

## Plainsboro Township

Zoning Board Application #Z25-01

Bulk Variances

Memo Date: 3/10/2025

Meeting Date: 4/2/2025

# Zoning Board Review Memo

<u>Type of Application:</u>	Bulk Variances (Roof Slope & Front Yard Setback)
<u>Name of Applicant:</u>	Tiziano Passerini & Lucia Mirabella
<u>Property Location:</u>	12 Linden Lane South (Block 1504, Lot 16)
<u>Zone:</u>	R-85 Residential Zone
<u>Present Use of Property:</u>	Single Family Dwelling
<u>Adjacent Land Uses:</u>	Single Family Dwelling

### **Project Description**

The applicant is proposing to expand the existing two-story house by adding a one-story front entrance addition (vestibule) measuring 11.5 feet in width by 8.5 feet in depth. The roof of the proposed addition has a slope of 1:12 (one inch of rise in 12 inches of run) where the zone regulations require a minimum roof slope of 5:12. A roof slope variance is required to allow the virtually flat roof on the proposed addition.

The subject property is a corner lot. While the proposed addition satisfies the required 45-foot front setback requirement on Linden Lane South, on the Wethersfield Road frontage of the property there is an existing roof over a rear patio that encroaches about six (6) feet into the required setback along that street frontage. Based on research by the Township Assessor's office, a permit for this structure was issued in August 1982 by the Township Construction Official at the time. The applicants acquired the property in November 2014, over thirty years after this structure was approved for construction. The applicants are requesting that the existing roof over the patio remain as is, necessitating variance relief (45 feet required, approximately 39 feet proposed/existing).

### **Staff Comments**

1. According to Township records, the subject house on the property was constructed in 1978 and the rear patio roof was issued as permitted in August 1982. The Township has no record of any variances being granted for this property.

2. In July 2004 the Township adopted amendments to the R-85 Zone regulations intended to better ensure that new houses and additions to existing houses in the zone would be compatible in scale and architectural character with existing housing in the village area. Among the changes included new building height, roof slope and house size restrictions.
3. In an effort to maintain the predominant, traditional roof slopes found in the village area, particularly in the older portions, the amended zoning regulations require all roof slopes for new dwellings and additions to existing dwellings have a minimum 5:12 slope. Generally speaking, since the adoption of these changes to the R-85 Zone regulations, it has been staff's experience that this requirement has not been an issue for most home additions in the zone.
4. According to the applicant, however, in order to preserve the existing large fixed window located above the existing front door of their home, which window provides natural light into the foyer and stairway to the second floor of the home, the options for a roof on the proposed front vestibule addition are limited to an essentially flat roof. If a more sloped roof option were contemplated, the subject window would either need to be removed or replaced by a substantially smaller window (vertical dimension).
5. Apart from this roof slope variance request and the variance for the pre-existing roof over the rear patio, the subject lot and house comply with all applicable area and bulk requirements for the R-85 Zone.
6. The applicant has indicated that the property is served by public water and sewer.
7. Zoning regulation §101-5C (conformity with provisions) requires that any alteration, enlargement or reconstruction of an existing building comply with the existing zoning regulations, including required front yard setbacks and roof slopes per the R-85 Zone regulations; therefore, in order to entertain the subject variances (§101-38C & 101-40), a variance is also required from this section of the zoning regulations.
8. In summary, the applicant is seeking variances from the following provisions of the zoning regulations:
  - §101-38C (roof slope)
  - §101-40 (front yard setback)
  - §101-5 C (conformity with provisions)
9. Given the character and location of the existing house on the property, the character of the neighborhood where the house is located and its relationship to neighboring properties, and the nature and character of the proposed improvements, staff is of the opinion that granting the requested variances will not adversely effect properties in the vicinity of the subject lot and will not impair the intent and purpose of the existing zone plan for the area.

**Staff Recommendation**

1. To document conformance of the front yard setback of the proposed addition along Linden Lane South and the setback of the pre-existing roof over the rear patio, the applicant shall arrange to have a New Jersey licensed land surveyor prepare an As-Built survey that shows the proposed addition as being no closer than 45 feet from the Linden Lane South front property line and 39± feet from the Wethersfield Road front property line. Such survey shall be submitted to the Township Planner and Zoning Officer prior to requesting a certificate of occupancy (CO) for the proposed front addition.

**MLUL Time Clock:** 120 days (7/27/2025)