

Statement of Principal Points
239 North Street (Block 1302, Lot 8)
Jersey City, Hudson County, New Jersey

An application has been filed for the above-noted property with the Jersey City Zoning Board of Adjustment for approval of bulk “c” variances for minimum rear yard setback, maximum building coverage, and minimum rooftop appurtenance setback. The subject property is located in the One- and Two-Family Housing (“R-1”) District.

The subject property is identified as Lot 8 on Block 1302. The subject property is a significantly undersized lot with 16.7 feet of frontage along North Street, a lot depth of 50 feet, and a lot area of 836.5 square feet. The lot width, lot depth, and lot area are all existing nonconforming conditions where a minimum lot width of 25 feet, lot depth of 100 feet, and lot area of 2,500 square feet are required in the R-1 District. The subject property is currently a nonconforming paved parking area.

The purpose of this application is to construct a new 3-story, single-family residential building. The first floor will consist of an office/bedroom, mechanical room, bathroom, and recreation room. The second floor will consist of a living/dining room, kitchen, bedroom, and bathroom. The third floor will consist of two bedrooms, two bathrooms, and a laundry room. The project also proposes a rear yard grass area and a roof deck.

Positive Criteria: The requested bulk “c” variances can be granted pursuant to N.J.S.A. 40-55.D-70.c.(1) where by exceptional and undue hardship upon the applicant by reason of exceptional narrowness and shallowness uniquely affecting a specific piece of property and/or N.J.S.A. 40:55D-70.c.(2), wherein the benefits of the proposed project would outweigh any detriments and the purposes of land use planning are advanced. The strict application of the R-1 District bulk requirements would create undue hardship and practical difficulties in the appropriate development of the property due to the narrowness, shallowness and undersized nature of the lot. In addition, the proposed project will redevelop the currently existing vacant lot with a new 3-story, single-family building that is permitted in the R-1 District and is consistent with the surrounding area.

Minimum Rear Yard Setback Variance: The project proposes a rear yard setback of 9 feet where a minimum rear yard setback of 35 feet is required. As stated, the subject property is substantially undersized and is significantly narrower and shallower than the minimum and typical lot in the R-1 District. Strictly applying the rear yard setback requirement would only permit a 15-foot-deep building on the subject property. The rear yard of the subject property is adjacent to the side yard of Lot 6, which fronts onto and extends approximately 91 feet from Nelson Avenue. The adjacent Lot 6 is developed with a 2-story, 2-unit residential building that extends from the Nelson Avenue property line and runs entirely along the rear of the subject property. The proposed 9-foot rear yard setback will therefore provide adequate light, air, and open as the rear yard acts as a side yard. Furthermore, due to the irregular condition of the block the proposed deviation from the required rear yard setback will not disrupt the intended donut hole in the center of the block.

Maximum Building Coverage Variance: The project is proposing a building coverage of 82% where a maximum building coverage 60% is permitted. The maximum permitted 60% building coverage on a typical 2,500-square-foot lot would allow for a building footprint of approximately 1,500 square feet. The proposed approximately 686-square-foot building footprint is appropriately sized and provides adequate space for a permitted single-family use. The project is proposing an 83% lot coverage, which complies with the maximum 85% lot coverage requirement in the R-1 District. In addition, the project proposes 176 square feet of green roof trays, along with a planting bed and tree pit for one new street tree along North Street.

Minimum Stair Bulkhead Setback Variance: The proposed rooftop stair bulkhead will have a setback of 8 feet, 9 inches from the front of the parapet wall, where a minimum setback of 9 feet, 9 inches is required. The stair bulkhead will provide access to a 267-square-foot roof terrace for additional outdoor amenity space. The façade materials proposed for the stair bulkhead will match the front façade of the building.

Purposes of MLUL: Granting the requested variances for this project will guide the appropriate use and development in a manner which will promote the public health and general welfare pursuant to N.J.S.A. 40:55D-2.a. through the development of a new single-family building. The project will provide adequate light, air and open space to the surrounding properties consist with N.J.S.A. 40:55D-2.c. The proposed project will promote a desirable visual environment through creative development techniques and good civic design and arrangement pursuant to N.J.S.A. 40:55D-2.i. through the infill development of a currently vacant lot.

Granting the requested variances will not result in a substantial detriment to the public good or the general welfare. The proposed project is consistent with the residential character and scale of the surrounding residential area. The proposed project will improve the streetscape with an appropriate infill development along with providing new sidewalks and a street tree. The proposed project will also remove an existing curb cut that runs along the entire front of the property currently. In addition, the project will reduce the existing impervious lot coverage removing an existing nonconforming condition improving the stormwater conditions of the property.

Granting the requested variances will likewise not result in a substantial impairment to the intent and purpose of the zone plan or zoning ordinance. The purposes of the R-1 District include “encouraging compatible in-fill development” and “preserving the integrity of residential neighborhoods.” Further, the proposed project is consistent with the surrounding residential area and will promote the Goals and Objectives of the Jersey City Master Plan.

The requested variances for the proposed project are justified and can be granted in that both the positive and negative criteria have been met pursuant to N.J.S.A. 40:55D-70.c. The Applicant reserves the right to supplement the foregoing reasons with expert testimony at the Jersey City Zoning Board of Adjustment hearing.