



BOROUGH OF METUCHEN

MIDDLESEX COUNTY

Tel. (732) 632-8540 • Fax (732) 632-8100 • 500 Main Street • Metuchen, N.J. 08840

APPLICATION FOR DEVELOPMENT

Control Information (Office Use Only)

22-1529 E	Thomas Mullins		1-5-23
Application Number	Applicant Name	Date Received	Date Deemed Complete

1. Application

A. Location

Street Address 57 and 67 Oak Avenue
 Block 103 Lot 1 and 4 Zone R-1A
 Situated on West side of Oak Avenue
 distant 0 feet from East Chestnut Avenue

B. The Site is Located:

- Within 200' of Edison Township Adjacent to County Road Adjacent to State Highway

C. Status:

- New Revision or Resubmission of Prior Application No. _____

D. Type (Check all that Apply):

- Concept Preliminary Final Conditional Use Approval
 Minor Site Plan Major Site Plan Minor Subdivision Major Subdivision
 (a) – Appeal (b) – Interpretation (c) – Variance (Bulk) (d) – Variance (Use)
 Request for Waiver of Submission Requirements Other _____

E. Nature of Relief or Variance Request (List Ordinance Reference Sections)

Applicant seeks minor subdivision approval to merge a portion of the rear lot of 57 Oak Avenue into 67 Oak Avenue. Applicant will require a bulk variance for minimum lot area for 57 Oak Avenue (110-64). There are also pre-existing non-conforming conditions for lot width, front setback and side setback not changed by this application (110-64).

Applicant also needs a variance for accessory structure rear yard setback (110-112.6) for 57 Oak Avenue and a pre-existing non-conforming condition for accessory structure side yard setback (110-112.6) for 57 Oak Avenue

F. Date and Disposition of any previous Board Hearings involving this Site

Applicant obtained a variance on the property in 2015, Resolution No. 15-1069.

G. Plat Submission (List maps and other exhibits accompanying this application)

Minor Subdivision Plan prepared by DPK Consulting, dated March 28, 2022. Photos of site and neighborhood plan showing lot sizes of properties. Zoning Permit Application, Narrative, Minor subdivision checklist and adopted resolution from 2015 variance application.

2. Applicant Information

A. Applicant

First Name Thomas Phone _____
Last Name Mullins, Jr. Phone _____
Street Address 67 Oak Avenue Fax _____
City / State Metuchen, NJ Zip 08840 Email tmullins@gmail.com

B. Applicant is a/an:

Individual Partnership Corporation Other _____

C. Applicant's Relationship to Owner:

Owner Lessee Purchaser Under Contract Other _____

D. Owner (If other than Applicant, requires Owner's Consent on Page 6)

First Name John Phone _____
Last Name Logan Phone _____
Street Address 57 Oak Avenue Fax _____
City / State Metuchen, NJ Zip 08840 Email john@riveredgetitle.com

3. Applicant's Experts

A. Attorney (Required if Applicant is a Corporation; must be a licensed in the State of New Jersey)

Name Richard Mongelli, Esq. Phone 732-261-0884
Street Address 441 Main Street Fax _____
City / State Metuchen, NJ Zip 08840 Email rich@mongellilaw.com

B. Engineer

Name _____ Phone _____
Street Address _____ Fax _____
City / State _____ Zip _____ Email _____

C. Architect

Name Michael Burns (Planner) Phone 609-397-5508
Street Address 21 Bridge Street Fax _____
City / State Lambertville, NJ Zip _____ Email _____

D. Other Professional Consultants

Name James J. Heiser Phone 732-764-0990
Street Address 200 Metroplex Drive, Ste. 285 Fax _____
City / State Edison, NJ Zip 08817 Email jheiser@dpkconsulting.net

4. Plat / Plan Data

A. Present Use of Land / Structure

Two single family dwellings.

B. Proposed Use of Land / Structure

Two single family dwellings to remain with lot line adjustment in rear yards.

C. Building Data

Existing :	Floor Area:	_____	Height in Stories & Feet:	_____
Addition:	Floor Area:	_____	Height in Stories & Feet:	_____
New Bldg:	Floor Area:	_____	Height in Stories & Feet:	_____
Total Floor Area:		_____		

D. Subdivision Data

Area:	Entire Tract:	30,553 sf	Portion being subdivided:	6,750 sf
No. of Lots:	Present	2	Proposed:	2
No. of Units:	Demolished:	0	Proposed:	0
Purpose:		adjust rear yards of both lots to increase rear yard of 67 Oak Avenue		

E. Non-Residential Use Data

	Present	Proposed
Total Floor Area of Building:	_____	_____
Floor Area to be Occupied:	_____	_____
Off-Street Parking:	_____	_____
Number of Employees:	_____	_____
Days & Hours of Operation:	_____	_____
Machinery / Equipment Used:	_____	_____
	_____	_____
	_____	_____
Description of Operation(s):	_____	_____
	_____	_____
	_____	_____

** PRE-EXISTING CONDITION

5. Request for Bulk Variance

A. Bulk Regulations

	District Requirements	57 Oak/67 Oak Present	Proposed	Variance
Min. Lot Area	20,000sf	15000sf/15553sf	8250sf/22303sf	<input checked="" type="checkbox"/>
Min. Lot Width	100'	75'/75'	75'/75'	<input checked="" type="checkbox"/>
Min. Lot Depth (Average)	100'	200'/200'	110'/200'	<input type="checkbox"/>
Min. Front Yard Setback	40'	25.5'/27.5'	25.5'/27.5'	<input checked="" type="checkbox"/>
Min. Side Yard Setback (Left)	15'	25'/9.7'	25'/9.7'	** <input type="checkbox"/>
Min. Side Yard Setback (Right)		9.9'/na		<input type="checkbox"/>
Min. Side Yard Setback (Combined)	30'	34.9'/na	34.9'/38'	<input type="checkbox"/>
Min. Rear Yard Setback	35'	125.6'/102.9'	51.4'/102.9'	<input type="checkbox"/>
Max. Building Coverage	30%	12.4%/21.2%	22.6%/14.8'	<input type="checkbox"/>
Max. Impervious Coverage	50%	27.6%/38%	49.5%/26.8%	<input type="checkbox"/>
Max. Height	3 stories	2.5 stories each	2.5 stories each	<input type="checkbox"/>

B. Describe below the nature of the constraints imposed by the physical characteristics of the property.

Proofs to be provided at public hearing.

C. Describe below any other exceptional conditions of the property that prevent the applicant from complying with the Zoning Ordinance.

Proofs to be provided at public hearing.

D. Describe below how not granting this variance request would impose difficulties or undue hardship upon you.

Proofs to be provided at public hearing.

E. Describe below how the granting of the variance request will not result in substantial detriment to the public good nor substantially impair the intent and purpose of the Zone Plan and the Zoning Ordinance.

Proofs to be provided at public hearing.

6. Request for Conditional Use Approval / Use Variance

A. Describe below the specifics of the request.

N/A

B. Describe below the special reasons which exist that support the granting of the request.

N/A

C. Describe below how the public interest will be served by the granting of the request.

N/A

D. Describe below what circumstances exist or what measures will be taken to ensure that, if the request is granted, the surrounding property owners will experience no adverse impact or undue burden.

Proofs to be provided at public hearing.

E. Describe below how the granting of the request will not result in substantial detriment to the public good nor substantially impair the intent and purpose of the Zone Plan and the Zoning Ordinance.

Proofs to be provided at public hearing.

7. Correspondence

A. Person to be contacted in regard to all matters pertaining to this Application (if other than Applicant)

First Name Richard Phone 732-261-0884
Last Name Mongelli Phone _____
Street Address 441 Main Street Fax _____
City / State Metuchen, NJ Zip 08840 Email rich@mongellilaw.com


8. Verification and Authorization

I, THE UNDERSIGNED, HEREBY MAKE APPLICATION FOR AN APPLICATION FOR DEVELOPMENT ONLY FOR THE LOCATION AND THE WORK DESCRIBED HEREIN AND CERTIFY TO THE ACCURACY OF THAT INFORMATION. I ACKNOWLEDGE THAT IT IS MY RESPONSIBILITY TO BE AWARE OF AND COMPLY WITH ALL ZONING REQUIREMENTS OF THE BOROUGH OF METUCHEN RELATING TO THIS APPLICATION. I UNDERSTAND THAT FAILURE TO PROVIDE ACCURATE INFORMATION OR TO COMPLY WITH ANY PROVISIONS OF THE APPLICATION RENDERS IT NULL AND VOID AND MAY RESULT IN AN ENFORCEMENT ACTION.

CONSTRUCTION OF IMPROVEMENTS WILL NOT BE COMMENCED AT THE ABOVE LOCATION UNTIL THE APPLICANT/OWNER IS IN COMPLIANCE WITH ALL APPLICABLE REGULATIONS REGARDING ZONING AND PROPERTY MAINTENANCE AS DEFINED BY THE CODE OF THE BOROUGH OF METUCHEN. THIS APPLICATION AND ASSOCIATED APPROVALS DO NOT WAIVE ANY OTHER RESTRICTIONS OR REGULATIONS IMPOSED PRIVATELY OR BY LAW.


A. Applicant's Verification

I HEREBY CERTIFY THE STATEMENTS CONTAINED IN THIS APPLICATION ARE TRUE.

Name Thomas Mullins, Jr. Date 10-14-22
Signature 

B. Owner's Authorization

I HEREBY CERTIFY THAT I AM THE OWNER OF RECORD OF THE PROPERTY DESCRIBED HEREON AND THAT I CONCUR WITH THE DOCUMENTS PRESENTED TO THE PLANNING BOARD / ZONING BOARD OF ADJUSTMENT. I HEREBY AUTHORIZE THE APPLICANT TO SUBMIT THIS APPLICATION FOR DEVELOPMENT.

Name John S. Logan Date 09-15-2022
Signature 
Telephone & Fax Number: 732-610-4208 / FAX: 732-573-0062

7. Correspondence

A. Person to be contacted in regard to all matters pertaining to this Application (if other than Applicant)

First Name Richard Phone 732-261-0884
Last Name Mongelli Phone _____
Street Address 441 Main Street Fax _____
City / State Metuchen, NJ Zip 08840 Email rich@mongellilaw.com

8. Verification and Authorization

I, THE UNDERSIGNED, HEREBY MAKE APPLICATION FOR AN APPLICATION FOR DEVELOPMENT ONLY FOR THE LOCATION AND THE WORK DESCRIBED HEREIN AND CERTIFY TO THE ACCURACY OF THAT INFORMATION. I ACKNOWLEDGE THAT IT IS MY RESPONSIBILITY TO BE AWARE OF AND COMPLY WITH ALL ZONING REQUIREMENTS OF THE BOROUGH OF METUCHEN RELATING TO THIS APPLICATION. I UNDERSTAND THAT FAILURE TO PROVIDE ACCURATE INFORMATION OR TO COMPLY WITH ANY PROVISIONS OF THE APPLICATION RENDERS IT NULL AND VOID AND MAY RESULT IN AN ENFORCEMENT ACTION.

CONSTRUCTION OF IMPROVEMENTS WILL NOT BE COMMENCED AT THE ABOVE LOCATION UNTIL THE APPLICANT/OWNER IS IN COMPLIANCE WITH ALL APPLICABLE REGULATIONS REGARDING ZONING AND PROPERTY MAINTENANCE AS DEFINED BY THE CODE OF THE BOROUGH OF METUCHEN. THIS APPLICATION AND ASSOCIATED APPROVALS DO NOT WAIVE ANY OTHER RESTRICTIONS OR REGULATIONS IMPOSED PRIVATELY OR BY LAW.

A. Applicant's Verification

I HEREBY CERTIFY THE STATEMENTS CONTAINED IN THIS APPLICATION ARE TRUE.

Name _____ Date _____

Signature _____



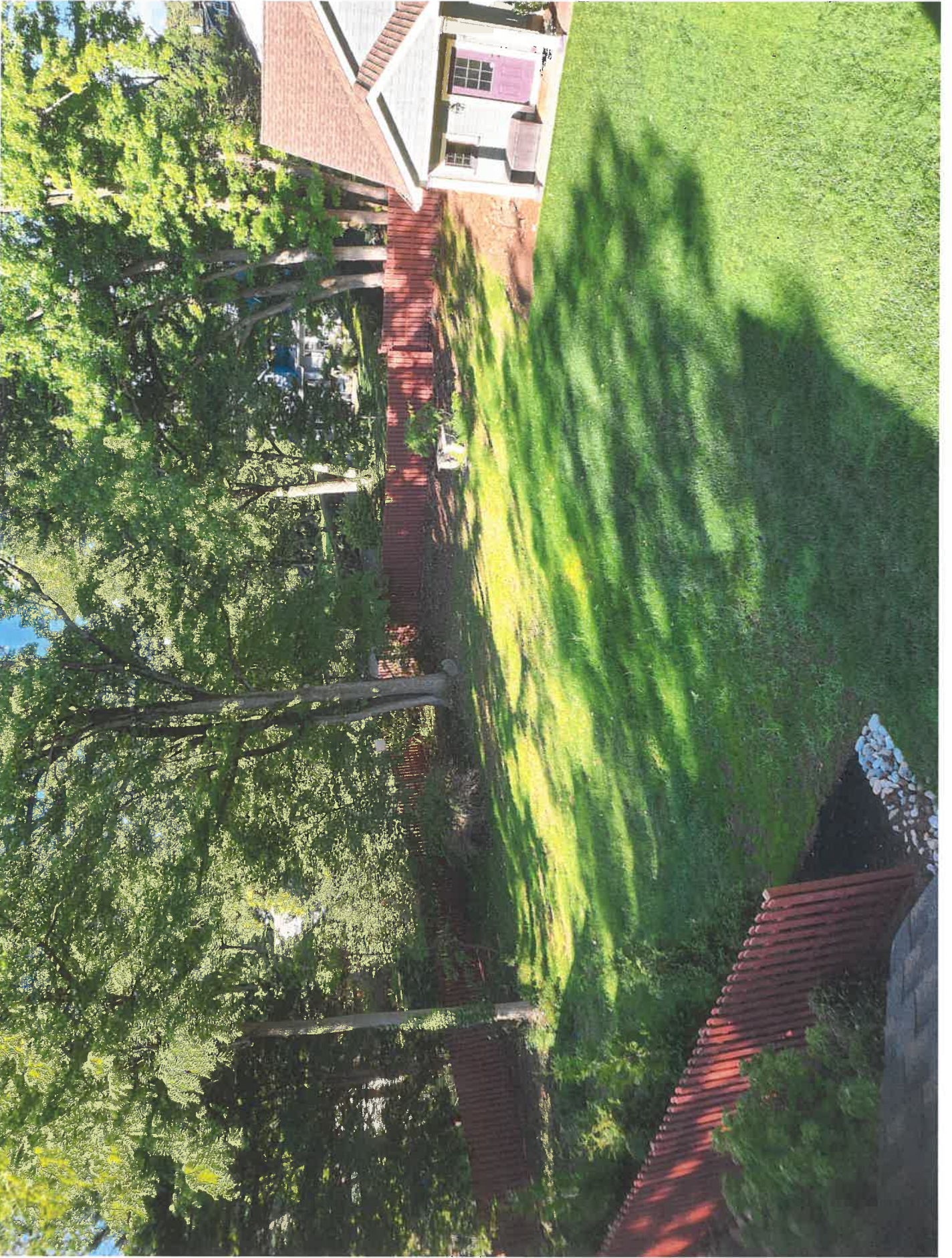
B. Owner's Authorization (for 67 Oak Avenue)

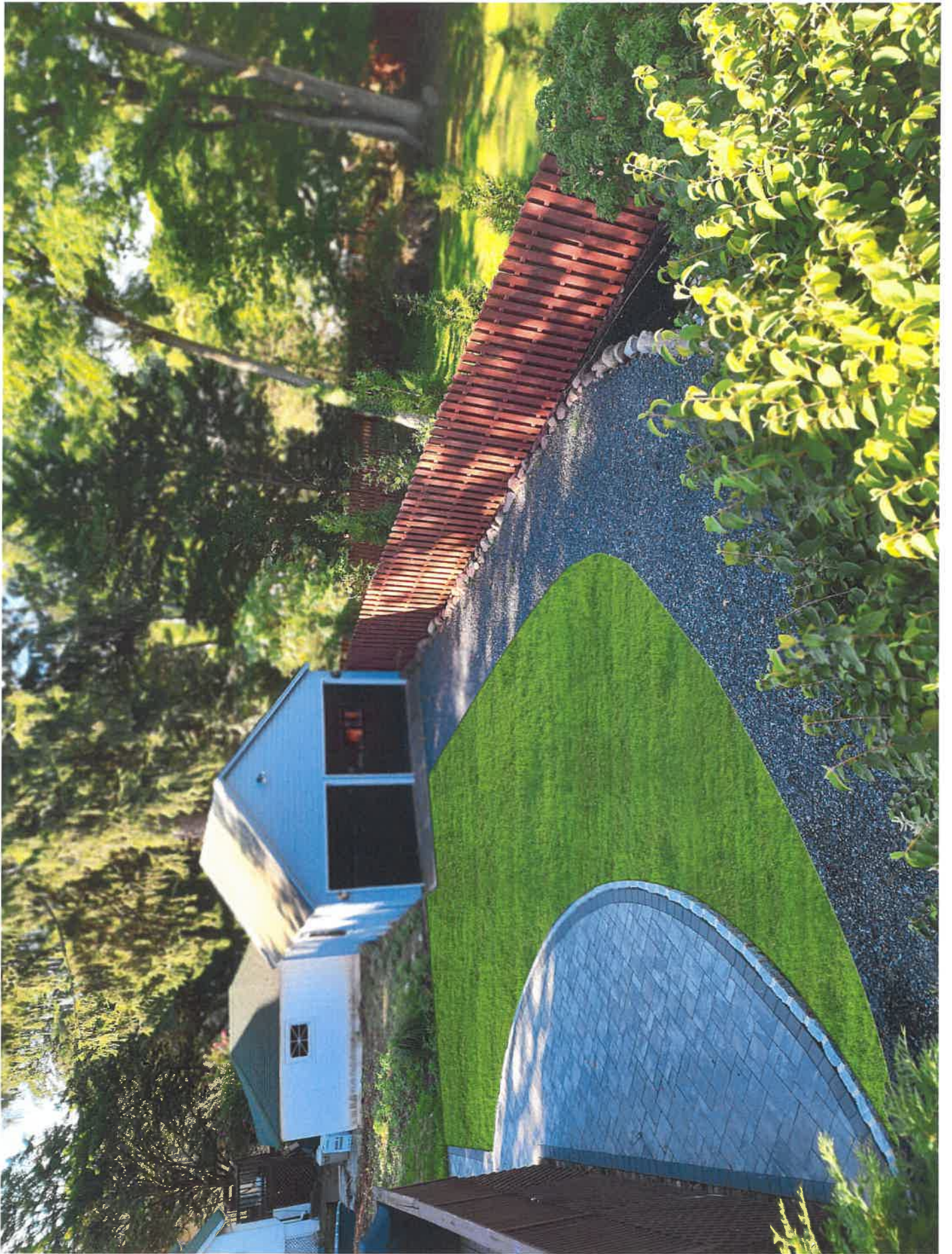
I HEREBY CERTIFY THAT I AM THE OWNER OF RECORD OF THE PROPERTY DESCRIBED HEREON AND THAT I CONCUR WITH THE DOCUMENTS PRESENTED TO THE PLANNING BOARD / ZONING BOARD OF ADJUSTMENT. I HEREBY AUTHORIZE THE APPLICANT TO SUBMIT THIS APPLICATION FOR DEVELOPMENT.

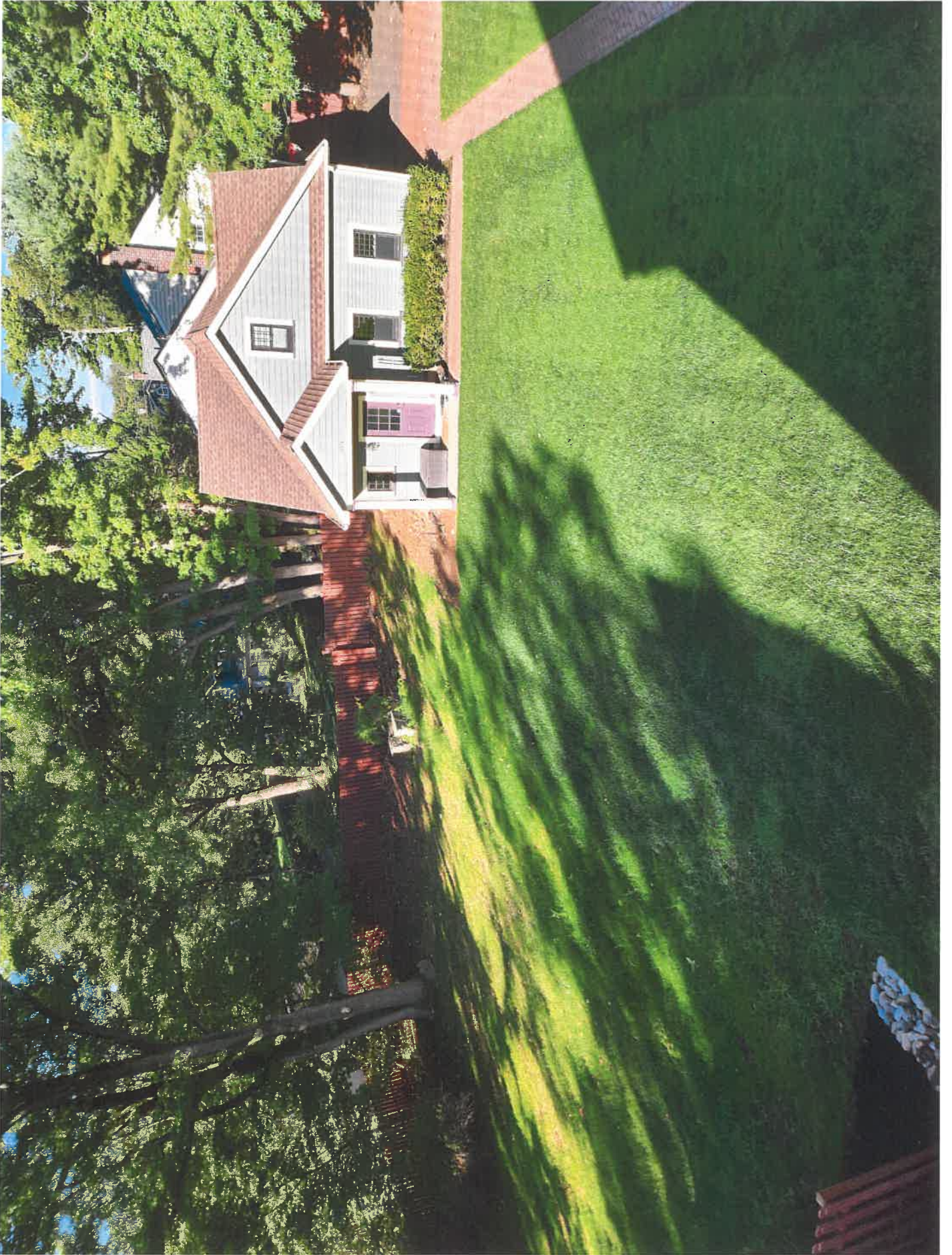
Name Thomas Mullins, Jr. Date 1-3-2023

Signature

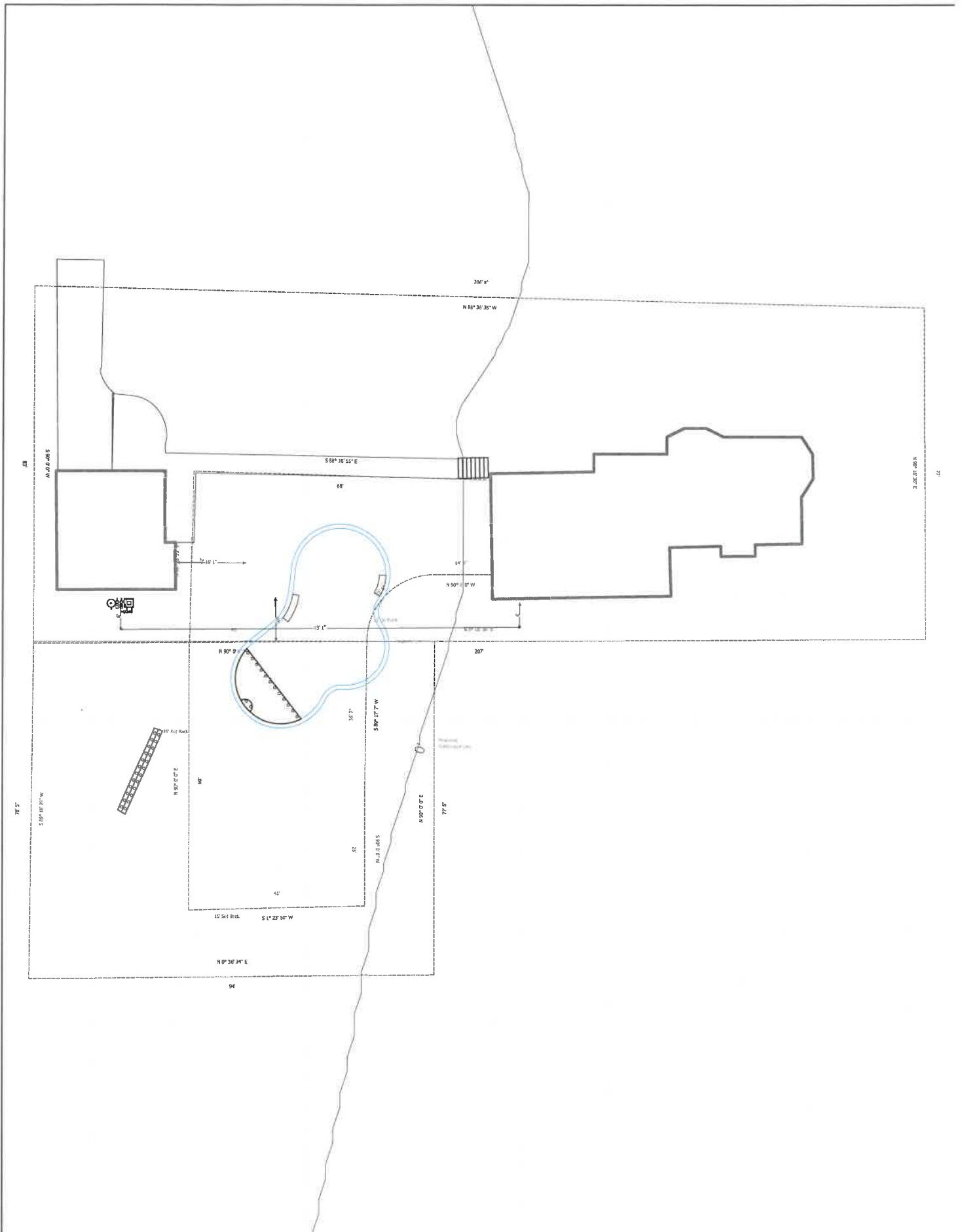
Telephone & Fax Number: 917 748 4747









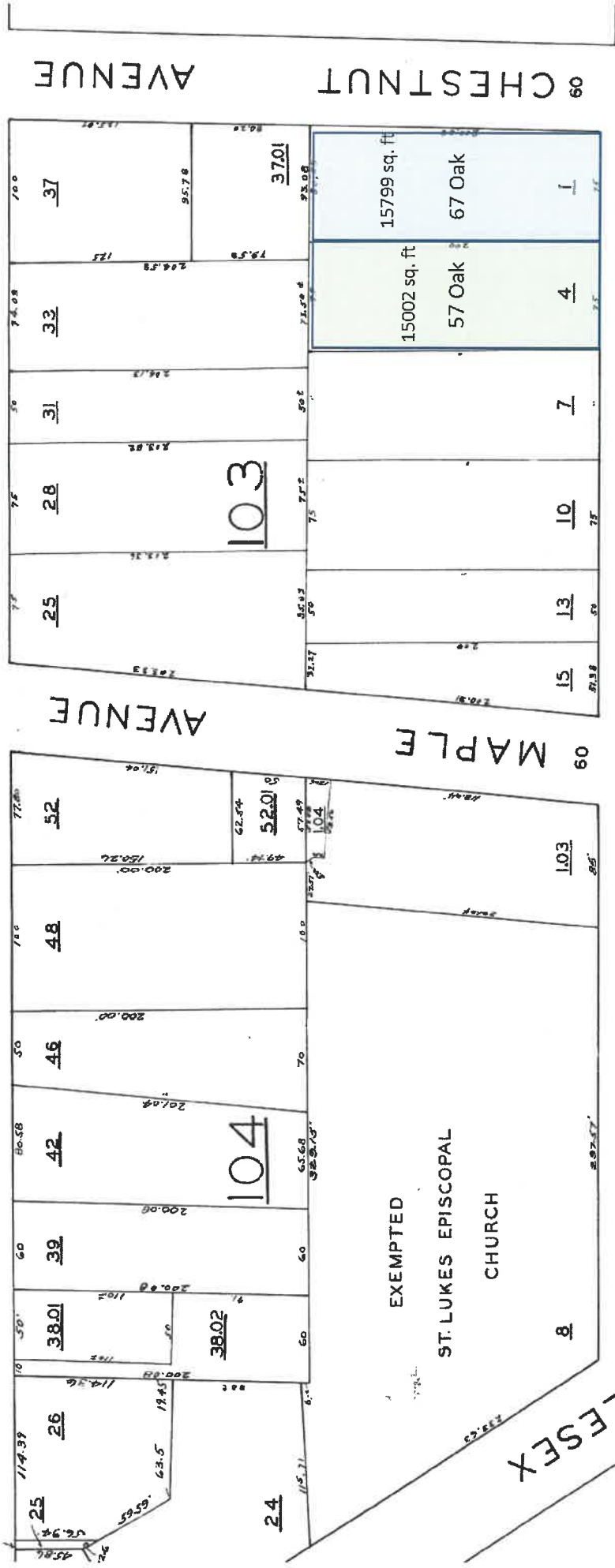


CURRENT PROPERTIES FOR SUBDIVISION PROPOSAL

LINDEN AVENUE

AVENUE

8



OAK

AVENUE

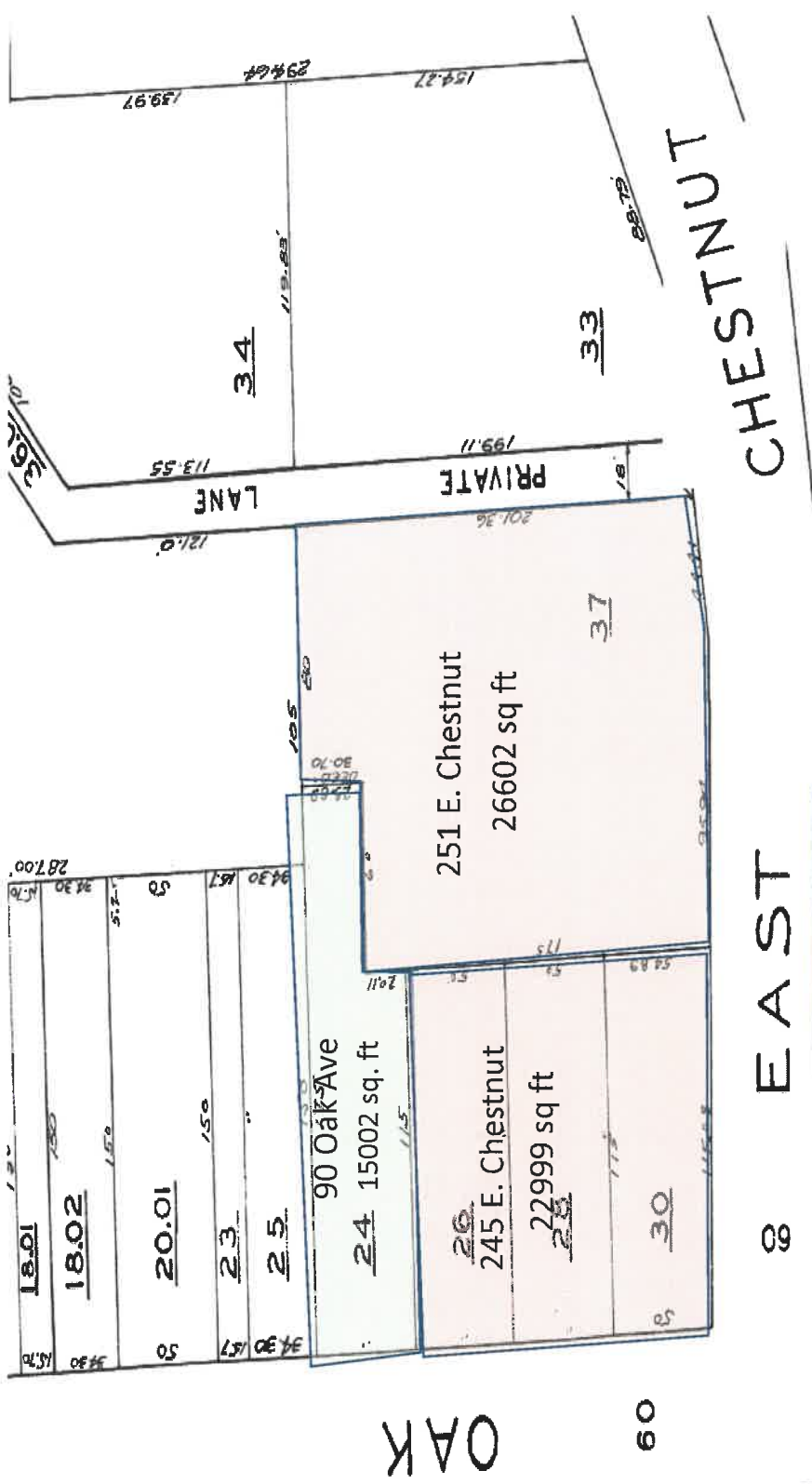
8



MIDDLESEX

EAST CHESTNUT AVENUE

COMPARABLE LOTS POST-SUBDIVISION



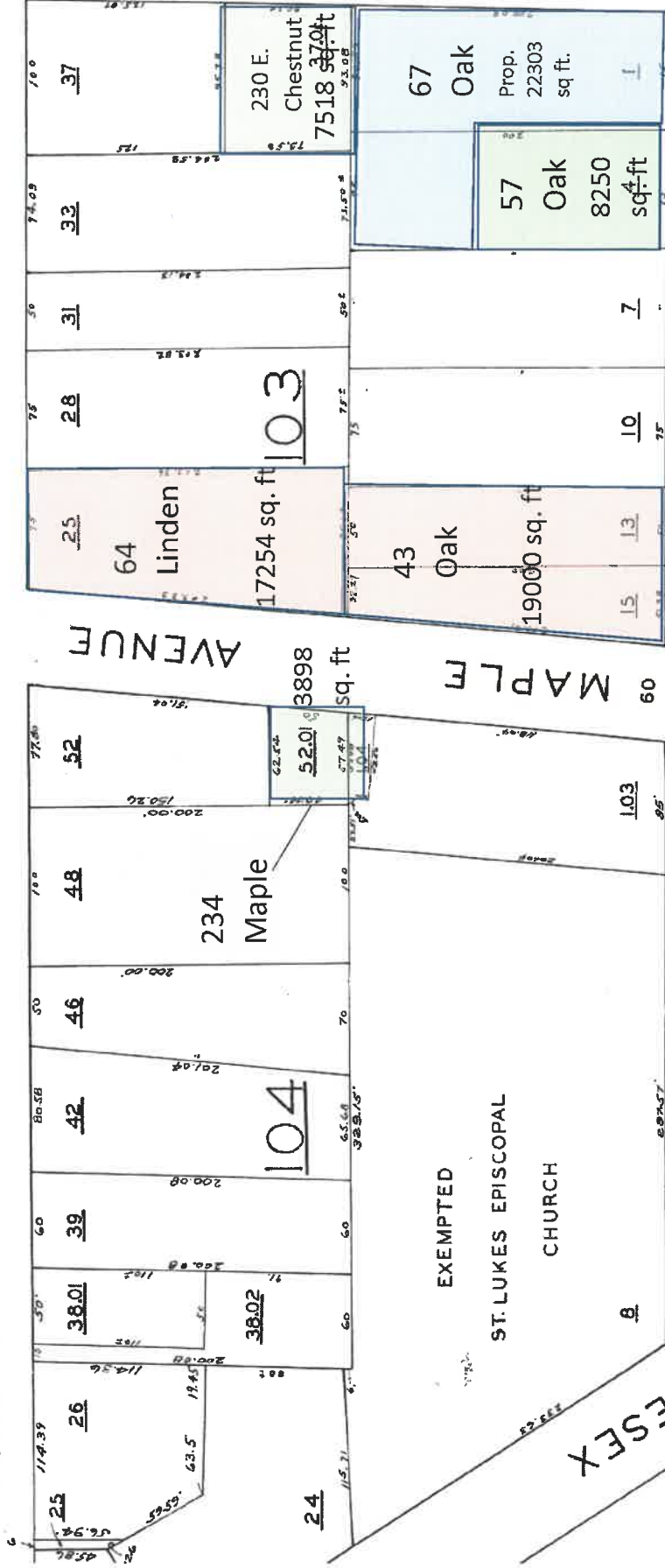
231 E. Chestnut	27,752 sq. ft.
241 E. Chestnut	21318 sq. ft.

67 Oak
Proposed 22303 sq. ft

62 Oak
21000 sq. ft

COMPARABLE LOTS POST-SUBDIVISION

LINDEN AVENUE



OAK AVENUE

EAST

EXEMPTED
ST. LUKES EPISCOPAL
CHURCH

OAK

PARK
EXEMPTED

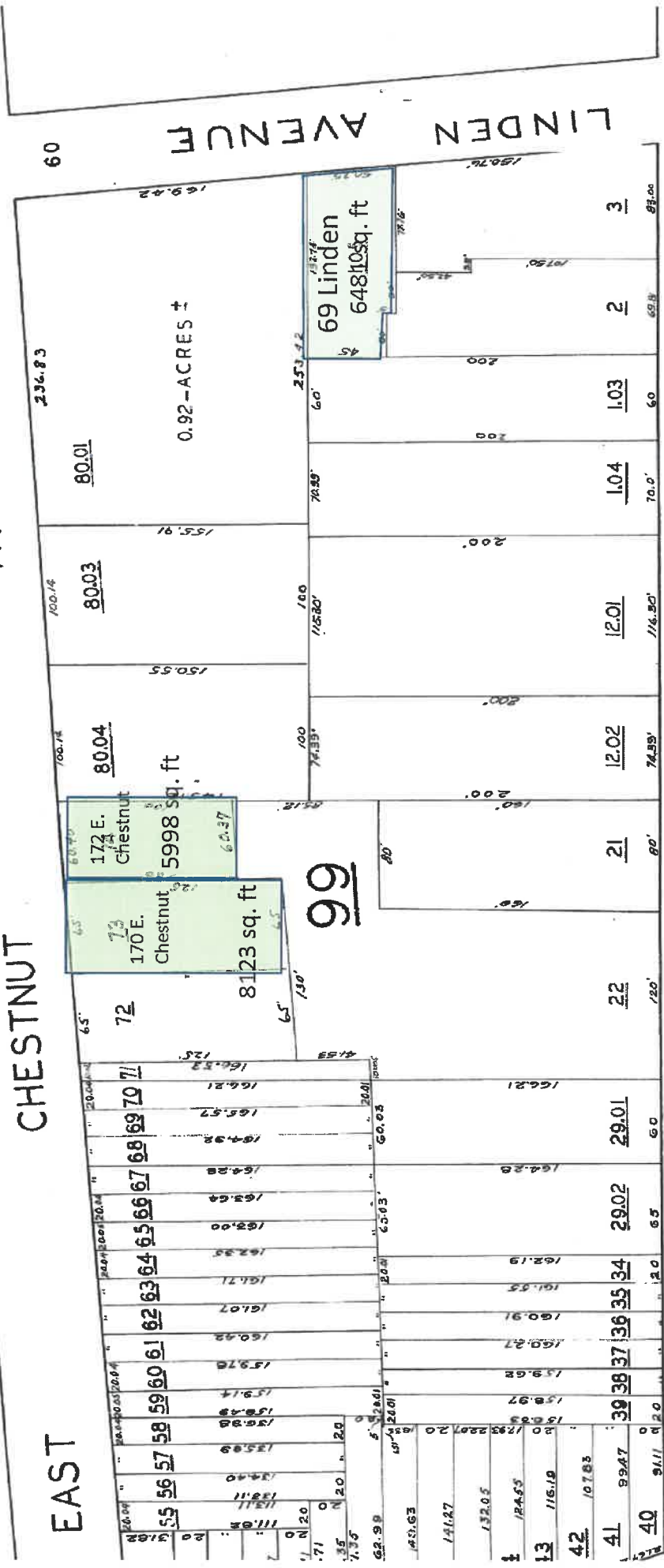
MIDDLESEX

COMPARABLE LOTS POST-SUBDIVISION

AVENUE

CHESTNUT

EAST



AVENUE

MAPLE



231 E. Chestnut
27,752 sq ft.

241 E. Chestnut
21318 sq ft.

245 E. Chestnut
22999 sq ft

251 E. Chestnut
26602 sq ft

67 Oak
Propos. 22350 sq ft

57 Oak
Propos. 8250 sq ft.

63
62 Oak
211000 sq. ft

59
57
55
53

EAST CHESTNUT

AVENUE

DRIVEWAY

WOODWILD

80

89'

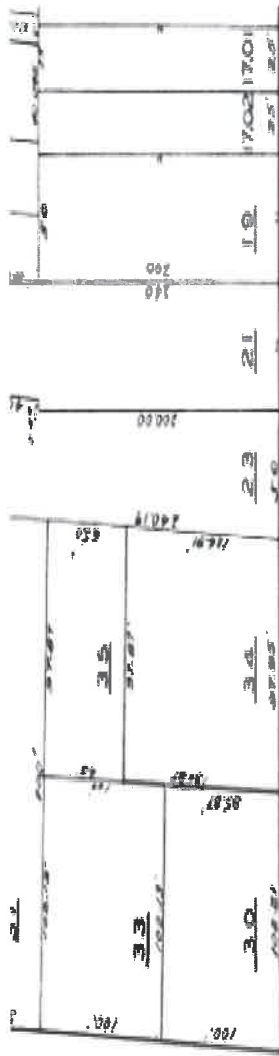
30

158.85

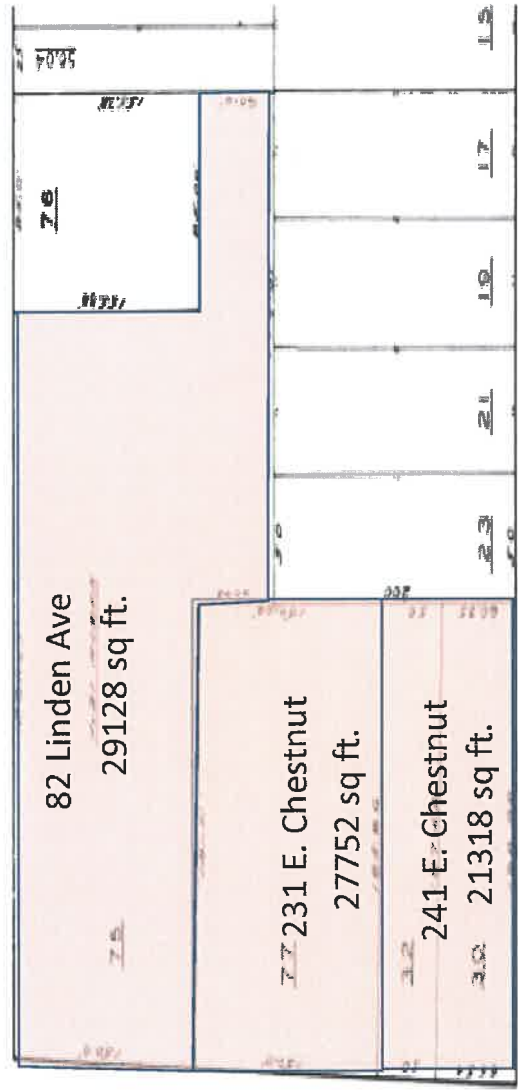
150

110.92

1.04 ACRES



LINDEN



82 Linden Ave
29128 sq. ft.

77 231 E. Chestnut
27752 sq. ft.

241 E. Chestnut
21318 sq. ft.

230 E.
Chestnut
Current 7518 sq. ft

67 Oak
Propos. 22303 sq. ft

EAST CHESTNUT

OAK

METUCHEN BOARD OF ADJUSTMENT

RESOLUTION OF MEMORIALIZATION GRANTING
C VARIANCES TO
THOMAS and SARAH MULLINS
67 OAK AVENUE
BLOCK 103, LOTS 1
APPLICATION NO.: 15-1069

WHEREAS, Thomas and Sarah Mullins, hereinafter referred to as “the Applicant,” are the owners of Block 103, Lot 1 as shown on the official Tax Map of the Borough of Metuchen, and more commonly known as 67 Oak Avenue, in the Borough of Metuchen, County of Middlesex and the State of New Jersey; and

WHEREAS, the Applicant has applied to the Board of Adjustment for the Borough of Metuchen for approval of C variance; and

WHEREAS, the Board of Adjustment of the Borough of Metuchen held a public hearing on said application on July 9, 2015 after compliance with the notice, service and publication requirements of N.J.S.A. 40:55D-12; and

WHEREAS, the Board of Adjustment considered the following documents:

1. Zoning permit.
2. Board of Adjustment Application for Development deemed complete on June 11, 2015.
3. Proof of payment of taxes and assessments.
4. Application and escrow fees.
5. Review letter of Maser Consulting, P.A., by Lisa R. Di Franza, P.E., CME, dated July 8, 2015.
6. Review letter from LRK, INC. by Jim Constantine, PP, dated July 7, 2015.

6. Survey by Landmark Surveys for Block 103, Lot 1, dated September 7, 2005.
7. Plans entitled prepared by Marcille Architecture, dated June 8, 2015, numbered A-1, A-2, A-3 and A-4.
8. Colored Photographs of the existing property depicting the addition and removal of deck on the left side of the house and depicting the front of the home with the proposed expansion of the porch; as well as pictures depicting the rear of the house and the screened porch.

WHEREAS, the Applicant, Thomas Mullins appeared and gave testimony; and

WHEREAS, the subject property is situated in the R-1A Residential Zone District and contains 15,553 square feet (0.35 acres). The corner property has 75.00 feet of frontage along the west side of Oak Avenue and 200.08 feet of frontage on the south side of East Chestnut Avenue. The site currently contains a 3-story, single-family residence with a detached two-car garage, walkways, patio area and paved driveway; and

WHEREAS, the Applicant proposes to add a small building and porch addition to the rear of the dwelling, a small building addition to the south side of the dwelling and a small porch addition to the north side of the dwelling; and

WHEREAS, the Applicant requires the following C variances:

§110-64, minimum lot area, required 20,000 sf, present 15,553 sf (existing condition)

§110-64, minimum lot width, minimum 100 feet, present 75 feet (existing condition)

§110-64, minimum front yard setback, minimum 40 feet; present 19.25 feet (Oak Avenue), 21.23 feet (East Chestnut Avenue) (existing condition); proposed same.

§110-110, permitted projections, requires non-enclosed porches, entrance platforms and steps leading to a first floor excluding decks, may project a maximum of eight (8) feet into a

required front yard setback. Applicant proposes a covered front porch expansion to an existing porch that is at a traditionally dimensioned depth. Due to the nature of the required front yard setback on a corner lot, the proposed front porch expansion projects 12 feet and 1.5 inches in to the front yard setback, requiring a variance.

§110-112.3.A(1) driveway lot access: every lot shall have a maximum of one driveway apron providing access to a street. The Applicant's property contains three (3) existing non-conforming driveway aprons that are proposed to remain, requiring a variance.

§110-112.3.B(1) driveway location: a driveway on a corner lot is required to be set back a minimum of 40 feet from the intersecting lot lines at the corner. Presently, the property contains two (2) existing non-conforming driveway aprons that are located within 40 feet from the intersecting lot lines at the corner, requiring a variance.

§110-112.7.I and §110-148 requires public sidewalks to be provided in the right-of-way along all public streets. At the Technical Review Committee (TRC) it was discussed that given the scope of the proposed site improvements, a sidewalk was not necessary along East Chestnut Avenue; if the Board agrees and no sidewalk is required, a variance would be required.

WHEREAS, the Board of Adjustment of the Borough of Metuchen, after hearing the testimony in support of the application, and after considering the recommendations of the Board Engineer and Board Planner, has made the following findings of fact and has drawn the following conclusions of law:

1. The Board of Adjustment of the Borough of Metuchen has proper jurisdiction to hear the within matter.

2. The property is designated as Block 103, Lots 1 shown on the Official Tax Map of the Borough of Metuchen, County of Middlesex and State of New Jersey and more commonly known as 67 Oak Avenue.

3. The property is located in the R-1A Residential District.

4. Mr. Mullins was sworn in and gave testimony. Mr. Mullins indicated that he is seeking a bulk variance to construct an addition to his home which is on a corner lot. He testified that only 20 square feet of footage is triggering a variance. The section that requires a variance is located at the rear corner of the house, where a 15 foot setback is required and 10 feet is proposed. Applicant testified he proposed to add a small addition over the open porch on the side of the house, but not as far as the existing deck; in a way, the footprint is coming in closer to the house. The deck will be removed. Applicant desires this addition to make his kitchen an eat-in kitchen. Applicant testified that access thru the front door leads in to the dining room. Applicant testified he proposes to extend the existing porch which would allow access to a mud room instead. This would also extend the look in the front since the porch will be extended. Applicant proposes an additional screened porch off the side of the addition, which would provide direct access to the existing patio. Applicant does not propose to remove any trees. Applicant already completed repairs to garage and driveway and did not remove trees.

5. Chris Cosenza, Zoning Officer, indicated he would require a new final "as built" survey once the work was completed. The Applicant consented to same.

6. In response to a question, Applicant testified he has no current plans for the proposed bonus room on the second floor which would come off the master bedroom. Applicant does not plan to finish it right away but that it might be an office or fitness room.

7. Applicant indicated he would ideally like to place the proposed generator by the

garage and no variance is required for that location. Mr. Cosenza indicated that it does not require a variance; so long as it has a three (3) foot setback.

8. In response to a question about a sidewalk along East Chestnut, the Applicant testified putting a sidewalk there would not be practical. Mr. Cosenza indicated the sidewalk requirement can be waived by the Board given the scope of the project.

9. In response to a question, Mr. Mullins testified there is a hardship in that the property is a corner lot and there is a narrow buildable envelope. In other words, the Applicant testified there is no area to build. Applicant desires to expand the kitchen, improve the overall appearance and functionality of the house.

10. The hearing was opened to the public for questions and comments. No member of the public had questions or spoke for or against the application. The public portion was closed.

11. The Board then engaged in discussion regarding the application for the variance. The Board specifically considered the uniqueness of the situation affecting this property, including the undersized lot and the fact that the property is a corner lot. The Board found these situations to create a hardship justifying a C-1 variance.

12. The Board finds that the relief requested may be granted because the Applicant has demonstrated that by reason of the extraordinary and exceptional situation uniquely affecting the subject premises and the structures lawfully existing thereon, as set forth above, the strict application of the driveway width requirement would result in peculiar and exceptional circumstances and practical difficulties to and exceptional and undue hardship upon the Applicant. Among the extraordinary and exceptional features of this Application are the corner lot and the narrow buildable envelope for the lot.

13. The Board further finds that the relief requested may be granted without substantial detriment to the public good and without substantially impairing the intent and purpose of the zone plan and the zoning ordinance because of the uniqueness of the subject property and the existence non-conforming conditions with respect to corner lot, narrow buildable envelope and location of where the house is situated.

14. The Board finds that the granting of the application for C variances should be conditioned on the Applicant's agreement to comply with the conditions contained in this resolution.

NOW, THEREFORE, BE IT RESOLVED by the Board of Adjustment of the Borough of Metuchen that the application for C variances of Thomas Mullins and Sarah Mullins be and is hereby granted in accordance with the application and plans filed herein, subject to and conditioned upon the following:

A. Publication by the Applicant of a notice of this decision in an official newspaper of the Borough of Metuchen and return of proof of said publication to the Secretary of the Board of Adjustment.

B. The Applicant furnishing proof to the Secretary of the Board of Adjustment that no fees, escrows or assessments for local improvements are due or delinquent on the property in question. No permits, if any, shall be executed for filing until all fees and escrows are paid in full.

C. The application shall be subject to any other outside agency approvals as may be necessary, including, but not limited to, Middlesex County Planning Board, Borough of Metuchen Fire Department, Middlesex County Utilities Authority, Middlesex Water Company, Metuchen Shade Tree Commission, and Freehold Soil Conservation District.

D. The Applicant shall reimburse the Board of Adjustment of the Borough of Metuchen and/or the Borough of Metuchen for professional fees associated with this application.

E. Approval of the variance applied for shall expire one year from the date of this resolution if construction has not commenced within that time period, provided, however, that the Board may extend the time period of such approval for one period of one year in accordance with §110-41 of the Land Development Chapter.

BE IT FURTHER RESOLVED that the Applicant understands and acknowledges that all of the conditions contained in this resolution and the record of proceedings in this matter including any agreements made or plans submitted by the Applicant were essential to the Board's decision to grant the approval set forth herein. Breach of any such conditions or the failure of the Applicant to adhere to the terms of any agreement or condition may result in revocation of the within approval and may terminate the right of the Applicant to obtain any further permits or any other governmental authorizations necessary in order to effectuate the purpose of this resolution. The Applicant has been advised by this resolution that all conditions contained in this resolution are to be complied with and that breach of any of the conditions shall be rectified before the issuance of any certificate of occupancy.

BE IT FURTHER RESOLVED that nothing herein shall be interpreted to excuse compliance by the Applicant with any and all other requirements of this municipality or any other governmental subdivisions as set forth in any laws, ordinances or regulations.

BE IT FURTHER RESOLVED that this resolution shall serve as one of memorialization of the action taken by this Board at its meeting of July 9, 2015 and effective as of that date.

BE IT FURTHER RESOLVED that a copy of this Resolution, certified by the Secretary of the Board of Adjustment to be a true copy, be forwarded to the Zoning Officer, the Borough Clerk, Borough Planner, Borough Engineer, Borough Attorney, Borough Construction Official and the Applicant herein within ten (10) days of the date hereof.

BE IT FURTHER RESOLVED that the Chairman and Secretary be and are hereby authorized to sign any and all documents necessary to effectuate the purpose of this resolution, provided the Applicant has complied with the above-stated conditions.

I hereby certify that the Zoning Board of Adjustment of the Borough of Metuchen took the foregoing action at its meeting held on July 9, 2015.



Sharon Hollis, Secretary

Dated: August 13, 2015

NARRATIVE OF PROPOSAL

Applicant seeks minor subdivision approval for two adjacent properties 57 and 67 Oak Avenue. Applicant owns only 67 Oak Avenue. The owner of 57 Oak Avenue has consented to this application being filed. Applicants' primary residence since 2013 has been 67 Oak Avenue, where they have raised their 2 children. They are seeking this minor subdivision in order to expand the size of their rear yard for their and their family's use and enjoyment. Of note, their current rear yard is topographically linked to the "lower" portion of the current rear yard at 57 Oak, which was unused by the former owner of that property. The current rear yard of 57 Oak is topographically "two-tiered", with a significantly sized "upper" portion that contains a rear deck and side patio space, and a section that is intended by the future owner of 57 Oak Ave. to be reverted back to turf (it was covered with gravel several years ago by the former owner). The "lower" section of the current rear yard of 57 Oak Ave. is topographically distinct, and is the subject of the Applicants' proposed subdivision/integration into 67 Oak Ave. Of note, 67 Oak Ave. is a corner lot at the corner of Oak and East Chestnut Avenues.

As reflected in the supporting documents, an approved subdivision of these two properties would result in two currently non-conforming lots in the R-1A zone (each currently below the minimum 20,000 sq. foot size) being transitioned to a now-*conforming* lot at 67 Oak Ave., while retaining a generously sized lot at 57 Oak Avenue: the proposed 75x110, 8250 sq. foot lot at 57 Oak, which would remain non-conforming, but remaining consistent (and in several instances larger) than the lot sizes of several nearby homes in the R-1A zone and immediate surrounding neighborhood.

Of further note, the proposed conforming lot at 67 Oak would become more consistent with a significant number of the surrounding homes: in particular, every other home on the corner of Oak and East Chestnut is on a larger or very similarly sized lot to that proposed by the Applicants.

The proposed lot at 67 Oak will be a 22,303 sq ft lot, thus improving the current non-conforming lot size. The surrounding neighborhood homes, as reflected in the supporting application documents, are consistent with both the increased, now-conforming lot size proposed at 67 Oak Ave, as well as supporting several other lots that are similar or, in a number of cases, considerably smaller than, the proposed 57 Oak Ave lot. Indeed, the lot to the immediate rear/adjacent to 67 Oak on its other side is significantly smaller than that proposed for 57 Oak Ave, though both are well within Borough standards.