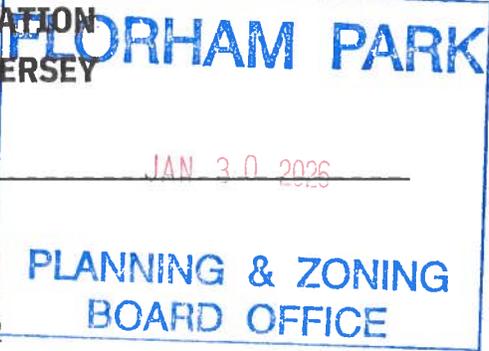


**ZONING BOARD OF ADJUSTMENT**

**"C" VARIANCE APPLICATION  
FLORHAM PARK, NEW JERSEY**



Application #: BOA 26-4 Date Filed: JAN 30 2026

Applicant Name: Yvonne Cali

Property Address :39 Lincoln Avenue, Florham Park, NJ 07932

Block: 3001 Lot: 4 Zone: R-15

Type of Variance (please check one): C-1 \_\_\_\_\_ C-2 \_\_\_\_\_ X \_\_\_\_\_

Please Note:

- All originals of the application and appropriate forms and copies must be given to the Board Secretary in order to determine the completeness of the application. The application and hearing date shall be assigned by the Board Secretary and no publication of service will be made until all required information has been furnished to the Secretary. Important: Application packages must be fully collated and assembled prior to submission.
- Certified Proof of Publication and Proof of Service must be supplied to the Board Secretary prior to the hearing date.
- Building and total Improved lot coverage: If an increase in building or total improved lot coverage is applied for, the applicant must have a New Jersey licensed land surveyor certify the percentage of increase of coverage on the plot plan and supply it to the Board Secretary when filing the application. Important: Please note that overhangs are considered part of building coverage and measurements must be taken from edge of the overhang.

Application Requirements:

The following are items that are required to be submitted to the Board Secretary at the time of the application filing in order for the application to be deemed complete and scheduled for a Public Hearing.

- 11 copies of the following:
  1. Completed application that includes a building plan with proposed conditions. A zoning table must be on the plans. All overhangs must be clearly depicted and included in the building coverage.
  2. Form A – Refusal of Building Permit
  3. Form B – Permission for Board Members to Enter the Property
- 1 copy of each of the following:
  4. Form C – Certification that Taxes on subject property are paid
  5. List of property owners within 200 feet
  6. Official Tax Map of the Subject Property
  7. Proof of Publication/Proof of Service (after submission)
  8. Sealed survey depicting current condition of property
  9. Optional - Pictures of current conditions of property
- Application Fee and Initial Escrow Deposit:
  - Residential Application: \$300 application fee PER VARIANCE, \$1000 initial escrow deposit
  - Non-Residential Application: \$300 application fee PER VARIANCE, \$1000 initial escrow deposit

Applicant Information:

Applicant(s) Name Yvonne Cali Phone No: 201-320-5888

Location/Address: 39 Lincoln Avenue, Florham Park, NJ 07932

Email Address: yvonnecali20@gmail.com

If other than property owner:

Applicant(s) Name.: \_\_\_\_\_ Phone No: \_\_\_\_\_

Address: \_\_\_\_\_

Property Information:

The premises are situated on the north, south, east, west (please circle one) side of Lincoln Avenue \_\_\_\_\_ and is approximately \_\_\_\_\_ 250 feet from the intersection of

Lincoln Avenue / Hillside Avenue The premises are located in the R-15 Zone on

Block 3001 Lot 4 The property has the following

structures: Two (2) Story One-family Residential Dwelling

Principle structure on the premise is two (2) story(ies) and is of \_\_\_\_\_ (type of construction)

Brief description of work to be done:

Newly constructed two (2) story one-family residential dwelling.

CHAPTER 250-9  
ZONING REQUIREMENTS

EXISTING CONDITIONS

PROPOSED CONDITIONS

FRONT YARD SETBACK 40 ft

FRONT YARD SETBACK 41.4ft

FRONT YARD SETBACK \_\_\_\_\_

SIDE YARD SETBACK 10 ft

SIDE YARD SETBACK 9.3 ft

SIDE YARD SETBACK \_\_\_\_\_

REAR YARD SETBACK 50 ft

REAR YARD SETBACK 147.4 ft

REAR YARD SETBACK \_\_\_\_\_

BUILDING HEIGHT 35 ft

BUILDING HEIGHT 34.63 ft

BUILDING HEIGHT \_\_\_\_\_

BUILDING COVERAGE %\* 12.0%

BUILDING COVERAGE %\* 10.4%

BUILDING COVERAGE %\* \_\_\_\_\_

IMPROVED LOT COVERAGE %\* 30.0%

IMPROVED LOT COVERAGE %\* 15.3%

IMPROVED LOT COVERAGE %\* \_\_\_\_\_

\*TOTAL (Building coverage must include overhangs)

The reasons and factual basis asserted by the applicant to grant the relief requested are as follows: If a hardship is asserted (NJSA 40:55D-70C(1) indicate the exceptional conditions relative to your property that you want the Board to consider. If you are asserting that the benefit of granting the variance outweighs the detriment to the zone plan of the Zoning Ordinance, please indicate what purposes of zoning would be advanced by your proposal.

This application does not qualify for the C1 criteria as the requested relief is a self-imposed hardship. The home was constructed per the plans approved by the Borough of Florham Park zoning and building departments. However, when the as-built drawings were submitted the Zoning Officer determined the side yard setback should be measure from the fascia of the roof and not the structure of the unenclosed side porch. Due to this interpretation of measuring the side yard setback the project requires C2 variance relief for the 0.7 feet (8.4 inches) of fascia encroaching upon the side yard. The deviation from the ordinance will advance the purposes of the MLUL and the benefits will substantially outweigh any detriment. Per NJSA 40:55D-2i the application promotes a desirable visual environment. The homeowner could simply remove the fascia to be compliant with the ordinance but the removal of this architectural detail would create a design that is not found anywhere else within the vicinity of the home. When looking through homes in the adjacent area fascia's are commonly seen on every home. Additionally, a roof fascia protects the roof's edge from water, supports gutters, prevents pests, and provides a clean, finished look.

A. The specific facts that will show that the relief sought can be granted without substantial detriment to the public good and will not substantially impair the intent and purpose of the Zone Plan are as follows (NJSA 40:55D-70).

The side yard from the property line to any true structure of the building will remain 10 feet as required by the ordinance. The 0.7 feet (8.4 inches) that encroach upon the side yard will only be the roof fascia which is a critical architectural detail. The Borough's definition of side yard states "An open space, unoccupied except by a use as hereinafter specifically permitted, extending between the front yard and the rear yard of a lot and lying between the side lot line and the nearest point of any structure on the lot". The proposed relief will continue to be an open space, unoccupied and will fall in line with the definition and intent of the side yard. The deviation of 6 inches will not create substantial detriment to the public good as the structure of the unenclosed porch will remain the full 10 feet from the property line and will not encroach on the neighboring property. As noted earlier, the definition of side yard in the zone plan is an unoccupied space and the side yard will remain unoccupied and the deviation will not result in habitable area or solid structure and will not impair the zone plan.

Has there been a previous application involving these premises?                                            
Yes No X

If yes, please provide the application number and date of application:

\_\_\_\_\_

AFFIRMATION OF OWNER AND APPLICANT

The Owner consents to this application:

Owner(s) Signature: Yvonne Carl Date: 1/30/26

Applicant(s) Signature: \_\_\_\_\_ Date: \_\_\_\_\_

(if different from owner)

**“FORM A”**

**Borough of Florham Park  
Zoning Board of Adjustment**

**REFUSAL OF A BUILDING PERMIT**

(This form must be completed by the Florham Park Zoning Officer)

To: Scott Loverich Date: 12/11/2025

Your application for a building permit to construct a covered porch roof constructed  
in sideyard setback  
\_\_\_\_\_  
\_\_\_\_\_

On the property located at 39 Lincoln Ave  
Known as Block 3001, Lot 4 on the Tax  
Map of the Borough of Florham Park is hereby denied for non-compliance with the  
provisions of Section (s) 250 9.3 Schedule of the Municipal Zoning Ordinance for the  
following reason(s):

Roof overhang on covered porch encroaches in the sideyard setback. Roof is at 9.3'  
not 10'.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Signed: Kayla Kaplan  
Kayla Kaplan, Zoning Officer

Information regarding procedures for an appeal of this decision can be obtained from the Board Secretary or Construction Office.

**BOROUGH OF FLORHAM PARK  
ZONING BOARD OF ADJUSTMENT**

**PERMISSION FOR BOARD MEMBERS TO ENTER THE PROPERTY**

I Yvonne Cali, hereby give permission to the members of the Zoning Board of Adjustment of the Borough of Florham Park and its authorized representatives and experts to enter onto the premises of the subject property located at:

39 Lincoln Avenue Florham Park  
(address of subject property)

for the purpose of evaluation of the variance application that is presently pending before the Board of Adjustment.

Yvonne Cali  
Signature of Applicant

\_\_\_\_\_  
Signature of Owner  
(if other than applicant)