

**A RESOLUTION
FROM THE ZONING BOARD OF ADJUSTMENT
OF THE CITY OF ORANGE TOWNSHIP
ADOPTING A REPORT ON ITS
FINDINGS ON ZONING ORDINANCE PROVISIONS
WHICH WERE THE SUBJECT OF
VARIANCE REQUESTS AND ITS
RECOMMENDATIONS FOR ZONING ORDINANCE
AMENDMENTS OR REVISIONS PURSUANT TO
N.J.S.A. 40D:55-70.1**

**ZONING BOARD OF ADJUSTMENT OF
THE CITY OF ORANGE TOWNSHIP**

RESOLUTION # 3-2021

WHEREAS, the Zoning Board of Adjustment of the City of Orange Township, entertained three (3) cases in the calendar year 2020 as follows:

- 1.
2. Case # MW 20-01 150 North Day Street, Luis Perez, Applicant sought an expansion of a one (1) family dwelling into a two (2) family dwelling, which application EXPIRED due to non-performance; and
3. Case # MW 20-02, Power Home Contractors, LLC., owner of property located at 231 Mt. Avenue, Orange, New Jersey, sought preliminary and final site plan approval, a use variance, lot coverage, lot width and a rear yard set back in order to convert an existing one (1) family dwelling unit into a two (2) family dwelling unit located at 231 Mt. Vernon Avenue, Orange, New Jersey, in an A-2, One, Two or More Residential District, Block 1201, lot 24 which application was DENIED; and
4. Case # MW 20-03, H.A.N.D.S., Inc., Owner/applicant of property located at 232 High Street orange, New Jersey sought preliminary and final site plan approval and variances for density, lot area, lot width, front yard (West) set back, single side yard (South) set back, single side yard (North) set back (already satisfied), side yard set back (both), lot coverage, number of stories, parking entry offset, building coverage and parking space size for a three (3) family dwelling unit on an existing vacant lot located at 232 High Street, Orange, New Jersey, in a One, Two, and More Residential District (A2), Block 1101, Lot 6 which application was GRANTED; and

WHEREAS, a Zoning Board meeting was conducted on January 25, 2021 at which time the Zoning Board of Adjustment entertained all considerations of its members, the Board's Engineer, Dave Clark, the Board's Planner, Gerard Haizel, members of the Planning Board and members of the Historic District Commission; and

WHEREAS, the Board discussed the recently adopted Zoning Ordinance of the City of Orange Township and wishes to bring to the attention of the Planning Board and of the governing body the following in connection with Chapter 210 Development Regulations of the City of Orange Township:

1. Urban Farming should be included in the MX3 zone in Article IV: Zoning regulations and zoning map as a permitted use;
2. Section 210.20.5 Telecommunication Facilities section B-5 should be corrected to reflect that the application should be made to the Planning *or Zoning Board* and not repeat the Planning Board twice;

3. Section 210.20.12 Automobile Service Station with Convenience Store should have a section G added to state that same “*must be outside of a 200 ft. perimeter to a residential zone*”;
4. Section 210.22.1 Mixed use Zones: Neighborhood Commercial and Residence should add in section B after All products manufactured, processed or stored on premises shall be held for sale at retail on said premises should add the following language: “*except those business whose primary business is repair or restoration*”;
5. Section 210.30.9 Main Street (CBD) Shopping District - Signs, Awnings, Canopies, Marquees, Security Gates and Facades should add in Section D (5) the following “regulations governing neon & LED signs” , not just neon signs.
6. Bulk Standards the terms *Boardinghouse* with a minimum required off-street parking spaces should be removed from the Ordinance because Boardinghouses are no longer permitted uses in any zone in the City of Orange Township;

WHEREAS, no one from the public spoke; and

WHEREAS, Board Member Ashante Connor moved to accept the resolution; and

WHEREAS, Board Member Kenneth Black seconded the motion; and

WHEREAS, the Zoning Board of Adjustment has determined that the foregoing should be brought to the attention of the Planning Board and the governing body pursuant to the Statute.

NOW, THEREFORE, BE IT RESOLVED by the Zoning Board of Adjustment of the City of Orange Township that the findings on zoning ordinance provisions which were the subject of variance requests and its recommendations for zoning ordinance amendments or revisions pursuant to N.J.S.A. 40D:55-70.1 shall be and hereby are adopted.

The above is a memorialization of a Motion which was duly seconded and passed on January 25, 2021 on the following vote:

IN FAVOR

NOT IN FAVOR

Louis Harris
 Murphy Wilson
 Gerard Schubert
 Kenneth Black
 Ashante Conner
 JoAnne Ware
 Mary L. Reed-Learmont

The undersigned Secretary of the Zoning Board of Adjustment of the City of Orange Township hereby certifies that the foregoing is a true copy of a resolution memorialized by said Board on November 23, 2020 on the following vote:

IN FAVOR

NOT IN FAVOR

Louis Harris
Murphy Wilson
Gerard Schubert
Kenneth Black
Ashante Conner
JoAnne Ware
Mary L. Reed-Learmont

Adopted: February 22, 2021

JOYCE LANIER, Secretary

MURPHY WILSON, Chairperson