MARION AVE	
2818	9		2	LIZZO, JOHN S & MARGUERITE 115 MARION AVENUE WESTFIELD, N J 07090	115 MARION AVE	
2818	10		2	MALINSKY, MARK & IRIT ATTIAS 111 MARION AVE WESTFIELD, N J 07090	111 MARION AVE	
2818	11		2	CETIN, MEHMET & CATROCHO, DANIELA P 105 MARION AVE WESTFIELD, NJ 07090	105 MARION AVE	
2818	12		2	FONG, RONALD & LIAO, ZI MING 101 MARION AVE WESTFIELD, NJ 07090	101 MARION AVE	
2818	13		2	BONGIOVANNI, PETER & ELAINE W 707 W BROAD ST WESTFIELD, NJ 07090	707 W BROAD ST	

WESTFIELD MEMORIAL POOL 1713 CUMBERLAND ST.

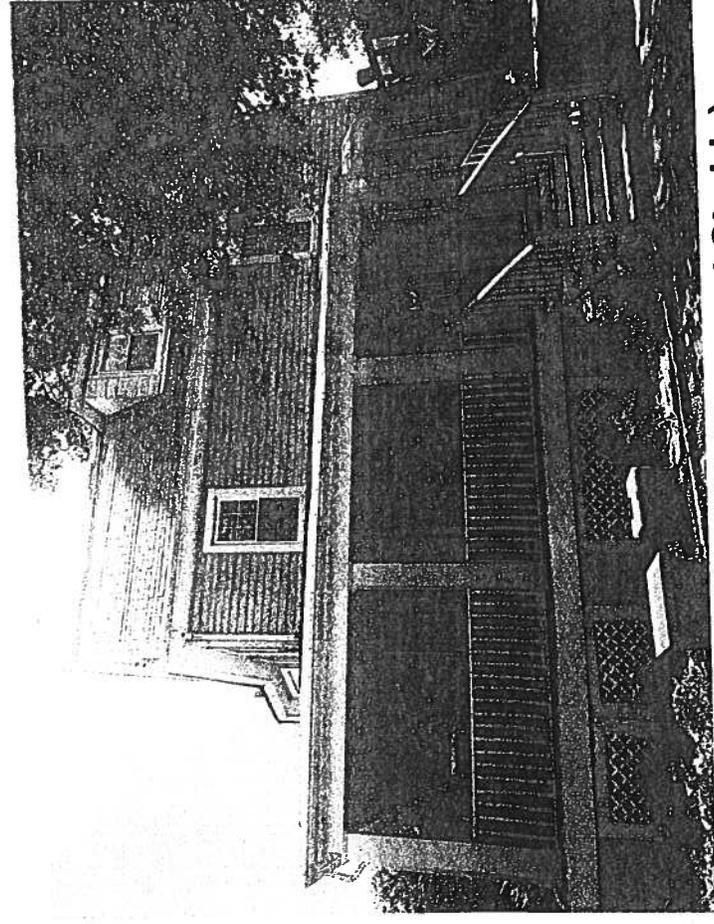




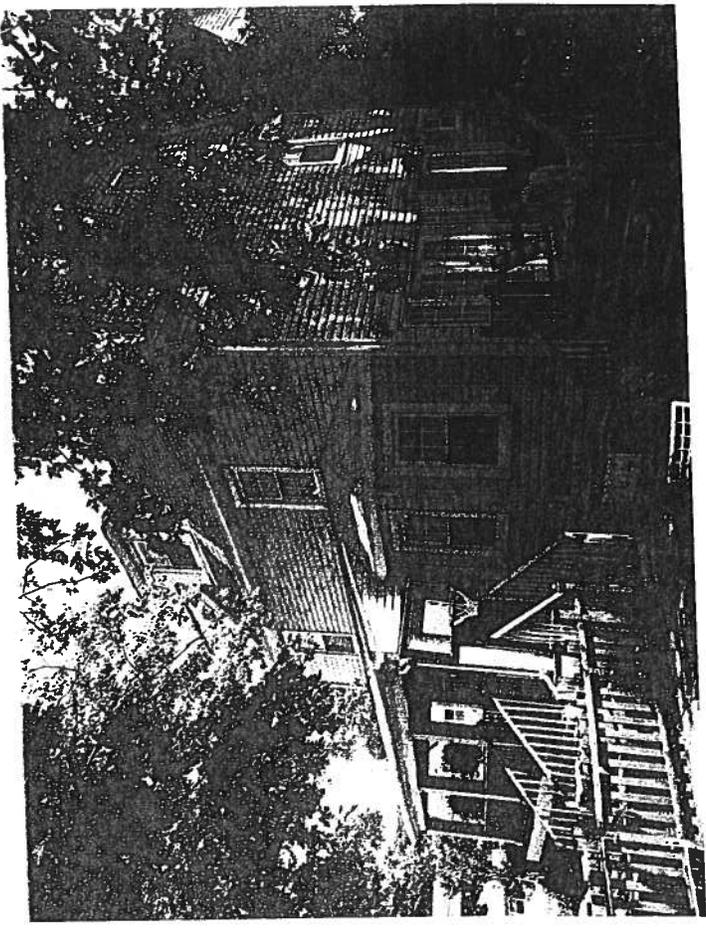
**Front of home**



**Rear of home where work is to be performed**



**Side of home (West Broad St side)**



**Side/Rear of home**



**Road access to home**