



TO: City of Orange Township Zoning Board of Adjustment
FROM: Gerard M. Haizel, PP, AICP, Board Planner
RE: **JW-26-001 – 434 Parkinson Terrace (Block 1205, Lot 11)**
DATE: **March 30, 2026**

The following is prepared on behalf of the City of Orange, Zoning Board of Adjustment. The information provided herein is for advisory purposes only and is intended to assist the Board's decision-making process. Below are descriptions of the project based on the supplied plans and documentation as well as commentary on issues evident from them.

Items Reviewed

In preparation of this report, I have reviewed the following documents:

- ✓ City of Orange Township Zoning Board of Adjustment Application dated February 19, 2026.
- ✓ City of Orange Township Zoning Approval Denial dated 8-20-2025.
- ✓ Plans titled New Two Family House, 434 Parkinson Terrace, Orange, NJ, Block 1205, Lot 1, consisting of five (5) sheets, dated 7-30-2025, with revision dated 3/27/2026, prepared by Jorge Fernandes, RA of CREARC, LLC.
- ✓ Boundary & Topography Survey, Tax Lot 11, Block 1207, AKA 434 Parkinson Terrace, City of Orange, Essex County, New Jersey, dated 5-30-2025, prepared by Robertt L. Cigol, PLS of DMC Associated, Inc.

Project Summary

On property located within the Township's ***R-2 (One & Two Family Residential) Zone***, the applicant **Jean Annulyse**, proposes to construct a new 3-story two-family dwelling on an existing vacant lot. Two-family dwellings **are permitted** in the R-2 zone. However, the proposed development, does not meet all the bulk and design standards for this use and building type. Site plan approval is not required for this application.



Required Variances/Waivers

- Pursuant to the City of Orange Development Regulations **§210-24.3 – Two Family Dwelling**, a maximum density of 17.5 dwelling units per acre is permitted and the applicant proposes a density of 28.5 dwelling units per acre. **A C-variance is required to permit a two-family dwelling at a greater density than permitted.**
- Pursuant to the City of Orange Development Regulations **§210-24.3 – Two Family Dwelling**, a maximum FAR of 1.00 is permitted and the applicant proposes an FAR of 1.40. **A C-variance is required to permit a two-family dwelling at a greater FAR than permitted.**
- Pursuant to the City of Orange Development Regulations **§210-24.3 – Two Family Dwelling**, a minimum lot area of 5,000-SF is required, and the applicant proposes a lot area of 3,060-SF. **A C-variance is required to permit a two-family dwelling on a smaller lot than required.**
- Pursuant to the City of Orange Development Regulations **§210-24.3 – Two Family Dwelling**, a minimum lot width of 40-feet is required, and the applicant proposes a lot width of 30-feet. **A C-variance is required to permit a two-family dwelling on a smaller width lot than required.**
- Pursuant to the City of Orange Development Regulations **§210-24.3 – Two Family Dwelling**, a minimum front yard setback of 20-feet is required, and the applicant proposes a front yard setback of 13-feet. **A C-variance is required to permit a two-family dwelling with a lesser front yard setback than required.**
- Pursuant to the City of Orange Development Regulations **§210-24.3 – Two Family Dwelling**, a minimum side yard setback of 15-feet is required for the street facing side of a corner lot, and the applicant proposes a side yard setback of 0-feet. **A C-variance is required to permit a two-family dwelling with a lesser side yard setback than required.**
- Pursuant to the City of Orange Development Regulations **§210-24.3 – Two Family Dwelling**, a maximum building coverage of 40% is permitted, and the applicant proposes a lot building coverage 45%. **A C-variance is required to permit a two-family dwelling with greater building coverage than permitted.**
- Pursuant to City of Orange Township, **Ordinance 78-2023**, two (2) off-street parking spaces are required for each unit in a two-family dwelling. The applicant proposes a two-family dwelling, which requires a total of four (4) off-street parking spaces and the



applicant proposes a total of two (2) off-street parking space. A C-variance is required to permit a two-family dwelling with less than the required parking.

Project Description

The subject site is a vacant 3,060-SF corner lot with frontage on Parkinson Terrace on the north and Baldwin Terrace on the east. The applicant proposes to construct a new 3-story, two-family dwelling on the site. The lower of the two proposed dwelling units will occupy the 2nd floor and a part of the 1st floor, while the second (upper) unit will occupy the 3rd floor.

The proposed building will be setback 13-feet from the front (northern) property line, 25.25-feet from the rear property line and 8-feet and 0-feet respectively from the western and eastern side property lines.

A concrete-paved walkway is proposed along the western side of the house, extending from the front yard, along the western side of the house and around to the rear, where two (2) HVAC compressor units and a 3-foot by 6.6-foot by 4-foot-tall garbage enclosure will be located.

A two-car garage is proposed at the rear (southern) end of the 1st floor. This garage will measure 20.3-feet by 21.2-feet and will be accessible from Baldwin Terrace, where two independent garage doors are proposed. In the northwestern area of the garage is proposed a utility closet.

To the east of the utility closet is proposed a door, which will access a proposed 597-SF recreation room, which will extend to the northern (front) end of the 1st floor. On the southeastern corner of the room is proposed a door which will access the eastern frontage on Baldwin Terrace. On the western side of this room is proposed a powder room and an enclosed staircase, which will extend up to the interior of the lower apartment, located on the 2nd floor.

The main entry to the residential units will be located on the western side of the front façade, where there are two doors proposed at the top of a short staircase. The door on the right side will provide access to the upper unit located on the 3rd floor, while the door on the left will access the lower unit, located on the 2nd floor.

The door on the left will open to the kitchen and dining area of the lower unit, with the living room located to the north. To the south of the kitchen/dining area is proposed a hallway, which will extend southward towards the rear of the floor. On the right (western)

side of the hallway is the landing to the aforementioned staircase up from the recreation room on the 1st floor. Abutting the landing to the south are a proposed laundry room and a full bathroom. On the opposite side are two (2) 11.6-foot by 10.6-foot bedrooms. At the southern end of the hallway is proposed a 16.8-foot by 12-foot master bedroom, which will include a walk-in closet and full bathroom.

The second (upper) of the two dwelling units is located on the 3rd floor and is accessible by a staircase up from the front entry door on the right. The layout of this unit is similar to the layout of the lower unit on the 2nd floor, with the exception of the landing for the staircase up from the front entry being located in the same place that the staircase up from the recreation room is located in the lower unit.

At the rear of the master bedrooms on the 2nd and 3rd floor units is proposed a sliding patio door which will access a proposed rear staircase, which will extend from the rear yard up to the 3rd floor. This staircase, which is on the exterior of the building, will serve as an alternate means of egress for both floors.

Exterior Finishes

- The primary front façade on Parkinson Terrace, will be finished with a combination of brick veneer and fiber cement panels on the front façade. The street facing façade on Baldwin Terrace will be finished with a combination of brick veneer, fiber cement panels and vinyl siding. The western side façade will be finished with stucco on the 1st floor façade and vinyl siding above and the rear façade will be finished entirely with vinyl siding.
- The garage entries will be enclosed by two (2) single garage doors.

Landscaping

- Three (3) Green vase Zelkova shade trees are proposed on the Baldwin Terrace street frontage.
- Two (2) Kwanzan Flowering Cherry Trees are proposed in the northern side yard.
- The front, rear and western side yard will be landscaped with grass.

Lighting

- One (1) RAB Lighting surface mounted drop lens light fixture with one circuit board and thirty-two white light emitting diodes is proposed at the front entry to the dwelling.

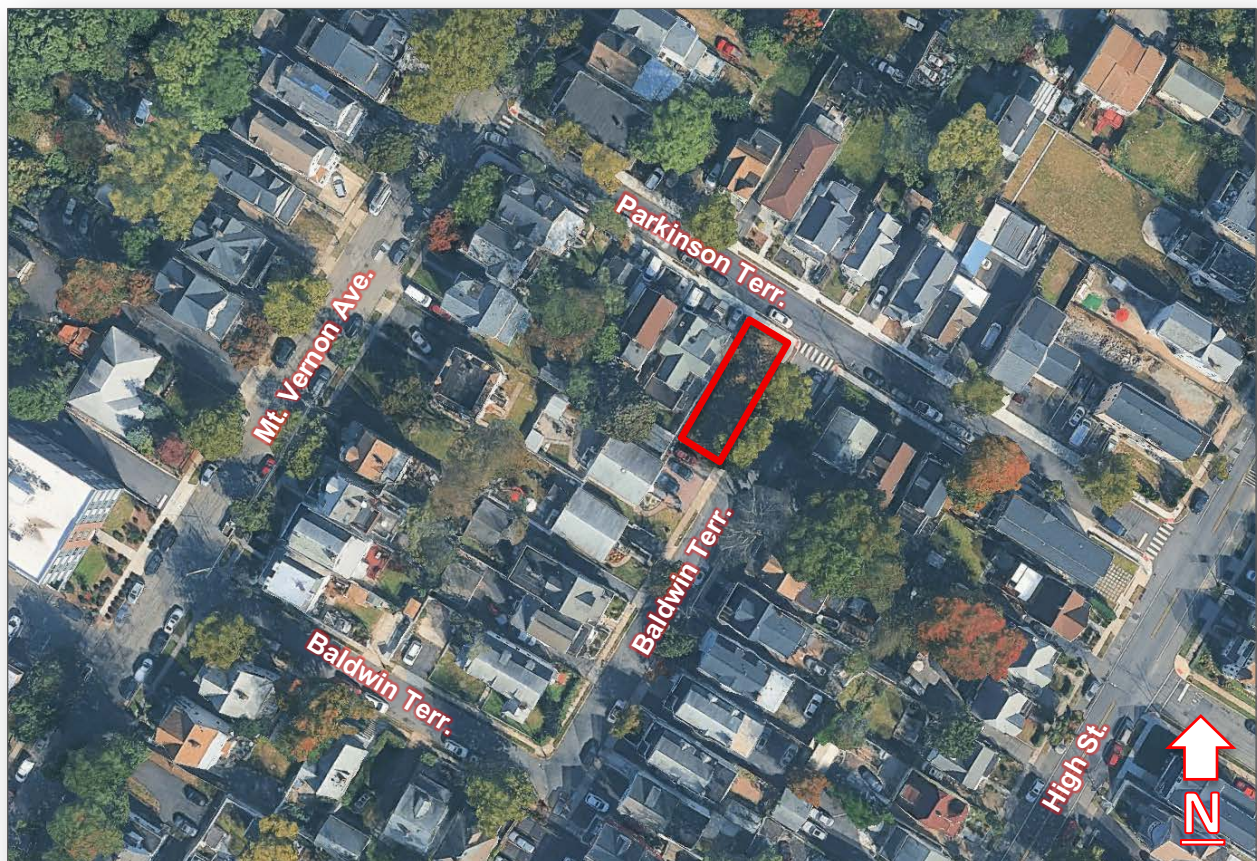
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- Four (4) Up/Down Cylinder Outdoor wall mounted LED Light fixtures with 130-watt LED lamp is proposed, with two (2) each on the eastern and western side facades.
- One (1) RAB Lighting wall-mounted (ALED4T36/D10) light fixture is proposed on the rear façade.

Site & Area Description

Street Address: 434 Parkinson Terrace
Block & Lot: Block 1205, Lot 11
Zoning District: R-2 (One & Two Family Residential) Zone
Total Site Area: 3,060-Square Feet

Location Map



Location Map – The property in question is outlined in red on the Google aerial map above. The subject site is located on the southwestern corner of the intersection of Parkinson and Baldwin Terraces. Surrounding the site on all sides are primarily detached two-family dwellings.

Photo Survey



Photo #1: View of the subject property located at 434 Parkinson Terrace. The applicant proposes to construct a new two-family dwelling on this undersized site.



Photo #2: View of the rear of the subject site from the southeast on Baldwin Terrace Avenue.



Photo #3: View of the property located to the immediate east of the subject property, fronting on the southern side of Heywood Avenue.

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Photo #4: View of the property located to the immediate south of the subject site, fronting on the western side of Baldwin Terrace.



Photo #5: View of the detached dwelling located to the west of the subject site, fronting on the southern side of Parkinson Terrace.



Photo #6: View of properties located to the north, across Parkinson Terrace from the subject site.

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Photo #7: View of properties located to the east, across Baldwin Terrace from the subject site.



Photo #8: View looking east on Parkinson Terrace, towards High Street.

Planning Considerations

The subject property is located within the Township’s **R-2 (One & Two-Family Residential Zone)**. This zone is intended primarily for single-family detached residential, at a higher density than the R-1 Zone, and two-family residential. The R-2 zone encompasses areas in the northern area of the City, north of Park Avenue and in the southwestern area of the City, west of Scotland Road.

Among the permitted residential uses in R-2 are single and two-family dwellings and among the permitted building types in the zone are Urban One-Family Detached and Two-Family dwellings.

Pursuant to the City of Orange Development Regulations **§210-14 – R-2 (One and Two-Family Residential Zone)**, the proposed two-family dwelling **is permitted** in the R-2 zone.

The table below has been created to identify bulk deficiencies.

Standards	Permitted/ Required	Proposed	Variance Required
Use	One & Two-Family Dwellings	Two-Family Dwellings	No
Building Type	Urban One-Family Detached & Two-Family	Two-Family	No
Minimum Lot Area	5,000-SF	3,060-SF	Yes
Minimum Lot Width	40-Feet	30-Feet	Yes
Density	17.5-Units/Acre	28.5-Units/Acre	Yes
Maximum Height	3-Stories / 40-Feet	3-Stories / 35-Feet	No / No
Minimum Front Yard Setback	20-Feet	13-Feet	Yes
Minimum Side Yard Setback (Each Side)	8-Feet	West Side: 8-Feet	No
Minimum Side Yard Setback Facing Street	15-Feet	0-Feet	Yes
Minimum Rear Yard Setback	25-Feet	25.25-Feet	No
Maximum Building Coverage	40%	45%	Yes



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Maximum Impervious Coverage	75%	59%	No
Floor Area Ratio (FAR)	1.00	1.40	Yes
Minimum Landscaping	10%	21%	No
Minimum Fenestration	20%	Front: 29% Rear: 20% West Side: 20% East Side: 24%	No No No No
Parking	4-Spaces <i>[2-Spaces per du]</i>	2-Spaces	Yes

Standards for Granting Variance Relief

D – (Use) Variances

The MLUL (Municipal Land Use Law) at **N.J.S.A. §40:55D-70d** sets forth the standards for variances from the regulations pursuant to Article 8 of this act. A D-Variance is warranted to permit:

- 1) a use or principal structure in a district restricted against such use or principle structure,
- 2) the expansion of a nonconforming use,
- 3) deviation from a specification or standard pertaining solely to a conditional use,
- 4) an increase in the permitted floor area ratio,
- 5) an increase in the permitted density (*except as applied to the required lot area for a lot or lots for detached one or two dwelling unit buildings, which lot or lots either isolated undersized lot or lots resulting from minor subdivision*) or
- 6) a height of a principal structure which exceeds by 10 feet or 10%, the maximum height in the district for a principal structure.

A D-variance may be granted where the applicant shows to the satisfaction of the Board, that “*special reasons*” exist to warrant the granting of the variance. *Special reasons* may include that the use is inherently beneficial, that the property owner would suffer undue hardship if required to use the property in accordance with the permitted uses and standards for the zone, or that the site is particularly suited for the proposed use **and** thereby promotes the general welfare.

The applicant must **also** demonstrate that the requested relief will not result in any substantial detriment to the public good, nor substantial impairment to the zoning ordinance or zone plan. A variance under this subsection is granted only by **affirmative votes of at least five members**.

C - (Bulk) Variances

The Municipal Land Use Law (MLUL) at **N.J.S.A. 40:55D-70c** sets forth the standards for variances from the bulk regulations of a zoning ordinance.

C(1) Variance - The Board must find that there is either undue hardship or practical hardship with the strict application of the zoning requirements as stipulated in the Zoning & Land Use Regulations, as a result of:

- a) exceptional narrowness, shallowness or shape of a specific property, or
- b) by reason of exceptional topographic conditions or physical features uniquely affecting a specific piece of property or
- c) by reason of an extraordinary and exceptional situation uniquely affecting a specific piece of property or the structures lawfully existing thereon.

C(2) Variance – The Board must find that the proposed deviation from the Zoning & Land Use Regulations will advance the purposes of the MLUL and that the variance can be granted without substantial detriment to the public good, that the benefits of the deviation would substantially outweigh any detriment and that the variance will not substantially impair the intent an purpose of the zone plan and zoning ordinance. The benefits identified in granting a C(2) variance must include benefits to the community as a whole, not only the applicant of the property owner. Here too, the Board must be satisfied that the variance can be granted “*without substantial detriment to the public good*” and “*without substantial impairment to the intent and purpose of the zone plan and zoning ordinance*” of the City.

Planning Comments

The applicant proposes to construct a new two-family dwelling on an existing vacant lot. Two-family dwellings **are permitted** in the R-2 zone. As a permitted use in the zone, this application is before this Board because the proposed development does not meet all the bulk and design standards for the use and building type.

Specifically, the two-family development is being proposed on a site that is less than the minimum size required for a two-family detached dwelling. Whereas a minimum lot size of 5,000-SF is required, the subject site is 3,060-SF. Likewise, whereas a minimum lot width of 40-feet is required, the subject site has a lot width of 30-feet.

Despite the lesser lot size, **in my opinion the subject site is of an adequate size to accommodate the proposed development. The overall unit and room sizes are of ample size for safe and healthy living.**

The subject site being undersized for the proposed two-family use has triggered the need for variances for density and floor area ratio (FAR). Whereas a maximum density of 17.5-units/acre is permitted, the proposed development will be at a density of 28.5-units/acre. It should be noted here that pursuant to *N.J.S. 40:55D-70(d)(5)*, a C-variance is required to permit this development with a density that exceeds the maximum permitted for this use and building type.

The same is true for the FAR of the proposed development. Whereas a maximum FAR of 1.00 is permitted, the proposed development has an FAR of 1.40. Pursuant to *N.J.S. 40:55D-70(d)(4)*, a C-variance is required to permit this development with an FAR that exceeds the maximum permitted for this use and building type.

The Board should keep the following factors in mind as they consider this application:

- The proposed two-family dwelling **is a permitted use** in the R-2 zone.
- The applicant is unable to increase the size of the subject site, as the adjoining lots to the west and south are already fully developed.
- The 5,000-SF minimum lot area is the smallest size for development under the City's Development Ordinance. That is to say, even if the applicant proposed a single-family dwelling on the site, which is also permitted in the zone, **a minimum lot size of 5,000-SF would still be required.**

In addition to the above, the proposed development will also require variance relief for the following conditions.

- Insufficient Front Yard Setback – Whereas a minimum front yard setback of 20-feet is required, the applicant proposes a front yard setback of 13-feet. **While this setback is less than the minimum setback required, it is consistent with the prevailing setback on the adjoining lots to the west.**
- Insufficient Side Yard Setback on Street-Facing Side Yard – Whereas a minimum side yard setback of 15-feet is required for a street-facing side yard, the applicant proposes a setback of 0-feet. This condition is in part as a result of the subject site being undersized for the proposed use and building type. **The setback on the western side, which abuts an existing residential structure, will be conforming at 8-feet. Any additional setback on the eastern (street-facing) side would result in the proposed structure being closer to the existing house on the adjoining lot to the west.**
- Excessive Building Coverage – Whereas a maximum building coverage of 40% is permitted, the applicant proposes a building coverage of 45%. **Here again, this increased coverage is also attributable, in large part, to the subject site being undersized.**
- Insufficient Off-Street Parking – Whereas a total of four (4) parking spaces are required (2-spaces per dwelling unit), the applicant proposes a total of two (2) parking spaces (1-space per dwelling unit). **The applicant does propose 2-parking spaces in a garage at the rear of the 1st floor inside the dwelling. However, while the subject site is undersized for the proposed use and building type, there is potentially an area in the rear yard that could potentially accommodate the deficient parking. This, however, is the only usable open space on the site. The Board should consider the merits of the trade-off between the open space and the required additional off-street parking.**



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Recommended Conditions of Approval

Should the Board be inclined to grant the requested variance relief in full or in part, or to approve the accompanying site plan, the following are recommended conditions that should be placed on the approvals.

1. The applicant shall address all comments from the Board Engineering.