

Statement of Principal Points
192 Cambridge Avenue (Block 2203, Lot 2.01)
Jersey City, Hudson County, New Jersey

An application has been filed for the above-noted property (subject property) with the Jersey City Zoning Board of Adjustment, approval of a use variance pursuant to N.J.S.A. 40:55D-70.d(1); and approval of bulk variances for minimum front yard landscaping, and maximum driveway width pursuant to N.J.S.A. 40:55D-70.c.

The subject property at 192 Cambridge Avenue is identified as Block 2203, Lot 2.01 and is located on the east side of Cambridge Avenue, between Congress Street to the north and South Street to the south. The subject property has a lot size of 3,909 square feet (0.09 acres), with an approximate lot width of 38 feet and a lot depth of 100 feet. Currently, the subject property is improved with a 2-story, single-family detached dwelling with 4 off-street parking spaces. The subject property is located in the One- and Two-Family Housing (R-1) District.

The project consists of the demolition of the existing 2-story dwelling and the construction of a new 3-story, 3-unit residential dwelling with 3 off-street parking spaces. The proposed project will provide 2 duplex units and 1 triplex unit; Unit #1 will be a 3-bedroom, 1,335-square-foot duplex unit, Unit #2 will be a 3-bedroom, 1,610-square-foot triplex unit, and Unit #3 will be a 2-bedroom, 1,190-square-foot duplex unit. Unit #1 will have access to a private 190-square-foot front yard. Unit #2 will have access to a private rear yard patio and a 728-square-foot landscaped rear yard as well as an 88-square-foot balcony on the second floor and third floor each. Unit #3 will have access to a private 770-square-foot roof deck with a total of 965 square feet of green roof.

The Zoning Board of Adjustment has the jurisdiction to grant “d(1)” use variances pursuant to the Municipal Land Use Law N.J.S.A. 40:55D-70.d.(1) *in particular cases and for special reasons*. Under relevant case law (*Medici v. BPR Co.* 107 N.J. 1 (1987)), the standard for granting variances with respect to the positive criteria is that proposed use will promote the general welfare, the property is *particularly suited* to accommodate the proposed use, the proposed use is consistent with the development in the surrounding neighborhood, and the proposed use can be reconciled with the Zoning Ordinance.

Positive Criteria

d(1) Use Variance: In terms of the use variance, the property is particularly suitable for the proposed 3-unit residential dwelling. The subject property has 38 feet of frontage along Cambridge Avenue and a lot depth of 100 feet for a lot area of 3,909 square feet, providing an oversized subject property compared to typical lots in the R-1 District. The size of the property allows for the development of an appropriate building footprint for a 3-unit dwelling, with sufficient setbacks, and site circulation.

The proposed 3-unit dwelling is in character and of a similar scale to the existing dwellings in the surrounding area. There are multi-family residential uses providing a range of 3 units to 29 units within Blocks 2202 and 2203. Along

the east side of Cambridge Avenue on Block 2203, there are 3-unit dwellings at 194 Cambridge Avenue (Lot 4) and 210 Cambridge Avenue (Lot 12) and 4-unit dwellings at 216 Cambridge Avenue (Lot 15) and 222 Cambridge Avenue (Lot 16). Furthermore, there are 5-unit dwellings at 100 South Street (Block 2203, Lot 1) and 448-450 Central Avenue (Block 2202, Lot 8), 6-unit dwellings at 225 Hancock Avenue (Block 2203, Lot 22), 86 South Street (Block 2203, Lot 41), and 92 South Street (Block 2203, Lot 43) and a 29-unit dwelling at 464-470 Central Avenue (Block 2202, Lot 15).

Bulk "c" Variances for minimum front yard landscaping and maximum driveway width are requested, which may be approved pursuant to N.J.S.A. 40:55D-70.c.(2) where the benefits of the proposed project would substantially outweigh any detriments.

Minimum Front Yard Landscaping: The project proposes 20% (70 square feet) of the front yard to be landscaped, where 60% (207 square feet) of the front yard shall be landscaped. The southern portion of the front yard will be dedicated to the driveway, occupying 27% (93 square feet) of the front yard. Additionally, a separate residential entry specifically for Unit 1 is proposed along with a private patio in the front yard, which will occupy 55% (190 square feet) of the front yard. Given the proposed driveway and private residential amenity space, the project will provide appropriate landscaping in the proposed front yard.

Maximum Driveway Width: The project proposes a driveway width of 10 feet and 4 inches, where a maximum driveway width of 10 feet is permitted. The requested variance is *de minimis*, for an additional width 4 inches which will provide additional vehicular clearance to and from the subject property.

Purposes of the Municipal Land Use Law (MLUL): The project will advance the purposes of the MLUL, specifically: Granting the requested variances and project will guide the appropriate use and development of the site in a manner which will promote the public health, safety, and general welfare consistent with N.J.S.A. 40:55D-2.a. through the provision of new and improved housing within the R-1 District. The proposed project will provide on-site stormwater detention and will secure safety from flood and other natural and man-made disasters per N.J.S.A. 40:55D-2.b. The proposed project will promote a desirable visual environment through creative development techniques and good civic design and arrangement by developing the subject property with a newly constructed residential building consistent with the character of existing buildings within the surrounding area, pursuant to N.J.S.A. 40:55D-2.i.

Negative Criteria Granting the requested variances will not result in a substantial detriment to the general welfare. The proposed new residential dwelling will provide new housing options on the subject property. The proposed use will be in scale with existing multi-family dwellings along Cambridge Avenue and the surrounding area. The proposed project will continue to provide off-street parking for residents. The project will also provide sufficient

amenity space for residents including a private patio for Unit #1, balconies for Unit #2, and a private roof deck for Unit #3.

Granting the requested variances will likewise not result in a substantial impairment to the intent and purpose zone plan and zoning ordinance. Overall, the project complies with front, side, and rear yard setbacks, building height, and building and lot coverage requirements. The property can accommodate the proposed use, building height, and associated bulk conditions. The proposed project advances the Jersey City Master Plan Vision by redeveloping the property, which will enhance the residential neighborhood, provide a unique, attractive, and high-quality residential area that will serve existing residents and attract new residents with a wide range of housing and life-style choices.

The requested variances necessary for the proposed project can be granted in that both the positive and negative criteria have been met pursuant to N.J.S.A. 40:55D-70.d.(1) and 40:55D-70.c.

The Applicant reserves the right to supplement the foregoing reasons with expert testimony at the Zoning Board of Adjustment Hearing.