TO: Board of Adjustment  
FROM: Tommy Scibilia, PP, AICP  
DATE: May 25, 2023  
RE: App. 2849 – 124 Bellevue Avenue (Block 3507, Lot 8)  
STATUS: Complete

This report reviews the following submission items for an application to the Board of Adjustment:

- Application for development dated May 8, 2023, received May 17, 2023
- 1-page property survey prepared by Richard J. Hingos dated February 16, 2023, received May 17, 2023
- 4-page architectural plan set and photograph exhibit prepared by John M. Reimnitz Architect, P.C. dated May 3, 2023, received May 17, 2023

Site Description

The subject property is located on the south side of Bellevue Avenue between Park Street and Grove Street. The property has 80.00 feet of frontage along Bellevue Avenue, with a depth ranging from 279.52 feet to 263.93 feet. The site is 21,603.79 SF or 0.50 acres in area. The property is developed with a 2.5-story single-family detached house with a driveway along the west property edge leading to a paved parking area and one-story detached garage southwest of the house. Surrounding uses include single-family detached houses.

Figure 1: Location of subject property on Township tax map
Project Description
The applicant proposes to expand the existing detached garage 9 feet 1 inch in length to the south while maintaining the existing width and creating a new half-story with four new dormers, two each on the east and west sides of the gable roof. Two new windows will be added, one each on the east and west sides of the lower level.

Zoning
The subject property is in the R-1 One-Family zone district, as are all surrounding properties.
Pursuant to **NJSA 40:55D-70c**, the proposal requires bulk variances from the following provisions of the Zoning Ordinance:

- **Montclair Code Section 347-46A(1)** to allow an accessory structure of 15 feet 10 inches in height where a maximum height of 15 feet is permitted. Note that the existing height is being maintained.
- **Montclair Code Section 347-46A(2)(a)** to allow a side yard setback of 1.83 feet to the addition where 6 feet is required.
- **Montclair Code §347-22F** to allow an accessory structure to have a building footprint dimension of 29 feet 10 inches where a maximum of 24 feet in any one direction is permitted.

**Planning Considerations**

1. The applicant should clarify whether this is intended to be an addition or a tear-down-rebuild. If a tear-down, the required 6-foot setback should be provided.
2. The applicant should explain in testimony why a larger side yard setback to the garage addition cannot be provided. A 1.83-foot setback creates a confined space difficult to access for maintenance.
3. The applicant should explain what the intended use of the upper level of the garage is, and whether the use of the lower level is to be changed. If this accessory structure is to be used for something other than parking and storage, a use variance may be needed. If it is intended to be used as an accessory dwelling unit, a Zoning Permit must be obtained and conformance with **Montclair Code §347-8** must be demonstrated.
Photos

Photos taken by Planning staff on May 22, 2023.

Figure 4: Front of subject property viewed from Bellevue Avenue

Figure 5: View toward detached garage looking south
Figure 6: Front/north elevation of garage

Figure 7: East elevation of garage
Figure 8: Rear/south elevation of garage