

DATE May 13, 2022
 BOARD OF ADJUSTMENT
X PLANNING BOARD

PROOF OF PAYMENT OF TAXES

Tax Collector

FEE Variance _____
Site Plan X _____
Conditional use _____
Subdivision _____

**BOROUGH OF BOGOTA
APPLICATION FOR DEVELOPMENT AND/OR APPEAL
TO BE COMPLETED BY THE APPLICANT**

Site Location 285 Orchard Terrace, Bogota, NJ Block 65 Lot 12

1. Name of Applicant: 285 Orchard LLC

Address: 325 Hobar Court, Franklin Lakes, NJ 07417 Telephone: 973-519-4369

Relation to Owner if not same as Owner: _____

2. Name of Owner (if other than Applicant): _____

Address: _____ Telephone: _____

3. The applicant is a:

 Corporation Partnership Individual X Limited Liability Company

Other (please specify): _____

If the applicant is a corporation, partnership or Limited liability Company, please attach a

list of names and addresses of persons having a 10% interest or more in the corporation

Anthony Cacciola - 50%

or partnership. Douglas Holden - 50%

48 W Wildwood Road, Saddle River, NJ 07458

CORPORATIONS AND LIMITED LIABILITY COMPANIES MUST BE

REPRESENTED BY AN ATTORNEY-AT-LAW

4. Name of Architect or Engineer Zachary Chaplin

Address: 92 Park Avenue, Rutherford, NJ 07070 Telephone: 718-606-8305

5. Name of Attorney: John J. Veteri, Jr.

Address: 3 University Plaza, Suite 207 Telephone: 201-836-6301
Hackensack, NJ 07601

6. Has this property been the subject of a hearing before the Board of Adjustment or
Planning Board

 Yes X No

Disposition: _____

(Please provide any resolution resulting from such hearing)

7. Deed restrictions that apply or are contemplated: Yes X No

Description: _____

(If yes, attach copy)

DESCRIPTION OF PREMISES

8. Corner Lot: X Interior Lot: Zone District Multi-Family Residential (R-3)

Lot Size Lot A: 5,314.2 SF; Lot B: 5,577.5 SF; Lot C: 11,733.5 SF

9. Lot Dimensions: Front LOT A: 65.8 FT LOT A: 65.8 FT LOT A: 80.8 FT LOT A: 80.8 FT
LOT B: 72.3 FT LOT B: 65.8 FT LOT B: 81.1 FT LOT B: 80.8 FT
Rear LOT C: 91.7 FT LOT C: 90.9 FT LOT C: 131.6 FT LOT C: 124.7 FT
R. Side L. Side

Impervious coverage: _____

BUILDING/OR STRUCTURE SETBACKS

10. Existing: Front 27.3 FT Rear 0 FT R. Side 95.6 FT L. Side 0.1 FT

11. Proposed: Front LOT A: 20.0 FT LOT A: 20.7 FT LOT A: 3.8 FT LOT A: 8.0 FT
LOT B: 20.0 FT LOT B: 20.6 FT LOT B: 5.0 FT LOT B: 9.3 FT
Rear LOT C: 27.3 FT LOT C: 0 FT LOT C: 14.7 FT LOT C: 0.1 FT
R. Side L. Side

12. Building Height: _____ Building Coverage: _____ Gross all floors: _____
LOT A: 2 STORIES LOT A: 1,992 SF (36.8%) LOT A: 3,024 SF
LOT B: 22 STORIES LOT B: 1,992 SF (35.7%) LOT B: 3,024 SF
LOT C: 3 STORIES LOT C: 3465.9 SF (29.5%) LOT C:

USE

Present Use: LOT A: VACANT; LOT B: VACANT; LOT C: MULTI-FAMILY RESIDENTIAL

Proposed Use: LOT A: MULTI-FAMILY RESIDENTIAL; LOT B: MULTI-FAMILY RESIDENTIAL;
LOT C: MULTI-FAMILY RESIDENTIAL

The Administrative Officer has declined to issue a permit and has made the following decision regarding the zone status of this application:

TYPE OF APPLICATION

- Site Plan
- Conditional Use
- "A" Variance
- "B" Variance
- "C" Variance
- "D" Variance (Use)

IMPORTANT: MUST BE ANSWERED BY ALL APPLICANTS:

Type(s) of Variance Requested and how relief can be granted without substantial detriment to Public good or Bogota's Zoning Plan

See Attachment

OFFICE USE ONLY

BOARD OF ADJUSTMENT

PLANNING BOARD

Date of Hearing _____

Board action required by _____
Date

Application declared complete on _____
Date

Final Decision Rendered on _____
Date

APPROVED ___ APPROVED WITH CONDITIONS ___ DENIED ___

WITHDRAWN OR DISMISSED ___

DEED RESTRICTION ___

Being duly sworn, says that he is the applicant or one of the applicants in the above action; that the application, if filed as an appeal from any order or decision of the Zoning Officer, has been filed within the time required by law, and that all of the matters and facts set forth in the foregoing are true.

Arthur Pascale
APPLICANT

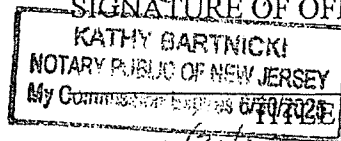
State of New Jersey

County of: Bergen

Sworn to and subscribed before me

this 13th day of May, 2022

Kathy Bartnicki
SIGNATURE OF OFFICER ADMINISTERING OATH (Notary)



OF SUCH OFFICER

If the applicant is not the owner of the property, have the owner sign below consent or file with the application a letter signed by the owner consenting to the application.

The foregoing application is hereby consented to this _____ day of _____, 20__.

Owner

Sworn to and subscribed before me

this _____ day of _____, 20__.

SIGNATURE OF OFFICER ADMINISTERING OATH (Notary)

TITLE OF SUCH OFFICER

State of New Jersey

County of: _____

APPLICATION FOR DEVELOPMENT/OR APPEAL

Instructions for applicants:

1. All applicants will be required to submit their application to the Zoning Administrator's office for review and issuance of a Zoning permit or a Denial letter.
2. MATTERS FOR PLANNING/ZONING BOARD shall have filed reviewed by the Board Completeness Committee for completeness. After files are deemed complete the applicant will be notified of hearing that the matter will be listed on the Agenda to allow sufficient time to have notices served and published in the paper.
3. When required the Petitioner must notify each of the property owners entitled to Notice of Hearing at least 10 days before the date set for the Hearing. All property owners within a radius of 200 feet must be notified of the hearing. Written Notice by certified Mail to the last known address of the property owner or owners, as shown by the most recent tax list of said Municipality or by handing a copy thereof to the said property owners or by leaving a copy thereof at their usual place of abode.

4. All Application must be read by the Petitioner add sworn to before a Notary Public, Attorney or some other person with authority to take oaths in New Jersey.
5. If the Application is made by any person not the owner of the property, the Affidavit of Ownership must be signed by the owner and sworn to before a Notary Public, Attorney or some other person with authority to take oaths in New Jersey.
6. 18 copies of a Certified Plot Plan folded must be attached showing the following:
 - a. The line of plot covered by the petition;
 - b. All existing or proposed structures;
 - c. All adjacent streets.
7. 18 Sets of plans folded of alterations, additions, or new structures must be filed with the application.
8. The following papers must be completed and returned to the Zoning Administrator, Building Department, at least 10 days before the Hearing.
 - a. Affidavit of Proof of Service;
 - b. Copy of Notice of Appeal to Zoning Officer
 - c. Copy of Notice served upon property owners;
 - d. List of neighbors within 200 feet;
 - e. Receipt from newspaper for published Notice of Hearing.
9. Notice of Hearing is to be published in a local newspaper by the applicant at least ten (10) days prior to Hearing. The notice must be sent to newspaper by the applicant at least 15 days prior to Hearing in order to be published in a timely manner.
10. Escrow (if required) shall be submitted to Building Department for deposit with Borough Treasurer.
11. Failure to comply with the requirements of the Board may result in a dismissal of the petition.

The applicant requests () variance relief from:

Proposed lot A

Pre-existing non-conformity for **Lot Area**: 22,625 square feet is existing, 6,000 square feet is required, whereas, 5,314.2 square feet is proposed for Lot A.

Minimum **Lot Width**: 131.1 feet is existing, 50 square feet is required, whereas 65.8 square feet is proposed for Lot A.

Minimum **Lot Depth**: 172.76 square feet is existing, whereas 100 square feet is required, 80.8 square feet is proposed for Lot A.

Maximum **Impervious Coverage** required of 60%, 30.3% is existing. The applicant proposes building coverage of 58.9% for Lot A.

Maximum **Building Coverage** required of 40%, 15.3% is existing. The applicant proposes building coverage of 36.8% for Lot A.

Maximum **Building Height**: 35 feet/2.5 stories is required, 3 stories is existing, 2 stories proposed Lot A.

Minimum front yard setback 25 feet is required, 27.3 feet is existing, 20.0 feet is proposed for Lot A.

Minimum side yard setback (one) 8 feet is required, 15 feet is existing, 3.8 feet variance is proposed for Lot A.

Minimum side yard setback (both) 8 feet is required, 95.7 feet is existing, 11.8 feet variance is proposed for Lot A.

Minimum rear yard setback 25 feet is required, 0 feet is existing, 20.7 feet variance is proposed for Lot A.

Proposed Lot B

Pre-existing non-conformity for **Lot Area**: 22,625 square feet is existing, 6,000 square feet is required, whereas, 5,577.5 square feet is proposed for Lot B

Minimum **Lot Width**: 131.1 feet is existing, 50 square feet is required, whereas, 69.1 square feet is proposed for Lot B

Minimum **Lot Depth**: 172.76 square feet is existing, whereas 100 square feet is required, whereas, 80.8 square feet is proposed for Lot B

Maximum **Impervious Coverage** required of 60%, 30.3% is existing. The applicant proposes building coverage of 54.8% for Lot B.

Maximum **Building Coverage** required of 40%, 15.3% is existing. The applicant proposes building coverage of 35.7% for Lot B.

Maximum **Building Height**: 35 feet/2.5 stories is required, 3 stories is existing, 2 stories proposed Lot B.

Minimum front yard setback 25 feet is required, 27.3 feet is existing, 27.3 feet is proposed for Lot B.

Minimum side yard setback (one) 8 feet is required, 15 feet is existing, 5.0 feet variance is proposed for Lot B.

Minimum side yard setback (both) 8 feet is required, 95.7 feet is existing, 14.3 feet variance is proposed for Lot B.

Minimum rear yard setback 25 feet is required, 0 feet is existing, 20.6 feet variance is proposed for Lot B.

Proposed Lot C

Pre-existing non-conformity for **Lot Area**: 22,625 square feet is existing, 6,000 square feet is required, whereas 11,733.3 square feet is proposed for Lot C.

Minimum **Lot Width**: 131.1 feet is existing, 50 square feet is required, whereas 127.8 square feet is proposed for Lot C.

Minimum **Lot Depth**: 172.76 square feet is existing, whereas 100 square feet is required, whereas, 91.7 square feet is proposed for Lot C.

Maximum **Impervious Coverage** required of 60%, 30.3% is existing. The applicant proposes building coverage of 64.7% for Lot C.

Maximum **Building Coverage** required of 40%, 15.3% is existing. The applicant proposes building coverage of 29.5% for Lot C.

Maximum **Building Height**: 35 feet/2.5 stories is required, 3 stories is existing, 3 stories proposed Lot C.

Minimum front yard setback 25 feet is required, 27.3 feet is existing, 27.3 feet is proposed for Lot C.

Minimum side yard setback (one) 8 feet is required, 15 feet is existing, 0.1 feet variance is proposed for Lot C.

Minimum side yard setback (both) 8 feet is required, 95.7 feet is existing, 14.8 feet variance is proposed for Lot C.

Minimum rear yard setback 25 feet is required, 0 feet is existing, 0 feet variance is proposed for Lot C.

Planning testimony will be provided by a professional planner at the hearing date in support of how relief can be granted without substantial detriment to the public good or Bogota's zoning plan.