

STATEMENT OF PRINCIPAL POINTS

225 Montgomery Street

Block: 14101, Lot 12

April 6, 2022

Location: The property is located midblock on the south side of Montgomery Street between Grove Street and Barrow Street in the Van Vorst Historic District.

Proposal: The Applicant has filed a general development application with the Jersey City Planning Board and the Jersey City Historic Preservation Commission to renovate the existing three-story two-unit dwelling building and add a three-story rear yard addition resulting in a renovated and expanded three-story, three-dwelling unit building. In order to accomplish this, the Applicant is requested preliminary and final major site plan approval with one C variance for maximum building coverage.

Zoning: The property is located in the Van Vorst Park historic zoning district. The purpose of the historic district is to “recognize the special significance of these neighborhoods because of their varied and well-preserved historic character.”

A conforming lot in the H Zone is 18 feet in width and 100 feet in length. The subject property is oversized in width at 20 feet and conforming in depth of 100 feet

The Application requires major site plan approval because the gross square footage of the proposed expansion is greater than 50% of the existing building.

Variances Requested

1. **Maximum Building Coverage Rear Yard Setback** The H zone permits a maximum building coverage of 60%. The Applicant proposes a building coverage of 60.9%, less than 1% greater than the permitted coverage. The depth of the addition will match the neighboring property at 227 Montgomery Street, resulting in a consistent rear yard setback through the block.
 - a. The requested variance can be granted under 40:55D-70(c)(1) because of an exceptional and extraordinary situation uniquely affecting a specific piece of property or the structures lawfully existing thereon.
 - i. Here, a portion of adjoining building to the west encroaches onto the Property. This creates increased building coverage not caused or controlled by the Applicant.
 - b. The requested variance may also be granted under 40:55D-70(c)(2) because the benefits of the application would substantially outweigh any detriment.
 - i. The Applicant is proposing renovations and improvements to the existing property consistent with the intent and purpose of the historic zoning district including restoring the facade.
 - ii. The application satisfies all other bulk requirements of the historic zoning district.
 - iii. The multi-family use proposed by the application is permitted.
 - iv. The addition proposed by the Applicant matches the existing rear yard setback of 227 Montgomery Street.

2. Negative Criteria. The requested variance does not impair the intent and purpose of the zone plan and zoning ordinance nor does the relief requested pose a substantial detriment to the public good.
- a. The proposed addition, while requiring a building coverage variance, was designed to minimize impact to the neighboring properties. On both the east and west side of the property, the depth of the addition will not extend further into the rear yard than the adjacent properties. In addition, the Applicant is proposing renovations and improvements to the property consistent with Historic recommendations and regulations which will further enhance the historic character of the neighborhood consistent with the purpose of the Historic zoning district.
 - b. The resulting bulk of the existing structure and the rear yard deck will be comparable to surrounding homes in the area.
 - c. The proposed addition is consistent with the surrounding area.

N.J.S. 40:55D -1 et. Seq. The Application is consistent with several of the purposes of zoning pursuant to the Municipal Land Use Law, N.J.S. 40:55D-1 et. seq.

- The granting of the variance will be a municipal action that would guide the appropriate use and development of this property in keeping with the character of the area consistent with NJS 40:55D-2.a
- The Application promotes the establishment of appropriate population density by proposing a multi-family home with conforming density in the H zone NJS 40:55D-2.e
- The granting of the deviations will promote a desirable visual environment through the renovation of an existing property in a historic district. N.J.S. 40:55D-2.i.

Conclusion: Both the positive and negative criteria have been met for the (c) variance. The benefits of improving the Property through a renovation and addition which is conforming in use, bulk and height would substantially outweigh any detriments associated with the required variances.

The Applicant reserves the right to supplement the foregoing reasons with expert testimony at the Planning Board hearing.