

APB NO
FOR NO
HPC NO

BOA 2006
TOWN OF WESTFIELD
APPLICATION

45 day review 3/24/20
20 day decision dates 6/27/20

I. Identification:

This appeal is from (applicant's name) JOSE A. VEAL
street address 419 SUMMIT AVE telephone 201-960-9803
e-mail TONY.VEAL@ELEGANTSTONE.NJ.COM fax 908-810-8188
for property in Westfield, NJ located at (street address) 419 SUMMIT AVE WESTFIELD

II. To: (check one)

Planning Board
 Board of Adjustment
Board Secretary: Linda Jacobs 908-789-4100 extension 4602
Both Boards: 959 North Avenue West, Westfield, NJ 07090: FAX 908-789-4113

III. For a Hearing For: (Check all applicable)

Specific Applicable Sections of the Westfield L.U.O. for:

| | <u>Submission Requirements Checklists</u> | <u>Procedures</u> |
|---|---|--|
| <input checked="" type="checkbox"/> *C variances | 4.03A, 9.02, 9.03, 9.11 | 4.04, 7.01C, 7.01D, 8.03, 8.04, 8.06, 8.13, 8.14 |
| <input type="checkbox"/> *D variances | 4.03A, 9.02, 9.03, 9.11 | 4.04, 7.01C, 7.01D, 8.03, 8.04, 8.06, 8.13, 8.14 |
| <input type="checkbox"/> Conceptual Site Plans & Subdivisions | 9.04 | 8.07 |
| <input type="checkbox"/> Minor Site Plan | 9.02, 9.03, 9.08 | 8.06, 8.08, 8.13, 8.14, 8.23 |
| <input type="checkbox"/> *Preliminary Major Site Plan | 4.03C, 9.02, 9.03, 9.09 | 4.04, 8.04, 8.06, 8.10, 8.13, 8.14, 8.19, 8.23 |
| <input type="checkbox"/> Final Major Site Plan | 9.02, 9.03, 9.10 | 8.06, 8.11 |
| <input type="checkbox"/> Minor Subdivision | 9.02, 9.03, 9.05 | 8.01, 8.06, 8.09, 8.13, 8.14, 8.23 |
| <input type="checkbox"/> *Preliminary Major Subdivision | 4.03D, 9.02, 9.03, 9.06 | 4.04, 8.01, 8.04, 8.06, 8.10, 8.13, 8.14, 8.19, 8.23 |
| <input type="checkbox"/> Final Major Subdivision | 9.02, 9.03, 9.07 | 8.06, 8.11 |
| <input type="checkbox"/> **Conditional Use | 9.02, 9.03 | 4.04, 8.06, 8.13, 8.14 |
| <input type="checkbox"/> *Structure in street, drainage way, flood basin, reserved area | 4.03F, 7.01E2 | 4.04, 7.01E, 8.04, 8.06, 8.13, 8.14 |
| <input type="checkbox"/> *Structure on lot not abutting street | 7.01F2 | 4.04, 7.01F, 8.04, 8.06, 8.13, 8.14 |
| <input type="checkbox"/> *Board of Adjustment "a" appeal/ administrative officer error | 7.02B2 & 3 | 7.02A & B, 8.04, 8.06, 8.13, 8.14 |
| <input type="checkbox"/> *Board of Adjustment "b" appeal/ interpretation ordinance/map | 4.03B, 7.02C1 & 2 & 3 | 4.04, 7.02A & C, 8.04, 8.06, 8.13, 8.14 |
| <input type="checkbox"/> Residential cluster | 9.02, 9.03, 9.06, 8.12, 11.03F | 8.13, 8.14 |

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*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.

I want to construct decorative pillars at the entrance of the driveway. A variance is needed because I want them to 5.5' in height

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

In order to do the beautiful design of the wall it must be 5.5'

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 419 Summit Ave.
 Zone district Rm-6 Block No. 3004 Lot No. 14

• Dimensions of lot 60 x 187.5 Area of lot 11,250 sq. ft.

• Use of premises present 2 family
 proposed ''

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 Rose Leal Telephone No. 201-960-9803
 Street address of Owner 419 Summit Ave Westfield 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.

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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)

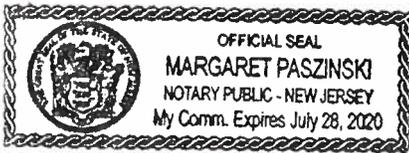
If applicant (or owner) is to be represented by an attorney, please furnish the following information:

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.



Jose A. Neal
Signature of Applicant (in the presence of a Notary)

Print Name: JOSE A. NEAL

Address: 419 SUMMIT AVE
WESTFIELD

Home phone 201-960-9803

Business phone 908-810-8181

Sworn and Subscribed to
before me this 29
day of January, 2020

Margaret Paszinski
Notary Public

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

Kathleen Merrill
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 _____ 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.

In 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 feasible.

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.

| | | | | |
|----|------------|-----------------------|-----------|--|
| 1. | Section: | Nature of Deficiency: | | |
| | Permitted: | Present: | Proposed: | |
| 2. | Section: | Nature of Deficiency: | | |
| | Permitted: | Present: | Proposed: | |
| 3. | Section: | Nature of Deficiency: | | |
| | Permitted: | Present: | Proposed: | |
| 4. | Section: | Nature of Deficiency: | | |
| | Permitted: | Present: | Proposed: | |
| 5. | Section: | Nature of Deficiency: | | |
| | Permitted: | Present: | Proposed: | |
| 6. | Section: | Nature of Deficiency: | | |
| | Permitted: | Present: | Proposed: | |

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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, all 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 sought.

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

| | | |
|----|-------------------------|--|
| 1. | Section: <u>12.07.C</u> | Nature of Deficiency: <u>permitted wall height</u> |
| | Permitted: <u>4'</u> | Present: _____ Proposed: <u>5.5'</u> |
| 2. | Section: _____ | Nature of Deficiency: _____ |
| | Permitted: _____ | Present: _____ Proposed: _____ |
| 3. | Section: _____ | Nature of Deficiency: _____ |
| | Permitted: _____ | Present: _____ Proposed: _____ |
| 4. | Section: _____ | Nature of Deficiency: _____ |
| | Permitted: _____ | Present: _____ Proposed: _____ |
| 5. | Section: _____ | Nature of Deficiency: _____ |
| | Permitted: _____ | Present: _____ Proposed: _____ |
| 6. | Section: _____ | Nature of Deficiency: _____ |
| | Permitted: _____ | Present: _____ Proposed: _____ |
| 7. | Section: _____ | Nature of Deficiency: _____ |
| | Permitted: _____ | Present: _____ Proposed: _____ |
| 8. | Section: _____ | Nature of Deficiency: _____ |
| | Permitted: _____ | Present: _____ Proposed: _____ |

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**TOWN OF WESTFIELD
UNION COUNTY NEW JERSEY**

AFFIDAVIT OF OWNERSHIP

I, JOSE A. KEAL, 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) _____

Street Address(es) 419 SUMMIT AVE

Check one:

1. _____ As the owner (or officer of), I am the Applicant in the within application.
2. _____ 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): _____

Jose A. Keal
(Signature of Owner/Officer of Owner)

Sworn and subscribed to
before me on this 29
day of January, 2020.

Margaret Paszinski
Notary Public


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2/6/20

Westfield, New Jersey



| | | | |
|----------------------------------|---------------------|------------------------------|-----------------|
| Block/Lot/Qual: | 3004. 14. | Tax Account Id: | 4852 |
| Property Location: | 419 SUMMIT AVE | Property Class: | 2 - Residential |
| Owner Name/Address: | LEAL, JOSE & CELIA | Land Value: | 292,400 |
| | 419 SUMMIT AVE | Improvement Value: | 392,900 |
| | WESTFIELD, NJ 07090 | Exempt Value: | 0 |
| | | Total Assessed Value: | 685,300 |
| | | Additional Lots: | None |
| Special Taxing Districts: | | Deductions: | |

Taxes **Utilities**

| Make a Payment | | View Tax Rates | | View Current Bill | | Project Interest | |
|--------------------------------|------------|--------------------------------|-----------|-----------------------------------|----------|----------------------------------|--------|
| Year | Due Date | Type | Billed | Balance | Interest | Total Due | Status |
| 2020 | 02/01/2020 | Tax | 3,683.49 | 0.00 | 0.00 | 0.00 | PAID |
| 2020 | 05/01/2020 | Tax | 3,683.49 | 3,683.49 | 0.00 | 3,683.49 | OPEN |
| Total 2020 | | | 7,366.98 | 3,683.49 | 0.00 | 3,683.49 | |
| 2019 | 02/01/2019 | Tax | 2,816.99 | 0.00 | 0.00 | 0.00 | PAID |
| 2019 | 05/01/2019 | Tax | 2,816.99 | 0.00 | 0.00 | 0.00 | PAID |
| 2019 | 08/01/2019 | Tax | 4,546.56 | 0.00 | 0.00 | 0.00 | PAID |
| 2019 | 11/01/2019 | Tax | 4,553.41 | 0.00 | 0.00 | 0.00 | PAID |
| Total 2019 | | | 14,733.95 | 0.00 | 0.00 | 0.00 | |
| 2018 | 02/01/2018 | Tax | 2,801.54 | 0.00 | 0.00 | 0.00 | PAID |
| 2018 | 05/01/2018 | Tax | 2,801.54 | 0.00 | 0.00 | 0.00 | PAID |
| 2018 | 08/01/2018 | Tax | 2,832.44 | 0.00 | 0.00 | 0.00 | PAID |
| 2018 | 11/01/2018 | Tax | 2,832.44 | 0.00 | 0.00 | 0.00 | PAID |
| Total 2018 | | | 11,267.96 | 0.00 | 0.00 | 0.00 | |
| Last Payment: 02/07/20 | | | | | | | |

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OWNER & ADDRESS REPORT

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WESTFIELD

419 SUMMIT AVE

| BLOCK | LOT | QUAL | CLA | PROPERTY OWNER | PROPERTY LOCATION | Add'l Lots |
|-------|-----|-------|-----|---|--------------------|------------|
| 3003 | 9 | | 4A | 401 SOUTH AVENUE LLC 290 HARTSHORN DR SHORT HILLS, NJ 07041 | 401 SOUTH AVENUE W | |
| 3003 | 10 | | 2 | CONWAY, ROBERT J JR - LLOYD, PETER 406 SUMMIT AVE WESTFIELD, NJ 07090 | 406 SUMMIT AVE | |
| 3003 | 11 | | 2 | WILSON, SCOTT & MARIBETH 408 SUMMIT AVE WESTFIELD, NJ 07090 | 408 SUMMIT AVE | |
| 3003 | 12 | | 2 | 412 INVESTMENT LIMITED LIAB CO 215 SENECA PL WESTFIELD, NJ 07090 | 412 SUMMIT AVE | |
| 3003 | 13 | | 1 | P & E HOMES, LLC 416 SUMMIT AVE WESTFIELD, NJ 07090 | 414-416 SUMMIT AVE | |
| 3003 | 13 | C0001 | 2 | P & E HOMES, LLC 416 SUMMIT WESTFIELD, NJ 07090 | 416 SUMMIT AVE | |
| 3003 | 13 | C0002 | 2 | P & E HOMES, LLC 416 SUMMIT AVE WESTFIELD, NJ 07090 | 414 SUMMIT AVE | |
| 3003 | 14 | | 2 | HUGHES, PAMELA J 424 SUMMIT AVE WESTFIELD, NJ 07090 | 424 SUMMIT AVE | |
| 3003 | 15 | | 2 | BUONOPANE, VICTOR J & MARYBETH 428 SUMMIT AVE WESTFIELD, NJ 07090 | 428 SUMMIT AVE | |
| 3003 | 16 | | 2 | COHEN, RACHEL & JORDANA 434 SUMMIT AVE WESTFIELD, NJ 07090 | 434 SUMMIT AVE | |
| 3004 | 1 | | 4A | DE STEFANIS PROPERTIES, L L C 417 SUMMIT AVE WESTFIELD, NJ 07090 | 321 SOUTH AVENUE W | |
| 3004 | 2 | | 4A | JMC WESTFIELD, LLC 40 CHELSEA WATCHUNG, NJ 07069 | 319 SOUTH AVENUE W | |
| 3004 | 3 | | 4A | JMC WESTFIELD, LLC 40 CHELSEA WATCHUNG, NJ 07039 | 315 SOUTH AVENUE W | |
| 3004 | 4 | | 4A | 301 SOUTH AVENUE WEST GROUP, LLC 120 ST PAUL ST WESTFIELD, NJ 07090 | 301 SOUTH AVENUE W | |
| 3004 | 5 | | 2 | SCHLIESSKE, GERTRUDE 406 BOULEVARD WESTFIELD, NJ 07090 | 406 BOULEVARD | |
| 3004 | 6 | | 2 | TSARSI, GREGORY & CHRISTINE 410 BOULEVARD WESTFIELD, NJ 07090 | 410 BOULEVARD | |
| 3004 | 7 | | 2 | LINWOOD EVANS PROPERTIES, LP 1487 COLE AVENUE MOUNTAINSIDE, NJ 07092 | 416 BOULEVARD | |
| 3004 | 8 | | 2 | GDSC HOLDINGS LLC 55 UNION PL SUITE 108 SUMMIT, NJ 07901 | 422 BOULEVARD | |
| 3004 | 9 | | 2 | ESPOSITO, ETHEL 312 TEMPLE PL WESTFIELD, NJ 07090 | 312 TEMPLE PLACE | |

OWNER & ADDRESS REPORT

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WESTFIELD

419 SUMMIT AVE

| BLOCK | LOT | QUAL | CLA | PROPERTY OWNER | PROPERTY LOCATION | Add'l Lots |
|-------|-----|------|-----|--|-------------------|------------|
| 3004 | 10 | | 2 | TKAC, JOSEPH & KATE 318 TEMPLE PLACE WESTFIELD, NJ 07090 | 318 TEMPLE PLACE | |
| 3004 | 11 | | 2 | MURPHY, SEAN T & EILEEN 731 HIGHLAND AVE WESTFIELD, NJ 07090 | 320 TEMPLE PLACE | |
| 3004 | 12 | | 2 | KAPLAN, STANLEY S & VALENTIN, J & N 328 TEMPLE PLACE WESTFIELD, NJ 07090 | 328 TEMPLE PLACE | |
| 3004 | 13 | | 2 | YOUNG, JOSEPH L III & KATHLEEN 425 SUMMIT AVE WESTFIELD, NJ 07090 | 425 SUMMIT AVE | |
| 3004 | 14 | | 2 | LEAL, JOSE & CELIA 419 SUMMIT AVE WESTFIELD, NJ 07090 | 419 SUMMIT AVE | |



MUNICIPAL PARKING LOT 300 SOUTH AVENUE W.

S. / W. STATE 28

S. / W. STATE 28

BOULEVARD

BOULEVARD

TEMPLE

SUMMIT

RM-6

SUMMIT

S. / W. STATE 28

WESTFIELD

FIRST

ZÁ PARK

W. STATE 28



