

(FILE ORIGINAL AND 11 COPIES)
(D Variance file Original and 12 copies)

**TOWNSHIP OF MORRIS
BOARD OF ADJUSTMENT**

APPLICATION FOR HEARING



EXPERT TESTIMONY PROPOSED

- PLANNER
- ENGINEER
- TRAFFIC CONSULTANT
- REAL ESTATE AGENT
- OTHER (Please specify) Architect

APPLICANT NAME [REDACTED]
 PROPERTY IN QUESTION ADDRESS 40 Knollwood Dr.
 BLOCK (S) 2906 LOT (S) 11 ZONE RA-15
 PHONE # [REDACTED] FAX # [REDACTED] EMAIL [REDACTED]

1. An application is hereby made for hearing and action by the Board of Adjustment pursuant to:

- R.S. – 40:55D-70 (a) Appeals from the determination of an Administrative Officer.
- R.S. – 40:55D-70 (b) Interpretation of the Zoning Map or Special Question.
- R.S. – 40:55D-70 (c) Bulk, Area & Yard Variance
- R.S. – 40:55D-70 (d) Use Variance
- R.S. – 40:55D-70 (d) 76-1 Buildings in bed of mapped street, drainage way or flood basin.
- R.S. – 40:55D-70 (d) 36 Building adjacent to an unimproved street.

Other _____

***Note: all "D" Variances must provide a Certified Shorthand Reporter.**

So as to permit (explain) Expand front of existing 2 car garage to front and side, reconstruct existing rear Sunroom- expand to rear and side,
Increase height of building- reconstruct 1st, 2nd and roof levels, Add new Suite over garage.
 Existing Lot is on a curved street so the side lot lines are tapered- closer at the street. The house is rectangular
 The addition to front corner of garage would have to be "notched" to align with the existing side yard setback. We propose to align with existing wall
 At the right front corner we propose to maintain the same pre-existing non-conforming setback but to extend up higher at that corner.
 Right Side Yard- 20' Req. 17.1 Exg. 17.1 Prop (raising roof straight up) Left Side Yard 20' Req (32.9 for Combined) 29.7 Exg. 29.2 Proposed
 Combined Side Yards 50' Req 46.8 Exg. 46.3 Proposed Building Height (based on Topo 20 ft from bldg) 35' Allowed 31.8' Exg. 38.4' Proposed
 Note house is built on a sloped street with high side to left- east and low side to right- west.

2. Check one whichever is applicable:

- This application is based on the decision rendered by the Zoning/Administrative Officer dated _____ and attached to this application.
- This is an original application for development and not an appeal from the Administrative Officer.

3. Relief is requested from Section (s) 95.8 Schedule of Area, Yard, Bulk Requirements of the Zoning Ordinance.

4. The applicant asserts that the reasons for the Board to grant the relief requested and the specific facts upon which the reasons are based are: C-1 Hardship where existing single side yard is non-conforming, propose to maintain same non-conformance but to extend up higher. Front left corner complies with Single Side Yd but not the Combined Side Yards.

The way the side lot lines taper in closer toward the street, any expansion to the front exacerbates existing non-conformance.

Keeping that De Minimus addition to the garage aligned with existing side wall would allow the house to look more natural and appropriate than if it had to be "notched" to respect the existing tapered setback line. The Height to Ridge prop at 38.4 is due to lower Avg Grade 399.3, due to existing steep slope to right side.

Prop Front Gutter is only 25' from Avg Grade C-2 The street-scape will be enhanced by the significant improvements proposed to the building and front facade

5. The specific facts which show the relief sought can be granted without substantial detriment to the public good and will not substantially impair the intent and purpose of the Zone Plan and Zoning Ordinance. The proposed house will look consistent with other neighboring houses, not out of proportion. The yard requested relief is "De Minimus".

The left front corner would be only .5 ft closer than the existing reducing the side setback from 29.7 to 29.2 ft- won't be noticeable from street.

There is adequate light and air between the adjacent houses as the house to the left has the drive on that same side.

The right front corner will be retained but go higher- exceeds 35' by 3.4 feet (less than 10%) only due to existing slope to right of house

There is no substantial negative impact to neighbors, Zone Plan, or the Zoning Ordinance.

6. There (has) (has not) been previous application to the Board of Adjustment involving the premises in question. If so, the date, character of request and dispositions were: NA

DESCRIPTION OF THE PROPOSED STRUCTURE OR USE

7. Premises affected is known as Lot (s) 2906, Block (s) 11 on the Tax Map and located at 40 Knollwood Dr.

Applicant name [REDACTED]

Address [REDACTED]

Phone # [REDACTED] Fax # [REDACTED]

Email [REDACTED]

Owner of Property in question [REDACTED]

Address [REDACTED]

Phone # [REDACTED] Fax # [REDACTED]

Email [REDACTED]

*Consent of owner submitted on separate sheet? YES NO

Please complete **all** of the following information to complete your application.

Zoning Designation	RA-15
Proposed structure or use	Residential Single Family with detached 2 car garage
Last previous occupancy? (Residential/Commercial)	Residential Single Family
Are there municipal water and sewerage systems?	Yes
Date of acquisition/purchase of property	12-6-2022
Date property was purchased	12-6-2022
Does applicant or owner own or have under contract to purchase any adjoining lands? If so, set forth lot (s) and block (s):	No
DIMENSIONS OF LOT (ft.)	
Size of lot (square ft.)	31,010
Front Width	100
Average Width	116
Average Depth	135.6
YARD DIMENSIONS (SETBACKS)	
Prevailing front yard setbacks of adjoining lots within block	50 Min- Varies- Prevailing fronts not gathered.
Existing: Front yard depth (ft.)	53.8
Proposed: Front yard depth (ft.)	50.7
Existing: Rear yard depth (ft)	36.4
Proposed: Rear yard depth (ft)	28.8
Existing: Side yard widths <u>29.17</u> & <u>17.1</u> ft.	ft. combined
Proposed: Side yard widths <u>29.2</u> & <u>17.1</u> ft.	ft. combined
CORNER LOTS ONLY (next question)	
Existing: Side yard width abutting a side street on a corner lot (ft.)	NA
Proposed: Existing: Side yard width abutting a side street on a corner lot (ft.)	NA
SIZE OF STRUCTURE	
Front (width) (ft.)	69.7
Depth (ft.)	56
Percentage of lot occupied by buildings	EXG 7.2% PROP 8.2%
Height of building <u>3 - 31.8 Exg</u> stories and ft.	38.4' Prop (Due to street slope off to right)

8. This application (is) NOT (is not) accompanied by a separate application for subdivision __; site plan; conditional use NOT approval. **If you have checked "is" the appropriate checklist must accompany your application.*

9. Attached are the following:

Note: One (1) original copy of the following documents shall be submitted with the original application for development:

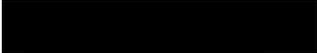
- Original signed and sealed survey showing the proposed location of the structure requiring a variance.
- BOA Checklist
- Owner's consent for filing application (where applicable)
- Developers Escrow Agreement
- Site Inspection Consent
- Retention of applicant exhibits
- Certification that Taxes are Paid
- List of Property Owners within 200 ft.
- Letter of Denial from Zoning Officer (including plan or survey denied by Z.O.)
- Plans – clearly indicate existing buildings and proposed buildings and or additions with accurate front, side and rear yard dimensions. Note that if the property in question is a corner lot, two (2) front yard setbacks shall be observed.

Original and Eleven (11) copies (12 copies for a D Variance) (put together in individual packets) of the following shall be submitted with a complete application for development.

- Completed application
- Letter of Denial from Zoning Officer (including plan or survey denied by Z.O.)
- Plans – clearly indicate existing buildings and proposed buildings and or additions with accurate front, side and rear yard dimensions. Note that if the property in question is a corner lot, two (2) front yard setbacks shall be observed.
- Copy of area map
- Site inspection consent form
- Retention of applicant exhibits
- Any supporting documentation (including architectural drawings, photographs, brochures, etc.)

The undersigned applicant or agent for the applicant certifies that the application has been reviewed and the contents thereof are true to the best of his or her knowledge.

Date 11-25-2025


Michael Milov (Nov 30, 2025 15:30:58 EST)

Signature of Applicant, Attorney or Agent
for Applicant (**Please print name below**)

Geoffrey L. Gogan
 Architect, Planner AIA
 35 Pine St., Morristown, NJ 07960
 (973) 896-8334 FAX: (973) 828-0354
 ggogan@gmail.com



December 3, 2025

Secretary of the Board of Adjustment
 50 Woodland Ave PO Box 7603
 Convent Station, NJ 07960-7603

973-326-7440, fax 973-605-8363
 jvuich@morristwp.com

Re: Knollwood Holding LLC, 40 Knollwood Dr. Morris Township, Block 2906 - Lot 11

To whom it may concern, Members of the Board of Adjustment,

This letter will address Item #4 and #5 on the application- offering a factual and legal basis for approval.

Summary: The project will:

- Expand the front of existing 2 car garage to front and further over side line but aligned with existing wall of garage.
- Reconstruct existing rear sunroom currently over deck- expand to rear and side-full basement.
- Increase roof pitch and ceiling heights - reconstruct 1st, 2nd and roof levels straight up.
- Add new suite over garage, other interior alterations, finish rear of basement, add lower patio.

Previous Variances: None as far as we know.

Proposed Variances:

Ordinance Section: § 95-28 Area, Bulk and Yard requirements Attachment (3).

- *Right Side Yard: Proposed to be 17.1 ft. where 17.1 ft. exists 20 ft required. (increasing height).*
- *Left Side Yard: Proposed to be 27.2 ft. where 27.7 ft. exists 32.3 ft. req. (due to 50' Combined).*
- *Both Side Yds: Proposed to be 46.3 ft, where 46.8. ft exists 50 ft is required.*
- *Building Height: Proposed to be 38.4 ft where 31.8 ft exists 35 ft is permitted.*

Justifications:

Positive Criteria: C (1) "Hardships"

- Where Right side setback is non-conforming, propose to maintain same non-conformance but to extend straight up- higher.
- Front left corner complies with single side yd. but not the combined side yard. Tapered left side lot line
- The house is rectangular.
- Existing lot is on a curved street. The side lot lines are tapered- closer at the street. any expansion to the front exacerbates existing non-conformance.
- The front Garage addition would have to be "notched" to respect the existing side yard setback. Propose to align with existing side wall .5' shorter side yard.

- Building height (based on topo 20 ft from bldg.) 35' allowed 31.8' exg. 38.4' proposed
- Note house is built on a sloped street with high side to Left- east and low side to right-west.
- Definition of Height requires measurement from Average Grade to highest point- ridge of roof. Owner wishes to have higher ceilings -1st Fl. 10', 2nd Fl.- 9'. Similar to the older homes.

Positive Criteria C (2) Purposes fulfilled by the application:

C (2) Purposes fulfilled by the application:

- The Streetscape will be enhanced by the significant improvements proposed to the building and front façade. The proposed house will look consistent with other neighboring houses, not out of proportion.
- The materials, will be of high quality. Windows taller with transoms, Portico enhanced.
- The relief requested for yards is "De Minimus" in order to align with existing.
- Keeping that small addition to the garage aligned with existing side wall would allow the house to look more natural and appropriate than if it had to be "notched" to respect the existing tapered setback line.
- The height to ridge proposed at 38.4 is due to lower "Avg Grade" 399.3, due to existing steep slope to right side. Prop front gutter is only 25' from avg grade

The project fulfills purposes **a, c, g, i, and j.** of the MLUL.

*a. To encourage municipal action to guide the appropriate use or development of all lands in this State, in a manner which will **promote the public health, safety, morals, and general welfare;***

b. To secure safety from fire, flood, panic and other natural and man-made disasters.

*c. To provide adequate light, air and open space; **historically appropriate and maintains more light and air between the relatively small neighborhood houses.***

d. To ensure that the development of individual municipalities does not conflict with the development and general welfare of neighboring municipalities, the county and the State as a whole;

e. To promote the establishment of appropriate population densities and concentrations that will contribute to the well-being of persons, neighborhoods, communities and regions and preservation of the environment;

f. To encourage the appropriate and efficient expenditure of public funds by the coordination of public development with land use policies;

*g. To provide sufficient space in appropriate locations for a variety of agricultural, **residential**, recreational, commercial and industrial uses and open space, both public and private, according to their respective environmental requirements in order to meet the needs of all New Jersey citizens; **The proposed addition fulfills the intended uses for RA-15 Zone, maintains adequate yards for recreation, plantings and light and air and landscaping near all rooms. The left side neighbor's driveway creates more than the minimal space between buildings.***

h. To encourage the location and design of transportation routes which will promote the free flow of traffic while discouraging location of such facilities and routes which result in congestion or blight;

*i. To promote a desirable visual environment through creative development techniques and good civic design and arrangement; **The addition will enhance building and "Street-scape". The proposed expansion is consistent with older homes and the newer higher quality houses being built. Higher quality materials, trim, windows. The steeper roof- slope with dormers enhances the appearance.***

*j. To promote the conservation of historic sites and districts, open space, energy resources and valuable natural resources in the State and to prevent urban sprawl and degradation of the environment through improper use of land; **The addition will preserve the intended Single-Family arrangement for the Zone. Rather than a potential tear down and re-build, much of the existing will be salvaged. This is a compact and efficient use of this modest home. Salvage and re-use is considered "Green" and "Sustainable".***

Negative Criteria:

There are none of the typical so called “Negative Impacts” eg: visual, acoustically, parking, traffic, bright lighting, excess storm runoff, degrading or pollution of water or air quality, security, fire, emergency access, odors, nuisances created by the project.

The left-front corner would be only .5 ft closer than the existing reducing the side setback from 29.7 to 29.2 ft. It won't be noticeable from street

There is adequate light and air between the adjacent houses as the house to the left has the drive on that same side

The right front corner will be retained but roof ridge raised to exceed 35' by 3.4 feet (less than 10%) partly due to existing slope to right of house. The steeper slope with dormers enhances the appearance.

The proposed size and heigh of the house is appropriate for the neighborhood and Zone.

The proposed improvements and reconstruction / enlargement will not create any substantial negative impact or detriment to the neighbors, “Public Good” or to the Zone Plan.

Balancing Standard:

The lot will be substantially improved making it more suited to a single-family home, adding to life safety, protection of property and enhancing the “Streetscape”.

The proposed work will fulfill several purposes of the MLUL and Master Plan, benefiting the Public Health Safety and Welfare by making the house look more consistent in appearance and quality with others nearby. The proposed Building and Improved Lot Coverages are compliant.

Denying the applicant permission to expand, improve and utilize the house as proposed - insisting on compliance with the side yard setbacks and height would not be reasonable because what is being requested is appropriate and suited to an up-sale modest home. Forcing the front or upper floors to be “Notched just to respect the abstract imaginary setback line would cause the house to look odd and lower the quality and distract from the “Streetscape”. Forcing compliance could even create an undue burden or reduce “Economic Utility”- lower the value of the house.

Allowing the development to accommodate and align with these pre-existing non-conforming conditions would be appropriate and would fulfill the Purposes of the MLUL, Master Plan and Ordinance. Reconstructing and enlarging the house is in the Public Interest.

It would not create any substantial negative detrimental impact.

Balancing all of these facts, the Board is justified in granting the Variances. The positive outweighs any imaginable negative impact. There would be no detriment to the public good or the Zone Plan.

Thank you.



Geoffrey L. Gogan, Architect AIA
NJ PP Cert. 33LI00407700
NJ Arch. Cert 21AI00865600

Cc

