

**BOARD OF ADJUSTMENT/PLANNING BOARD APPLICATION**

**TOWNSHIP OF IRVINGTON, N.J.**

DATE OF FILING \_\_\_\_\_

DATE OF HEARING \_\_\_\_\_ CALENDAR NO. \_\_\_\_\_

Application is hereby made by the undersigned for: **Gateway Apartments, LLC**

\_\_\_\_\_  
(Describe relief requested i.e. variance, sub-division, site plan approval or any combination thereof and

**Site plan and bulk variance approvals**

for what purpose is this application being made)

**Development of residential building (24 units) with one commercial unit on ground level with on-site parking**

Pursuant to \_\_\_\_\_

(Set forth applicable section (s) of Revised Zoning Ordinance)

\_\_\_\_\_  
**DESCRIPTION OF PROPOSED DEVELOPMENT**

PREMISES AFFECTED IS KNOWN AS LOT (S) **5 & 6** BLOCK(S) **359**

STREET ADDRESS **1137 (Lot 6) & 1147-53 (Lot 5) Stuyvesant Avenue** IRVINGTON, N.J.

APPLICANT **Gateway Apartments, LLC** ADDRESS **12 Newark Way, Maplewood, NJ 07040**

TELEPHONE# **973-303-9253**

OWNER **From Dusk to Dawn, LLC** ADDRESS **188 Eagle Rock Ave, Roseland NJ 07068**

LESSEE **Not Applicable** ADDRESS \_\_\_\_\_

OCCUPANCY **Vacant – Existing buildings to be demolished (one story commercial and two story residential)**

SIZE OF LOT **Lot 5 – 119 x 87 (Irregular) & Lot 6 – 119 x 87 (Irregular) – Combined 238 x 87 (Irregular)**

SIZE OF BUILDING(S) (PRESENT AND/OR PROPOSED) (AT STREET LEVEL)

**Lot 5 – 100 ft (present) Lot 6 – 50 ft (present) Combined – 210 ft (proposed)** FT. FRONT

**Lot 5 – 50 ft (present) Lot 6 – 50 ft (present) Combined – 60 ft (proposed)** FT.DEEP

PERCENTAGE OF LOT OCCUPIED BY BUILDING(S) **Lot 5 & 6 – 82.78% (present) Combined 62.38% (proposed)**

HEIGHT OF BUILDING(S) **Lot 5 – 1 story (present) Lot 6 – 1 and 2 story (present) Combined - 3 story (proposed)** STORIES

**Lot 5 & Lot 6 – 22.75 ft (present) Combined – 38.34 ft (proposed)** FT.

SET BACK FROM FRONT PROPERTY LINE **Lot 5 – 0 ft (present) Lot 6 – 6 ft – 8 ft (present) Combined – 5 ft (proposed)** FT.

FROM SIDE LINE (IF CORNER LOT) **Not Applicable** FT.

ZONING REQUIREMENTS (FOR NEW CONSTRUCTION OR ADDITIONAL CONSTRUCTION)

FRONTAGE **10 ft** FT.

SIDE YARDS **10 ft / 25 ft** FT.

SET-BACK FT. **10 ft**

REAR YARDS **25 ft** FT.

PRESENT ZONE(S) **B-3 Limited Business Zone**

Do you know whether there has been any previous appeal involving these premises by either yourself or any other person? **NO**

If yes, state the nature of the appeal, the disposition and date of same:

**Not Applicable**

Date property acquired by owner: **2007**

Proposed Development (Note: This application must set forth all facts upon which you rely to establish your right to relief from the present requirements of the Revised Zoning Ordinance. If additional space is needed, additional pages may be annexed to this application).

***Applicant seeks approvals to construct a 3 story building which will contain residential (24 one bedroom units) on the second and third floors and one commercial space (tenant TBD) on the ground floor. Parking of 21 stalls will be provided on the ground floor. There will be one way entrance and exit from the parking area. B-3 zone permits upper floor dwelling units and several types of commercial uses on ground level, no use variance is necessary. As Lot 5 & 6 will be consolidated and the building built over both lots, a subdivision approval is necessary. Due to size of building several bulk variances are required: minimum front yard (5 ft where 10 ft is required), minimum rear yard (14.61 ft where 25 ft is required), maximum floor area ratio (1.026% where .40% is limit), maximum number of stories (3 story where 2 is limit), maximum building height (38.34 ft where 20 ft is limit), maximum parking setback (6 ft where 10 ft is required) and parking spaces (21 stalls where 24 are required for this size project). Variance relief can be granted for the following reasons. Site has unique feature which creates hardship. A brook runs along entire rear of property. Construction in proximity to the brook is disallowed by NJDEP regulations. This results in the building being pushed not only forward towards Stuyvesant but also upwards to make up for unusable land. Thereby, Maximum Parking Setback, Minimum Front Yard and Rear Yard are reduced due to brook limitations. Likewise, Maximum Floor Area Ratio, Maximum Building Height and Number of Stories are exceeded to make up for the loss of horizontal buildable land. Additionally, Minimum front yard is currently 0 ft and the proposed building would be closer to compliance at 5 ft. The proposed building is actually 2 stories as the ground level is taken up primarily by parking stalls. The commercial unit is relatively small at less than 800 sq ft. The utility room for the building, not habitable space, takes up the rest. Parking will be primarily addressed on site with 21 of the required 24 stalls. The 3 remaining parking spaces can be accounted for by way of on-street parking which is allowed in the area. On-street parking will actually increase with proposal as the number of curb cuts will be reduced from 3 to 2. There is also significant public transportation options available with at least two bus stops within easy walking distance.***

I hereby swear and depose that all of the above statements and the statements contained in the papers submitted herewith are true.

Sworn to before me this \_\_\_\_\_

Day of \_\_\_\_\_, 20 \_\_\_\_\_

\_\_\_\_\_

(Notary or Person authorized by law to take oaths).

\_\_\_\_\_  
***Wayne Crowell, Managing Member***

***Gateway Apartments, LLC***

**AFFIDAVIT OF CONSENT**

**STATE OF NEW JERSEY)**

**COUNTY OF ESSEX)**

**Wayne Crowell** of full age, being duly sworn according to law on his oath deposes and says that he is the Managing Member of **From Dusk to Dawn, LLC** with a business address of **188 Eagle Rock Ave, Roseland NJ 07068** and that **From Dusk to Dawn, LLC** is the owner in fee of all that certain parcel of land, situated, lying and being in the Township of Irvington aforesaid, and known as Block(s) No.359, Lot(s) No.5 & 6 on premises known and designated as 1139-1153 Stuyvesant Avenue Irvington, N.J. and that **From Dusk to Dawn, LLC** hereby authorizes **Gateway Apartments, LLC** to make the annexed application on its behalf, and that the statements of fact contained in said application are true.

Sworn to before me this \_\_\_\_\_

Day of \_\_\_\_\_ 20 \_\_\_\_\_

\_\_\_\_\_  
(Notary or Person authorized by law to take oaths)

\_\_\_\_\_  
**Wayne Crowell, Managing Member**  
**From Dusk to Dawn, LLC**