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BOA 20-14
TOWN OF WESTFIELD
APPLICATION

45 day review 4/27/20
120 day decision date is 7/17/20

I. Identification:

This appeal is from (applicant's name) Brian and Lisa Cheripka

street address: 824 Embree Crescent, Westfield, NJ 07090 telephone 917-273-6005 / 917-733-7851

e-mail lisa@lcdesignsnj.com / bcheripka@gmail.com fax N/A

for property in Westfield, NJ located at (street address) 824 Embree Crescent, Westfield, NJ 07090

II. To: (check one)

- Planning Board Board of Adjustment
 Board Secretary: Ms. Linda Jacus 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:

Submission Requirements Checklists

Procedures

<input 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 checked="" 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

3/13/20

***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.

Purpose of this application is to convert an unused storage area located above an existing attached garage into a private home office for the homeowner. Interior renovation will also add a closet for personal storage. Connection to the new private office (and closet area) will be through the existing Master Bathroom on the 2nd floor, or via an existing staircase from the interior of the attached two car garage. The conversion of the storage space is on the interior of the home, and will not impact the exterior of the home. Improvements will include finished flooring, drywall, additional electrical outlets and an extension of the HVAC system to condition the space.

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

The home was constructed in early/mid 2013. The homeowner started an interior business in mid-2015, so the intended use was not contemplated at the time of initial construction. The homeowner currently utilizes a small space in the basement as a home office, which is not functional and convenient for her design work. The requested FAR variance is de minimis relative to the size of the property, does not change the principal use, impact the existing neighborhood, or change the exterior aesthetics of the home. The conversion will also assist in the growth of a sole proprietor woman owned business within the community and accommodate the needs of the family. This is not intended to be a commercial space, and the only access will be from the existing Master Bathroom or through the existing two car garage.

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 824 Embree Crescent, Westfield, NJ 07090

Zone district RS-8 Block No. 707 Lot No. 14

•Dimensions of lot 62 x 287 Area of lot 17,794 sq. ft.

•Use of premises present Single Family Detached Home
proposed No Change - Single Family Detached Home

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(s) Lisa and Brian Cheripka Telephone No. 917-273-6005 / 917-733-7851
Street address of Owner 824 Embree Crescent, Westfield, NJ 07090 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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3/13/20

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:

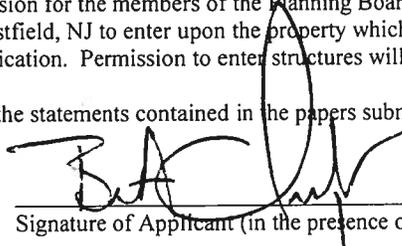
Attorney's name Steven Hehl (email: SHehl@javerbaumwurgaft.com) Telephone No. 908-687-7000
Attorney's firm Wurgaft Hicks Kahn Wikstrom & Sinins, P.C. Fax No. _____
Street address 370 Chestnut Street, Union, New Jersey 07083

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.

LISA S. HENDERSON
NOTARY PUBLIC OF NEW JERSEY
My Commission Expires 12/9/2023



Signature of Applicant (in the presence of a Notary)

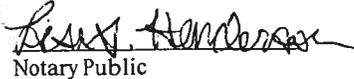
Print Name: Brian Cheripka

Address: 824 Embree Crescent
Westfield, NJ 07090

Home phone 917-273-6005 (Lisa)

Business phone 917-733-7851 (Brian)

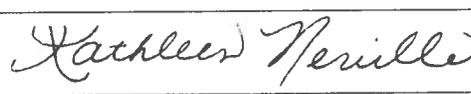
Sworn and Subscribed to
before me this 17th
day of MARCH, 2020.


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



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 3/19/20


Signature

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3/13/20

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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:	

3/13/20

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: 12.04 E 1	Nature of Deficiency: maximum allowable habitable floor area
	Permitted: 28% (4,507 sq ft)	Proposed: 5,048 sq ft 28%
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
 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

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.

ZONE: RS-8 APPLICANT: Brian and Lisa Cheripka STREET ADDRESS: 824 Embree Crescent, Westfield, NJ 07090
 PROPOSED

REG. NO.	REGULATION	UNITS	USE SEPARATE COLUMN FOR EACH LOT			VARIANCE?*
			REQUIRED	LOT No.	VARIANCE?*	
11-08-E1	Minimum gross area	sq. ft.	8,000	18,077		
11-08-E2	Minimum area within first 134 ft. of depth	ft.	8,200	8,375		
11-E3	Minimum width	ft.	60	60.51		
11-E4	Minimum frontage	ft.	60	60.51/46		
11-E5	Minimum depth	ft.	170	180.49		
11-E6	Minimum front yard (per Sections 12.03C & D & E)	ft.	70	71.6		
11-E7	Minimum side yard	ft.	10	11.7		
11-OA-F1	Minimum rear yard	ft.	35	180.97/9		
12-OA-F2	Maximum building coverage (without deck)	%	20%	26% 15%		
12-OA-F3	Maximum building coverage (with deck)	%	22%	25 - 4501 25.7/5048		YES
11-08-E8	Maximum FAR or total habitable floor area	%	25	31		
11-04-F4	Maximum building height	ft.	50	6008/37.7%		
11-04-F5	Maximum all improvements coverage	%	50%	18.2/37.89		
Other:	MAX BLDG COVERAGE					
Other:	PERMS AND DECKS					
Other:						
Other:						
Other:						
Other:						
Other:						
Other:						
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.

7/13/20

Add Edit Close Delete Previous Next Detail Letter Help

Block: 707
 Lot: 14
 Notes Exist

Qualifier: ...
 Owner: CHERPKA, BRIAN & LISA
 Prop Loc: 824 EMBREE CRESCENT ... Account Id: 00000951 ...
 Tax Bill PTR Form Restricted Edit

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

Year	Qtr	Type	Billed	Principal Balance	Interest	Total Balance
2020	2		8,969.26	8,969.26	.00	8,969.26
2020	1		8,969.27	.00	.00	.00
2020		Total	17,938.53	8,969.26	.00	8,969.26
2019	4		9,461.03	.00	.00	.00
2019	3		9,444.34	.00	.00	.00
2019	2		8,485.84	.00	.00	.00
2019	1		8,485.84	.00	.00	.00
2019		Total	35,877.05	.00	.00	.00
2018	4		8,532.38	.00	.00	.00
2018	3		8,532.39	.00	.00	.00
2018	2		8,439.29	.00	.00	.00
2018	1		8,439.29	.00	.00	.00
2018		Total	33,943.35	.00	.00	.00
2017	4		8,637.35	.00	.00	.00

CERTIFICATION
TAXES PAID UP TO DATE
 NEXT TAX DUE 5/1/20
 ANY QUESTIONS, CALL 908-789-4051
HUGO
 TAX COLLECTOR

Other Delinquent Balances: .00 Interest Date: 03/13/20 Interest Detail
 Other APR2 Threshold Amt: .00 Per Diem: .0000 Last Payment Date: 02/10/2020

TOTAL TAX BALANCE DUE
 Principal: .00 Penalty: .00
 Misc. Charges: .00 Interest: .00 Total: .00

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TOWN OF WESTFIELD
UNION COUNTY NEW JERSEY

AFFIDAVIT OF OWNERSHIP

I, Brian Cheripka, 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): Block 707, Lot 14

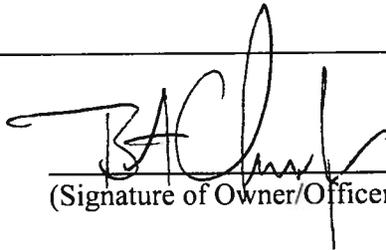
Street Address: 824 Embree Crescent, Westfield, New Jersey, 07090

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): _____



(Signature of Owner/Officer of Owner)

Sworn and subscribed to
before me on this 2nd
day of March, 2020.

Lisa S. Henderson
Notary Public

LISA S. HENDERSON
NOTARY PUBLIC OF NEW JERSEY
My Commission Expires 12/9/2023

RECORDED
3/13/20

OWNER & ADDRESS REPORT

WESTFIELD

824 EMBREE CRESCENT

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BLOCK	LOT	QUAL	CLA	PROPERTY OWNER	PROPERTY LOCATION	Add'l Lots
701	18		2	COULTER, PAUL & MARIE 200 EMBREE CT WESTFIELD, N J 07090	200 EMBREE CT	
701	23		2	MUCCI, CAROL S 205 EMBREE CT WESTFIELD, N J 07090	205 EMBREE CT	
701	24		2	FIELDS, LESLIE S & HOPE M 201 EMBREE CT WESTFIELD, N J 07090	201 EMBREE CT	
701	25		2	PRAESEL, WILLIAM & CUCCARO, R (LE) 821 EMBREE CRESCENT WESTFIELD, NJ 07090	821 EMBREE CRESCENT	
701	26		2	TARRY, MARK G & SARA L 819 EMBREE CRESCENT WESTFIELD, NJ 07090	819 EMBREE CRESCENT	
701	27		2	LANGHART, CHRISTOPHER B & SARAH 815 EMBREE CRESCENT WESTFIELD, NJ 07090	815 EMBREE CRESCENT	
701	28		2	GRYCAN, THOMAS & MARYANNE 212 SENECA PLACE WESTFIELD, NJ 07090	212 SENECA PLACE	
706	13		2	FRIEDMAN, LISA B 811 EMBREE CRESCENT WESTFIELD, NJ 07090	811 EMBREE CRESCENT	
706	14		2	LUVERA, ANN 807 EMBREE CRESCENT WESTFIELD, NJ 07090	807 EMBREE CRESCENT	
707	11		2	WARNER, STUART A & MAGDALENA ANNA 748 EMBREE CRESCENT WESTFIELD, NJ 07090	748 EMBREE CRESCENT	
707	12		2	EDELSACK, ROY M & MARTZ, MICHELE E 800 EMBREE CRESC WESTFIELD, NJ 07090	800 EMBREE CRESCENT	
707	13		2	DERMAN, KEITH & BETH 814 EMBREE CRESCENT WESTFIELD, NJ 07090	814 EMBREE CRESCENT	
707	14		2	CHERIPKA, BRIAN A & LISA MARIE 824 EMBREE CRESCENT WESTFIELD, NJ 07090	824 EMBREE CRESCENT	
707	15		2	FREDAS, PETER & PATRICIA F 828 EMBREE CRESC WESTFIELD, N J 07090	828 EMBREE CRESCENT	
707	16		2	ROTH, ROBERT J & JOANNE 832 EMBREE CRESC WESTFIELD, NJ 07090	832 EMBREE CRESCENT	
707	17		2	EISENBERG, MARK & LYNDA 840 EMBREE CRESC WESTFIELD, N J 07090	840 EMBREE CRESCENT	
707	24		2	MESSINA, FRANCIS J & KATHERINE S 815 CLARK ST WESTFIELD, NJ 07090	815 CLARK ST	
707	25		2	GEOGHEGAN, RODERICK A & CHRISTINE M 807 CLARK ST WESTFIELD, NJ 07090	807 CLARK ST	
707	26		2	ZELVIN, LAWRENCE K & BARLETTA, K C 801 CLARK ST WESTFIELD, NJ 07090	801 CLARK ST	

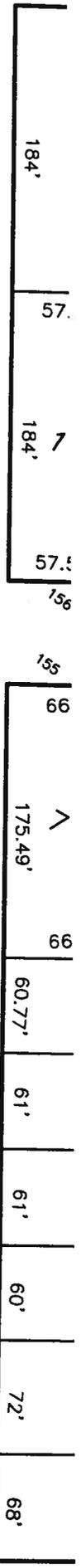
OWNER & ADDRESS REPORT

WESTFIELD

824 EMBREE CRESCENT

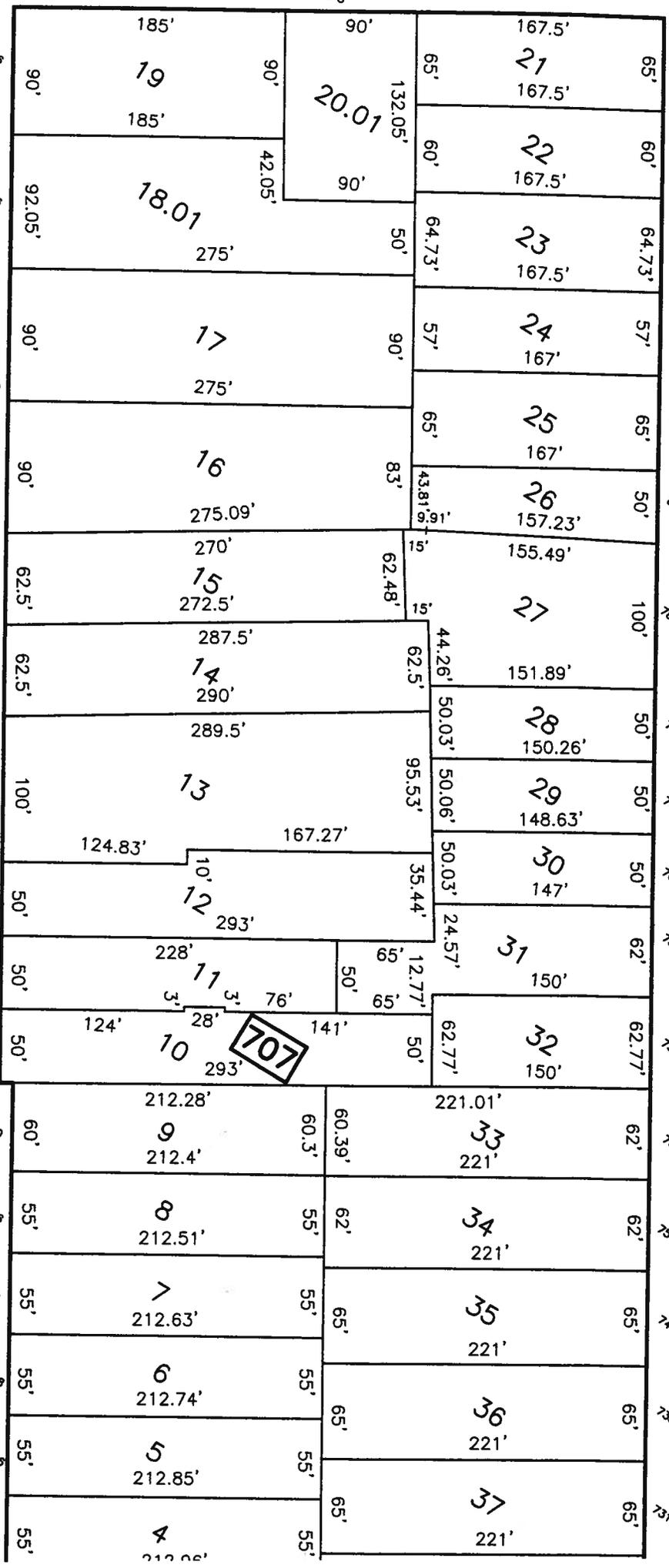
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BLOCK	LOT	QUAL	CLA	PROPERTY OWNER	PROPERTY LOCATION	Add'l Lots
707	27		2	STECKLER, ADAM M & ANDERSON, B M 785 CLARK ST WESTFIELD, NJ 07090	785 CLARK ST	
707	28		2	SALEMME, JOSEPH & KAREN 773 CLARK ST WESTFIELD, N J 07090	773 CLARK ST	
707	29		2	PATEL, ANUP M & GAJEK, PAULA 769 CLARK ST WESTFIELD, NJ 07090	769 CLARK ST	
707	30		2	DABULAS, JOSEPH & DIANE U 765 CLARK ST WESTFIELD, NJ 07090	765 CLARK ST	
707	31		2	WIESEN, ROBERT & DANIELLE 757 CLARK ST WESTFIELD, NJ 07090	757 CLARK ST	
707	32		2	BERMAN, SCOTT & JONNA 755 CLARK ST WESTFIELD, NJ 07090	755 CLARK ST	



-60'-
CLARK

STREET



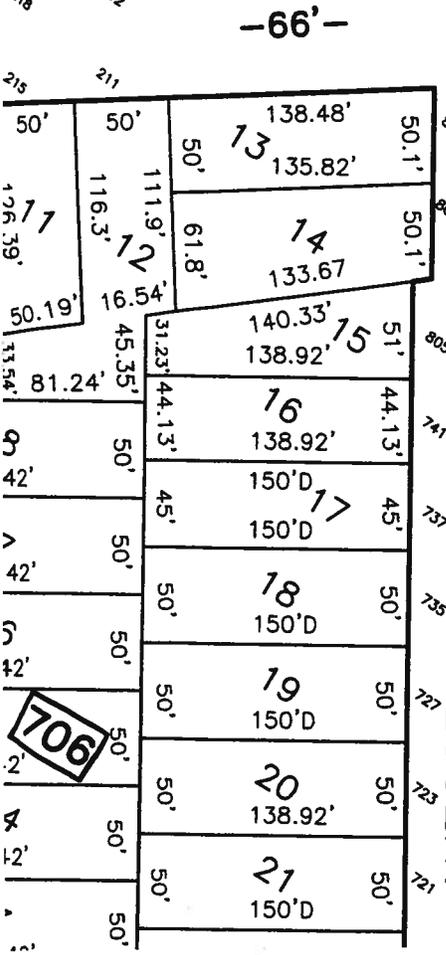
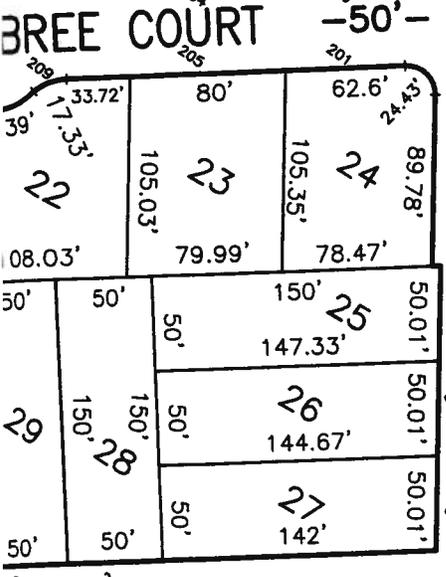
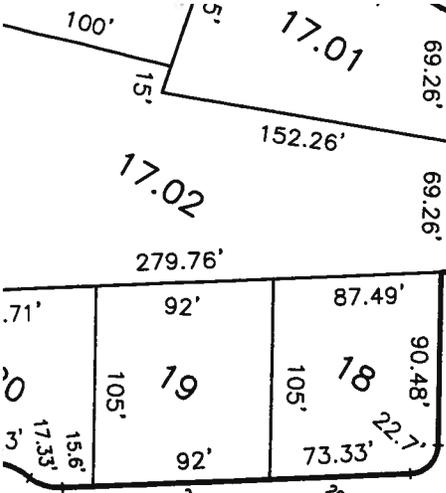
-41'-
EMBREE

-50'-

-41'-

-41.25'-

CRESCENT

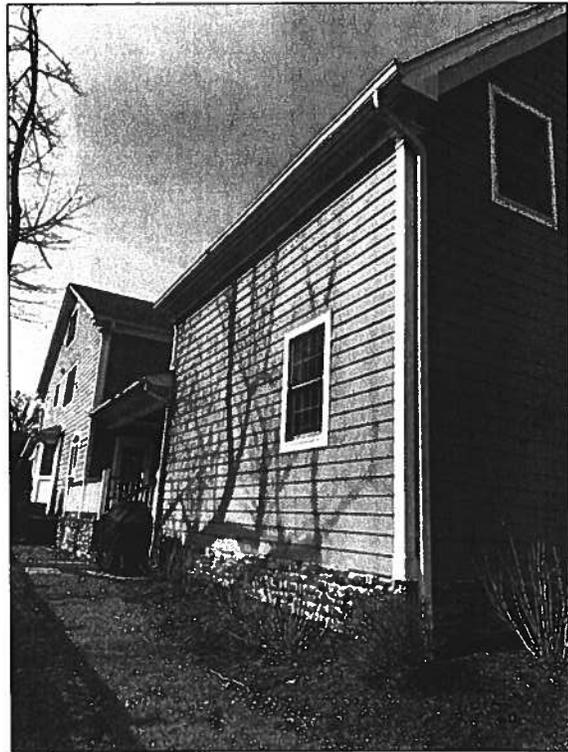
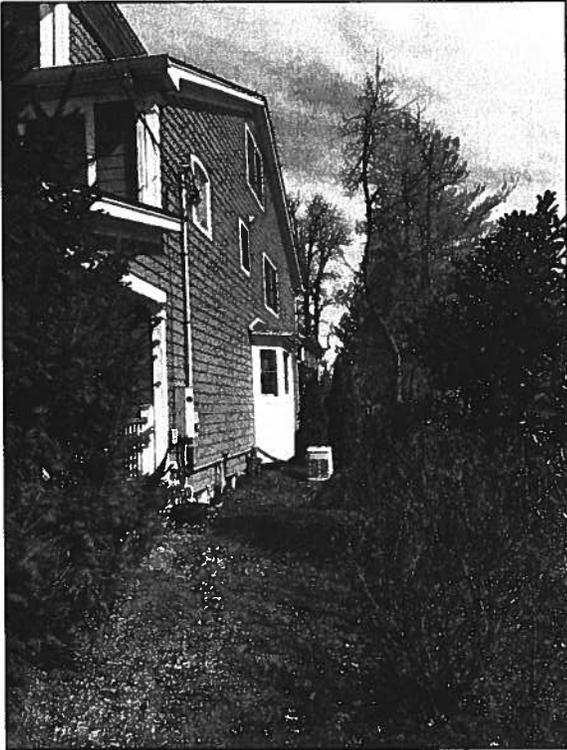


824 Embree Crescent

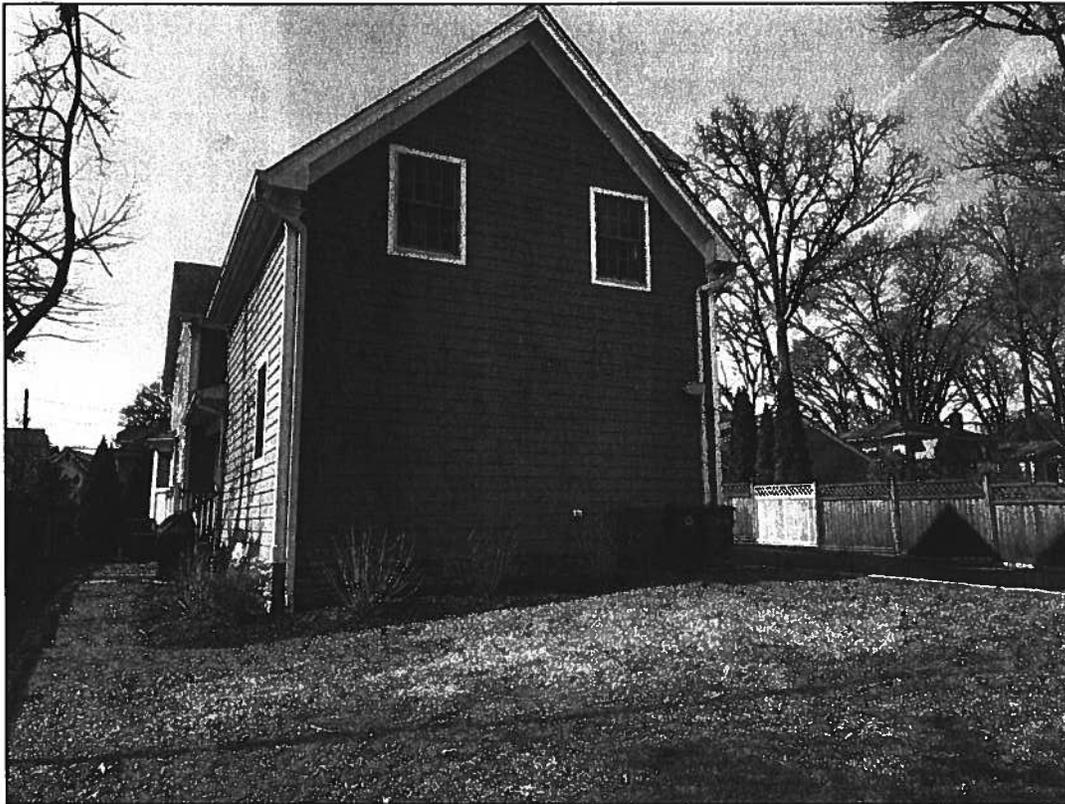
Front of House



824 Embree Crescent – Side of House



824 Embree Crescent – Rear of House



824 Embree Crescent – Side of House

