

Statement of Principal Points  
481-487 Communipaw Avenue (Block 17206, Lot 5)  
Jersey City, Hudson County, New Jersey  
February 4, 2021

An application has been filed for the above-noted subject property with the Jersey City Planning Board for approval of a Minor Subdivision Plan; and for approval of bulk “c” variances for minimum lot size, minimum lot width, minimum lot depth, maximum building coverage, and maximum lot coverage pursuant to N.J.S.A. 40:55D-70.c. The purpose of this application is to propose the subdivision of existing Lot 5 into four lots; proposed Lots 5.01, 5.02, 5.03, and 5.04. The existing conditions of the subject property and building will remain.

The subject property at 481-487 Communipaw Avenue is identified as Lot 5 on Block 17206 in the City of Jersey City. The subject property is a corner lot with approximately 111 feet of frontage on the south side of Communipaw Avenue and approximately 51 feet of frontage on the east side of Randolph Avenue. The existing lot size is 6,875 square feet (0.16 acre). The subject property is currently improved with a 3-story, 8-unit multi-family building with off-street parking. The subject property is in the One- and Two-Family Housing (R-1) District.

The requested bulk “c” variances for minimum lot size (Lots 5.01, 5.02, and 5.03), minimum lot width (Lots 5.01, 5.02, and 5.03), minimum lot depth (Lots 5.01, 5.02, 5.03, and 5.04), maximum building coverage (Lots 5.01, 5.02, and 5.03), and maximum lot coverage (Lots 5.01, 5.02, 5.03, and 5.04) can be granted pursuant to N.J.S.A. 40:55D-70.c.(2). *wherein the benefits of the proposed project would outweigh any detriments.*

**Lot Size/Width/Depth:** The minimum required lot size in the R-1 District is 2,500 square feet where the proposed lots are 1,421 square feet (Lot 5.01), 1,397 square feet (Lot 5.02), and 1,337 square feet (Lot 5.03). Lot 5.04 conforms with a lot size of 2,720 square feet. The minimum required lot width in the R-1 District is 25 feet, where the proposed lot widths are 22 feet (Lot 5.01), 23.5 feet (Lot 5.02), and 23.7 feet (Lot 5.03). The minimum required lot depth in the R-1 District is 100 feet, where the proposed lot depths are 61 feet (Lot 5.01), 58.4 feet (Lot 5.02), 55.8 feet (Lot 5.03), and 50.2 feet (Lot 5.04). The proposed subdivision and new lot lines are based on the party walls within the existing building, which provides for an organized manner for subdividing the property. Block 17206 does not display a typical R-1 District lot pattern. Five lots are developed with two-family dwellings, one lot is developed with a single-family dwelling, one lot is developed with a car wash, and the remaining two lots are vacant right-of-way parcels. Of the six residential lots on Block 17206, the lot sizes range from approximately 1,020 square feet to approximately 3,176 square feet with an average of approximately 1,532 square feet. Although the proposed lot sizes are slightly smaller than this average, they are slightly larger but consistent with Lots 1, 2, 3, and 4 which front onto Randolph Avenue and have an average of approximately 1,127 square feet. The proposed subdivision will provide lots that will be dimensionally similar to what is typical in the R-1 District and consistent the other existing residential lots on Block 17206.

**Building/Lot Coverage:** The maximum permitted building coverage in the R-1 District is 60%, where the proposed coverages are 65% (Lot 5.01), 64% (Lot 5.02), and 62% (Lot 5.03). The maximum permitted lot coverage in the R-1 District is 85%, where the proposed coverages are 98% (Lots 5.01, 5.02, and 5.03 each) and 88% (Lot 5.04). The proposed subdivision does not physically increase the building footprints or impervious coverage surfaces on the subject property. As such, the requested variances for building coverage are de minimis and will have no physical impacts on the existing conditions on the property and surrounding properties.

**Setbacks:** The existing buildings have compliant front yard setbacks from Communipaw Avenue ranging from 1.3 feet to 1.6 feet. The existing nonconforming rear yard setback of approximately 19 feet is proposed to remain. Each building on each proposed lot will have a preexisting nonconforming rear yard setback of approximately 19 feet and a combined front and rear yard setback of approximately 20 feet, where a combined total of 35 feet is required and no rear yard setback alone shall be less than 20 feet. The proposed 19-foot rear yard will still provide sufficient vehicular access along the existing driveway.

**Vehicular Parking/Circulation:** Technically, the property maintains two curb cuts one along Communipaw Avenue and one on Randolph Avenue, which is pre-existing, nonconforming condition. The proposed subdivision will bring this nonconforming condition into compliance where one curb cut is permitted per lot. Lot 5.04 will maintain one curb-cut along Communipaw Avenue and Lot 5.01 will maintain one curb cut along Randolph Avenue. The existing curb cuts each have a nonconforming width of approximately 12.5 feet, where a maximum width of 10 feet is permitted. The existing driveways each have a nonconforming width of approximately 11 feet, where a maximum width of 10 feet is permitted. The curb cuts and driveways are proposed to remain in order to provide residents with access to the existing off-street parking. Two of the existing five off-street parking spaces will be designated for Proposed Lot 5.04 which will have two units and a lot width of 51.7 feet, where the required parking for lots with widths over 50 feet is 1 space per dwelling unit. Lots 5.01, 5.02, 5.03 will each provide one parking space. This arrangement provides an organized distribution of parking spaces. Furthermore, an access easement will provide cross access rights for all tenants to utilize the driveway.

The proposed project promotes the purposes of the Municipal Land Use Law:

- The proposed project will *guide the appropriate use* of four, two-family dwellings on the subject property *which will promote the public health, safety, morals, and general welfare* consistent with N.J.S.A. 40:55D-2.a.
- Consistent with N.J.S.A. 40:55D-2.c. the project maintains the existing front, side, and rear yard setbacks which offer and will continue to offer *adequate light, air, and open space* to the surrounding properties.

The granting of the requested variances will not result in a substantial detriment to the public good or the general welfare. There are no changes proposed to the existing site conditions and existing buildings, as a result, there will be no impacts to the surrounding area.

The granting of the requested variances will also not result in a substantial detriment to the intent and purpose of the zone plans and zoning ordinance. Besides the requested variances, the proposed project complies with the remaining R-1 District bulk standards including minimum front yard setback, minimum side yard setbacks, maximum building height, and minimum parking standards. Through the proposed project, the existing nonconforming use of an 8-unit multi-family use in the R-1 District will result in four conforming 2-family dwellings on four new lots in the R-1 District.

The project will advance land use objectives of the City's 2000 Master Plan, including:

- Protecting and preserving residential neighborhoods from intrusion by non-residential uses.
- Providing housing densities appropriate to the character of the existing neighborhood.

The requested variances for the proposed project can be granted in that both the positive and negative criteria have been met pursuant to N.J.S.A. 40:55D-70.c.(2).

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