

Principle Points Statement
100 Waverly Street (Block 4902, Lot 32)
Jersey City, Hudson County, New Jersey

An application has been filed for the above noted property with the Jersey City Planning Board for Preliminary and Final Site Plan approval of a proposed new 3-story, 2-family building; and approval of bulk “c” variances for maximum lot coverage, minimum front yard setback, and minimum rear yard setback. The subject property is located within the One- and Two-Family Housing (R-1) District.

The subject property is identified as Lot 32 on Block 4902 and is located at 100 Waverly Place, midblock between Lienau Place to the east, and Central Avenue to the west. The subject property has 25 feet of frontage on Waverly Street and a total lot area of approximately 2,220 square feet. The subject property is currently developed with a 2-story, 1-family building.

The purpose of this application is to construct a new 3-story, 2-family building. The proposed ground floor will provide a 2-car garage with 2 bicycle parking spaces, and the lower level of an approximate 1,470-square-foot duplex unit. The proposed second floor will provide the upper level of the duplex unit with 3 bedrooms, 2.5 baths, and a balcony. The proposed third floor will provide an approximate 1,240-square-foot unit with 3 bedrooms, 2 baths, and a balcony. An approximate 400-square-foot common roof deck is proposed.

Positive Criteria: The proposed project requires bulk “c” variances which may be granted by the Board pursuant to N.J.S. 40:55D-70.c.(2), wherein the benefits of the proposed project would substantially outweigh the detriments. The proposed project will redevelopment the property with a new permitted 2-family building that is in scale and consistent with the surrounding area. The lot area of the subject property is an existing non-conformity at approximately 2,220 square feet, which is 280 square feet smaller than the required 2,500-square-foot lot in the R-1 District. The project is proposing a lot coverage of approximately 86%, where a maximum of 85% is permitted. The excess lot coverage of 1% or approximately 25 feet is rather de minimis. This minor detriment is mitigated by the proposed permeable concrete pavers between the lot line and building line. The permeable pavers will make up a new driveway that will provide access to a 2-car garage on the ground floor. In addition, the proposed 36% of landscaping in the front yard exceeds the minimum landscaping requirements. Therefore, the benefits of the permeable pavers needed for the proposed driveway would substantially outweigh any detriments from the deviation in maximum lot coverage.

The lot depth of the subject property is an existing non-conformity at approximately 89 feet, which is an 11-foot deficit from the required 100-foot lot depth in the R-1 District. The project is proposing a compliant front yard setback of approximately 8 feet on the ground floor, to match the existing front yard setback of the primary façade of the adjacent property at 104 Waverly Street. The project is proposing a rear yard setback of approximately 15 feet, where a setback of 26.67 feet is required given the

required 8.33-foot front yard setback. The proposed rear yard setback is proportionate to the existing non-conforming approximate 89-foot-deep lot relative to the required rear yard setback on a conforming 100-foot-deep lot. In addition, the proposed project will meet the required side yard setbacks and is within the maximum permitted building coverage. Furthermore, adjacent to the northwest of the subject property on Lot 17 is a 1-story garage and associated surface parking area that runs along the rear and side property lines. Therefore, the deviation from the required rear yard setback requirement will not have a substantial impact on the surrounding properties.

As mentioned, the proposed project will meet the required front yard setback on the ground floor, however, is proposing a 2-foot overhang on the 2nd-3rd floors. The 2-foot overhang encroaches over the required front yard setback line creating the need from a front yard setback variance. The proposed overhang is an architectural feature that will not have a substantial impact on the surrounding properties.

Purposes of the MLUL: The granting of the requested variances will advance the purposes of the Municipal Land Use Law and promote the general welfare. Approval of the proposed 3-story, 2-family building will guide the appropriate development of the subject property in the R-1 District in a manner that will promote the general welfare consistent with N.J.S. 40:55D-2.a. The project is proposing setbacks and a building coverage that will provide for adequate light, air, and open space to surrounding properties, pursuant to N.J.S. 40:55D-2.c. The proposed project will promote a desirable visual through creative development techniques and good civic design and arrangement, pursuant to N.J.S. 40:55D-2.i.

Negative Criteria: The granting of the requested variances will not result in a substantial detriment to the public good or the general welfare. As mentioned, the proposed height, side yard setbacks and building coverage are permitted and therefore the proposed project will provide adequate light, air and open space, and will not result in a substantial detriment to the surrounding properties.

The granting of the requested variances will also not result in a substantial detriment to 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”. The project proposes a use that is consistent with the residential intent of the neighborhood and permitted in the R-1 District.

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