



February 9, 2024

Haddon Heights Borough  
625 Station Avenue  
Haddon Heights, New Jersey 08035

Attn: Suzanne Ritter, Planning Board Secretary

Re: Minor Subdivision Review  
Keith and Beth Borchers  
1009 Sycamore Street  
Block 70, Lot 19  
Haddon Heights, N.J. 08035  
Bach Project No. HHPB2024-2

Dear Chairman and Members of the Planning Board:

Our office has received the following items submitted for the referenced project:

- Borough of Haddon Heights Planning Board Application, dated January 11, 2024.
- Borough of Haddon Heights Planning Board Minor Subdivision Checklist.
- Summary of Application.
- Property deeds.
- Cover letter prepared by Del Duca, Lewis & Berr Law Firm dated January 19, 2024.
- Photographs of the property.
- Borough of Haddon Heights Historic District Resolution Case #8-80-2, dated August 21, 1980.
- Borough of Haddon Heights Planning Board Resolution #91-4-2P, dated June 20, 1991.
- Borough of Haddon Heights Zoning Board of Adjustment Resolution #3-83-3 dated April 19, 1983.
- Borough of Haddon Heights Zoning Board of Adjustment Resolution #02-1-3Z dated December 18, 2002 denying request to remove a condition of previous Use Variance granted.
- Resolution of the Planning Board of the Borough of Haddon Heights Gregory A. McAdams 1009 Sycamore Street, Block 70, Lot 19, Subdivision Denial, dated October 17, 2002, Case No. 02-09-2P.

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**GENERAL INFORMATION:**

Applicant/Owner: Keith and Beth Borchers  
1009 Sycamore Street  
Haddon Heights, N.J. 08035  
856-297-7241

**PROJECT SUMMARY:**

This application is for the subdivision of an existing residential lot into two (2) new lots. The property is a 26,000 square foot parcel of land containing one (1) historic two-story dwelling, one (1) two-story carriage house dwelling, a shed, brick driveway, and associated improvements. The application proposes to subdivide the rear 13,048 square foot section into Proposed Lot 19.01, which will contain the carriage house as its principal dwelling. The applicant also proposes an easement to permit both proposed lots to access the existing driveway. It shall be noted that no construction is proposed at this time.

It shall be noted that the Haddon Heights Zoning Board of Adjustment granted the previous owners (Gregory and Anne Marie McAdams) a use variance to permit the construction and use of a detached carriage house dwelling on the same lot in 1983. This variance was granted on the condition that the applicant provide "a deed restriction, approved by the Zoning Board Solicitor, providing that no owner of the land will subdivide the premises."

On February 8, 1984 Gregory and Anne Marie McAdams filed a deed with the County of Camden with the following deed restriction: "Grantors herein, for themselves, their heirs, executors, administrators and assigns hereby jointly and severally covenant and agree that the land and premises herein described shall forever be held as a single tract, and that no subdivision of said land and premises shall be made or undertaken in any subsequent conveyance thereof."

It is noted that an application was made to the Haddon Heights Zoning Board on September 19, 2002 to subdivide the property and it was denied by the Board.

It is further noted that on November 7, 2002 an application was made to the Haddon Heights Zoning Board to eliminate the condition that "no owner of the land will subdivide the premises" and this was also denied by the Board.

**SUBMISSION REQUIREMENTS/COMPLETENESS:**

Our office has determined that the application is complete and can be scheduled for the next available hearing.

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**ZONING ORDINANCE REQUIREMENTS:**

The property is located in the R-2 Residential Zone.

The following sets forth the bulk standards for this Zone:

Proposed Lot 19

	<u>Required</u>	<u>Existing</u>	<u>Proposed Lot 19</u>	<u>Complies</u>
Minimum Lot Area (SF)	12,000	26,000	12,951.5	Yes
Minimum Lot Width (Ft)	60	130	118	Yes
Max Lot Coverage (%)	30	26.6	27.2	Yes
Minimum Setbacks (Ft)				
Front	30	1.4*	1.4*	No
Side	10	17.3	17.32	Yes
Side Aggregate	25	77	65	Yes
Rear	50	144.1	60.1	Yes

\* Indicates Existing Non-Conformance

Proposed Lot 19.01

	<u>Required</u>	<u>Existing</u>	<u>Proposed Lot 19.01</u>	<u>Complies</u>
Minimum Lot Area (SF)	12,000	26,000	13,048.5	Yes
Minimum Lot Width (Ft)	60	130	12**	No
Max Lot Coverage (%)	30	26.6	26.1	Yes
Minimum Setbacks (Ft)				
Front	30	156	156	Yes
Side	10	7.6*	7.6**	No
Side Aggregate	25	93.35	93.35	Yes
Rear	30	14.7***	14.7***	No

Maximum Bldg Ht. (Ft)	35	<35	<35	Yes
Outbuilding Side Yard Setback (Ft)	5	7.2	7.2	Yes
Outbuilding Rear Yard Setback (Ft)	5	0.6*	0.6*	No
Outbuilding Height (Ft)	16	<16	<16	Yes

- \* Indicates Existing Non-Conformance
- \*\* Indicates Variance Required
- \*\*\* Indicates Previously Granted Variance

**VARIANCES:**

1. Lot Width- §450-28.A. The applicant is proposing a lot width of 12 feet for proposed Lot 19.01 where the minimum lot width permitted is 60 feet. *Lot width definition is "The distance between the side lines measured parallel to the front lot line at the minimum front yard setback line". **A variance is required.***
2. Front Yard Setback- §450-28.C. The applicant has provided a front yard setback of 1.4 feet for Proposed Lot 19 where the minimum front yard setback permitted is 30 feet. *It shall be noted that "The front setback shall be not less than those setbacks established by the buildings on either side of the lot in question, whichever of those is the greater, and in any event shall not be less than 30 feet". As our office has not been provided with the front yard setbacks of the adjacent properties, we have held the front yard setback of 30 feet for review purposes. It shall be noted that this is an existing non-conformance.*
3. Side Yard Setback- §450-28.D. The applicant is proposing a side yard setback of 7.6 feet for Proposed Lot 19.01 where the minimum side yard setback permitted is 10 feet. *It shall be noted that this is an existing non-conformance.*
4. Rear Yard Setback- §450-28.E. The applicant is proposing a rear yard setback of 14.7 feet for Proposed Lot 19.01 where the minimum rear yard setback permitted is 50 feet. *It shall be noted that a variance was previously granted to permit the rear yard setback of 15 feet. It shall be noted that this is an existing non-conformance.*
5. Outbuilding Rear Yard Setback (shed) - §450-28.F. The applicant has provided an outbuilding rear yard setback of 0.66 feet for Proposed Lot 19.01 where the minimum permitted is 5 feet. *It shall be noted that this is an existing non-conformance.*

6. The required variances are considered C bulk variances. The applicant must provide testimony to justify the requested variances.
  - a. For a C(1) variance, the applicant must demonstrate that the strict application of the zoning regulations to the property create a hardship or result in exceptional practical difficulties by reason of the exceptional shape of the property or the exceptional topographic conditions uniquely affecting the property, or the structures lawfully existing upon the property.
  - b. For a C(2) variance the applicant must show that the proposed variance advances the purposes of municipal land use law and that the benefits of the deviation would substantially outweigh any detriments. The applicant should address whether the proposed variance will substantially impair the intent of the Master Plan or zoning plan and whether there are any potential impacts to the public good.

**REVIEW COMMENT(S):**

1. The owner/applicant listed on the Plan of Minor Subdivision does not match the owner/applicant listed on the application or the owner listed on the deed for the property.
2. The applicant's land surveyor shall provide legal descriptions for each proposed lot and for the shared driveway access easement.
3. The access easement shall be shown on the plan.
4. The Plan shall list a point of beginning for each legal description.
5. Coordinates shall be provided for three (3) corners around the outbound of the proposed lots.
6. The bulk variance dimensions shall be clarified. There are numerous inconsistencies between the plan and the zoning chart shown on the plan.
7. The surveyor shall provide more detail as to how the determination that no wetlands are present was determined.
8. It is noted that the existing dwelling located on proposed Lot 19 is known as the "Colonel Joseph Ellis House" and is designated a historic property by the Haddon Heights Historic Preservation Commission. Our office defers to the Haddon Heights Historic Preservation Commission to determine if application review by their Commission is required.
9. The Applicant shall obtain all required approvals from all other Local, State and Federal agencies having jurisdiction over this project.

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Should there be any questions or if additional information is required, please contact the undersigned at (856) 546-8611.

Very truly yours,  
BACH ASSOCIATES, PC



Steven M. Bach, PE, RA, PP, CME  
President

Cc: Michael W. Herbert, Esq. Board Solicitor  
Alena Hyatt, Esq., Board Solicitor  
Dave Taraschi, Zoning Code Enforcement Officer  
Keith & Beth Borchers, Owner/Applicant

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