

RESOLUTION  
City of Jersey City  
Zoning Board of Adjustment  
Case No.: Z19-049

**Applicant: 11 Beacon Avenue LLC**

**Address**  
**11 Beacon Avenue**  
**Jersey City, New Jersey**  
**Block 5904 Lot 18**

**Decided on Thursday December 19, 2019**  
**Memorialized on August 13 , 2020**  
**Application for Minor Site Plan with D and C Variances**

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**WHEREAS**, 11 Beacon Avenue LLC (the “**Applicant**”) has made an application before the City of Jersey City Zoning Board of Adjustment for the property located at 11 Beacon Avenue and identified on the Tax Map of the City of Jersey City County of Hudson State of New Jersey as Block: 5904 Lot(s): 18 (the “**Property**”) seeking Minor Site Plan approval with D and C variances variances for use, multiple principal strucutres and rear yard setback resulting in t he renovation of an existing home located on the property fronting onto Beacon Avenue, and the construction of three single-family townhomes at the rear of the property (the “**Application**”) and

**WHEREAS**, due notice of a hearing before the Zoning Board of Adjustment of City of Jersey City, on December 19, 2019 at 6:30PM was duly published as prescribed in the Jersey City Land Development Ordinance of the City of Jersey City; and

**WHEREAS**, the Applicant has submitted proof that it has complied with the applicable procedural requirements including the payment of fees and public notices; and

**WHEREAS**, The Applicants Application was deemed complete prior to the hearing

**WHEREAS**, the Board determined it had jurisdiction to hear this application; and

**WHEREAS**, ALAN FELD a licensed architect in the State of New Jersey was qualified by the Board and testified on the Applicant's behalf; and

**WHEREAS**, EDWARD KOLLING, a licensed planner in the State of New Jersey was qualified by the Board and testified on the Applicant's behalf; and

**WHEREAS**, the Board gave the public opportunity to comment on the Application.

**WHEREAS**, seeing no members of the public desiring to testify, public comment was closed by the Board; and

**WHEREAS**, MALLORY CLARK a planner employed by the City of Jersey City ("Staff"), was duly sworn, and testified in support of the approving the Application. Staff issued a report in support of approving the Application with conditions.

**WHEREAS**, the Applicant was represented by NICHOLAS CHERAMI, ESQ. of THE CHERAMI LAW FIRM;

**NOW, THEREFORE**, after consideration of the Application, the submittals of the Applicant, the testimony presented at the hearing, and the oral and written comments and recommendation of the Division of Planning professional staff, the Board has made the following findings of fact:

1. The Purposes of the MLUL, the master plan of Jersey City and the R-1 zone are advanced by the Application by restoring a historic structure and providing for the residential use of the Property in a residential zone.
2. The number of units Proposed is particularly suited to the Property
3. The structure located on the property is significant pursuant to § 105-7 of the Jersey City Municipal Ordinance and thus cannot be demolished

4. If the structure on the Property were able to be demolished, the Property could be subdivided into two conforming lots with two dwelling units on each lot ( a total of 4 units)
5. The Property is located in the R-1 Zone where one- and two-family dwellings are permitted; and
6. There is no substantial detriment to the public good.
7. The existing building is over one hundred years old, but it has been poorly renovated and expanded. It was originally a single-family home, then became a two-family home. There were additions in the back such as a car port and garages which created several non-conforming conditions including a zero rear yard and zero side yard. The Application proposes to remove some of those non-conformities and restore the existing structure to a single-family home in accordance with its historic use.
8. Permitting townhomes in the rear of the Property and restoring the existing structure maintains the integrity of the neighborhood and the character of the neighborhood while also preserving the streetscape.

#### D Variance Approval

9. The Applicant is requesting a D variance for **use (number of units)** where one- and two-family homes are allowed, and four dwelling units are proposed between two structures.
  - a. The project site is particularly well suited to accommodate the proposed four dwelling units and multiple principal structures because the Property is an oversized lot with a total of 5,000 square feet where a 2,500 square foot lot size is conforming in the R-1 District.

- b. The density proposed is appropriate for this lot size; and

10. The Applicant is requesting a C variance for **Rear Yard Setback**:

- a. The existing rear yard setback is three (3) feet. The Application is proposing zero (0) feet.
- b. The best location for the new structure in order to preserve the streetscape and restore the existing structure is at the rear of the Property
- c. The minimum rear yard cannot be provided because of the location of the second primary structure.

11. The Application is consistent with the following Purposes of the MLUL

- a. The Application advances the general welfare and public good of the State of New Jersey and the City of Jersey City in accordance with purpose A of the MLUL by advancing the redevelopment of the site consistent with the zoning plan;
- b. The Application promotes the conservation of historic sites and districts, open space, energy resources and valuable natural resources in the State and prevents degradation of the environment through improper use of land accordance with purpose J of the MLUL by maintaining and restoring an existing structure which is over one hundred years old
- c. The Application promotes a desirable visual environment through creative development techniques and good civic design and arrangement in accordance with purpose I of the MLUL through the renovation of the existing structure an maintain the existing relationship of the Property with the streetscape

- d. The Application also promotes appropriate population densities in accordance with purpose E of the MLUL by providing for four (4) dwelling units on a 5000 square foot lot where one would otherwise expect to find four (4) dwelling units

12. The Application meets the following land use objectives of the Jersey City Master Plan and the R-1 Zone”

- a. The Application maintains the integrity of residential neighborhoods by limiting nonresidential uses to appropriate areas and reinforcing the viability of the existing residential districts by providing for three (3) new dwelling units in a residential district;
- b. The Application accommodates existing housing and encourages infill development by restoring the existing residential structure and providing for three (3) new dwelling units.

13. There are no substantial detriments to the public good by granting the relief requested

14. The granting of the relief requested does not substantially impact the intent and purpose of the zone plan or zoning ordinance

15. Based upon the application and supporting materials, plans, reports and testimony placed before it, the Board finds that the Applicant has met the requirements of and advances the purposes of the Municipal Land Use Law, case law and City Ordinances so as to grant the approval of the Application.

**NOW, THEREFORE, BE IT RESOLVED,** that the Zoning Board of Adjustment of the City of Jersey City, County of Hudson and State of New Jersey, for the foregoing reasons, approves the Application for minor site plan with D variances for use (number of units) and C

variances for parking buffer, fence height, residential design standards, rear yard setback and and automobile zoning standards with regard to the property located at 16 Troy Street, City of Jersey City, County of Hudson, State of New Jersey, which is also identified on the tax map of the City of Jersey City as Block 4702 Lot 27 & 30 with the following conditions:

1. The curb cut on lot 30 shall not exceed ten (10) feet.
1. All testimony given by the applicant and their expert witnesses in accordance with this application shall be binding.
2. All street trees/landscaping shall be installed in accordance with 345-66 and the Jersey City Forestry Standards prior to an issuance of a Certificate of Occupancy.
3. Applicant shall make a donation in lieu of planting a stipulated by the Forestry Standards for the waiver of 1 street trees, where 1 trees are required by the 50ft of frontage.
4. Applicant shall provide an affidavit from the architect of record representing that everything is consistent with final approved plans. This affidavit should also speak to the confirmation that the green roof and were installed at the same size or larger presented for approval.
5. A copy of the memorialized resolution with amended deed shall be filed with the Hudson County Register's Office with proof of such filing to be submitted to the Division of City Planning prior to application for construction permits.

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Vote: 6-0 in favor

Commissioners	Yes	No	Abstain
Chairman Jacobs	x		
Commissioner Donnelly	x		
Commissioner McCormack	x		
Commissioner Rothman	x		
Commissioner Vilardo	x		
Commissioner Shedeed	x		
Commissioner Mitchell	x		

  
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Joshua Jacobs (Aug 14, 2020 09:44 EDT)  
Joshua Jacobs, Chairman  
JERSEY CITY ZONING BOARD

APPROVED AS TO LEGAL FORM:

  
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Lindsey Sigmund (Aug 14, 2020 08:51 EDT)  
Lindsey Sigmund, Secretary  
JERSEY CITY ZONING BOARD

  
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Vincent LaPaglia (Aug 14, 2020 10:28 EDT)  
Vincent LaPaglia, Esq.  
JERSEY CITY ZONING BOARD

DATE OF MEMORIALIZATION: August 13, 2020