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NEW YORK, NY 10001

VIA HAND DELIVERY

August 27, 2026

Alyssa Van Liew, Board Secretary
Borough of Florham Park
111 Ridgedale Avenue
Florham Park, NJ 07932

Re: *Marchese Variance - Florham Park*
Premises: 162 Summit Road, Florham Park, NJ 07932 Block 2101 Lot 27.02
Our File No. 2026-6403

Dear Ms. Van Liew:

I represent the applicant/homeowner Anthony J. Alcuri, Jr. Enclosed for filing our variance application please find original and eleven (11) copies of the following:

1. Completed "C" variance application and Permission to Enter Property;
2. Architectural plans prepared by Klesse Forbes Architects dated April 3, 2026
3. Certification of taxes paid; (Original only.)
4. 200' property owner list to be updated for hearing;
5. Proposed notice to owners and for publication. Once meeting date is scheduled I will provide final copies of notices and proof of publication and service.
6. Official tax map;
7. Zoning officer denial.
8. Plot Plan prepared by Omland & Osterkorn, PE dated March 3, 2026 and revised to June 1, 2026
9. Survey prepared by Lakeland Surveying, Inc. Dated June 21, 2023 (To be provided under separate cover.)

Also enclosed are two checks payable to the Borough for \$600.00 and \$1000.00 representing the application fee for the required variances and escrow fee.

Thank you and please advise if you need any further information.

Very truly yours,

AZZOLINI & BENEDETTI, LLC

Steven Azzolini, Esq.

SA/mec

Enc.

**ZONING BOARD OF ADJUSTMENT
"C" VARIANCE APPLICATION
FLORHAM PARK, NEW JERSEY**

Application #: _____ Date Filed: _____

Applicant Name: Maria Marchese

Property Address: 162 Summit Road, Florham Park

Block: 2101 Lot: 27.02 Zone: R-44

Type of Variance: C-1 _____ C-2 ✓

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 exceeding 18" 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 as building coverage if larger than 18".**
 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

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.

See attached.

- 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).
- See attached.

Has there been a previous application involving these premises? _____

Yes



No

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: Maria Marchese Date: August 26, 2026
Maria Marchese

Applicant(s) Signature _____ Date: _____
(if different from owner)

**BOROUGH OF FLORHAM PARK
PLANNING BOARD**

111 Ridgedale Avenue
Florham Park, NJ 07932
(973) 410-5300
Fax No. (973) 377-5749

CERTIFICATION:

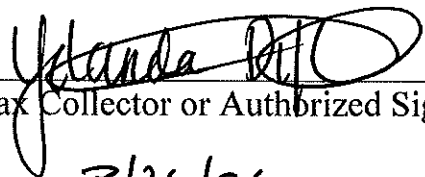
BLOCKS: 2101

LOT(S): 27.02

ADDRESS: 162 Summit Road

**PROPERTY
OWNER:** John Marchese

The Tax Collector of the Borough of Florham Park hereby certifies that all taxes and assessments have been paid and that no taxes are due or delinquent as to the premises which are the subject of this application as of the date indicated below.



Tax Collector or Authorized Signature

8/26/26

Certification Date

- 3rd Qtr due
9.15.26

ADDENDUM TO VARIANCE APPLICATION

**Applicant: John Marchese
162 Summit Road, Florham Park, New Jersey
Block 2101, Lot 27.02 — R-44 Zone**

- I. Statement in Support of C(2) Variance Relief. The Applicant seeks bulk variance relief pursuant to N.J.S.A. 40:55D-70(c)(2) in connection with the proposed construction of a three-car garage and breezeway addition to the existing single-family residence. The subject property contains approximately 56,976 square feet, or approximately 1.308 acres, and exceeds the minimum lot area required in the R-44 Zone. The property is presently developed with a single-family dwelling and customary residential improvements. The proposed addition requires relief from the maximum permitted building coverage of 10%. Existing building coverage is approximately 8.8%, and approximately 12.4% is proposed. Notwithstanding the requested building coverage variance, the proposed total improved lot coverage will be approximately 24.8%, which remains below the 25% maximum permitted in the R-44 Zone. The proposed improvements also maintain substantial side-yard setbacks, shown on the application as approximately 48 feet and 101.8 feet, and the proposed building height remains below 35 feet.
- II. The application also identifies an existing rear-yard setback of approximately 47.3 feet where 50 feet is required. This condition is preexisting and is not created, enlarged or intensified by the present application. The proposed garage and breezeway will not extend the residence any closer to the rear property line, and the existing 47.3-foot rear-yard setback will remain unchanged.
- III. The purposes of the Municipal Land Use Law and the Borough's zoning regulations are advanced by the proposed improvements. The addition represents a reasonable residential improvement to a lot substantially larger than the minimum area required in the R-44 Zone and will permit the construction of an enclosed three-car garage integrated with the existing residence by a breezeway. The proposed design maintains substantial open space around the dwelling, substantial side-yard setbacks and overall improved lot coverage within the maximum permitted by the Ordinance.
 - A. The benefits of the requested relief substantially outweigh any detriment. Although the proposed building coverage exceeds the 10% limitation by approximately 2.4 percentage points, the property will continue to comply with the maximum improved lot coverage requirement, substantial setbacks and open areas will remain, and there will be no change in the permitted single-family residential use of the property. The proposed addition does not increase the existing rear-yard encroachment.
 - B. With respect to the rear-yard condition, the deviation is limited to approximately 2.7 feet and concerns an existing condition that predates the present application. Borough records reflect prior municipal review and approval of improvements in the rear portion of the property and subsequent as-built documentation. The Applicant is not seeking to extend any improvement farther into the required rear yard as part of this application.

- C. Accordingly, the requested variances can be granted without substantial detriment to the public good. The proposal will not materially affect neighboring properties, will preserve substantial open space on the property, will not increase the intensity or nature of the residential use, and will not substantially impair the intent or purpose of the Borough's Zone Plan or Zoning Ordinance. For these reasons, the Applicant respectfully submits that the positive and negative criteria for relief pursuant to N.J.S.A. 40:55D-70(c)(2) are satisfied.
- IV. Statement Regarding Existing Rear Yard Setback and Prior Permit Closure. The Applicant submits the following additional factual history concerning the existing rear-yard setback identified in the Zoning Officer's July 1, 2026 denial based upon applicant's OPRA request and records received.
- A. The existing rear addition and deck were constructed by a prior owner of the property and predate the Marcheses' ownership. In connection with the Marcheses' purchase of the property, it was discovered that a permit relating to the existing rear addition/deck remained open. Closure of that permit was required as a condition of the Marcheses' purchase of the property. Accordingly, the Marcheses undertook the steps required by the Borough to close the outstanding permit. As part of that process, the Marcheses caused a final as-built survey of the property and the completed improvements to be prepared and submitted to the Borough. The Borough thereafter completed its review and the outstanding permit was closed.
 - B. During that process, the Borough did not advise the Marcheses that the existing rear addition or deck violated the required rear-yard setback, did not require the Marcheses to obtain a variance for the existing rear-yard condition, and did not require any modification or removal of the rear addition or deck as a condition of closing the permit.
 - C. The OPRA records produced by the Borough are consistent with this history. Those records include the prior plans for the rear addition and patio and subsequently prepared final as-built survey documentation depicting the improvements as actually constructed.

The Applicant therefore respectfully disputes the statement contained in the July 1, 2026 zoning denial that the prior addition project "was never closed out." The Marcheses specifically addressed the outstanding permit in connection with their acquisition of the property, obtained an as-built survey for that purpose, submitted the required documentation to the Borough and obtained closure of the permit. The Marcheses had no involvement in the design, approval or original construction of the rear addition/deck and reasonably relied upon the Borough's review and closure of the outstanding permit without any determination that rear-yard variance relief was required.

The present application does not create or increase the existing rear-yard condition. The current plans identify an existing rear-yard setback of approximately 47.3 feet where 50 feet is required, and the proposed garage and breezeway maintain the same approximately 47.3-foot rear-yard setback. Accordingly, no portion of the presently proposed construction will extend farther into the required rear yard.

The Applicant submits this history as relevant to the Board's consideration of the existing rear-yard condition and, in particular, to the absence of any substantial detriment associated with the requested relief. The condition is preexisting, was not created by the Marcheses, was previously presented to the Borough through the permit close-out and as-built process, and is not being enlarged or intensified by the present application.

To the extent the Borough nevertheless determines that variance relief is presently required for the existing 47.3-foot rear-yard setback, the Applicant requests such relief out of an abundance of caution and without conceding that the prior construction was unauthorized or that the prior permit was not properly closed.

BOROUGH OF FLORHAM PARK
Zoning Board of Adjustment

PLEASE TAKE NOTICE that John Marchese has applied to the Florham Park Zoning Board of Adjustment for bulk variance relief, as well as any and all additional waivers and variances that may be required, to permit the construction of a garage and breezeway to an existing single-family dwelling located at 162 Summit Road, Florham Park, New Jersey 07932, designated as Block 2101 Lot 27.02, in the R-44 Zone on the Tax Map of the Borough of Florham Park.

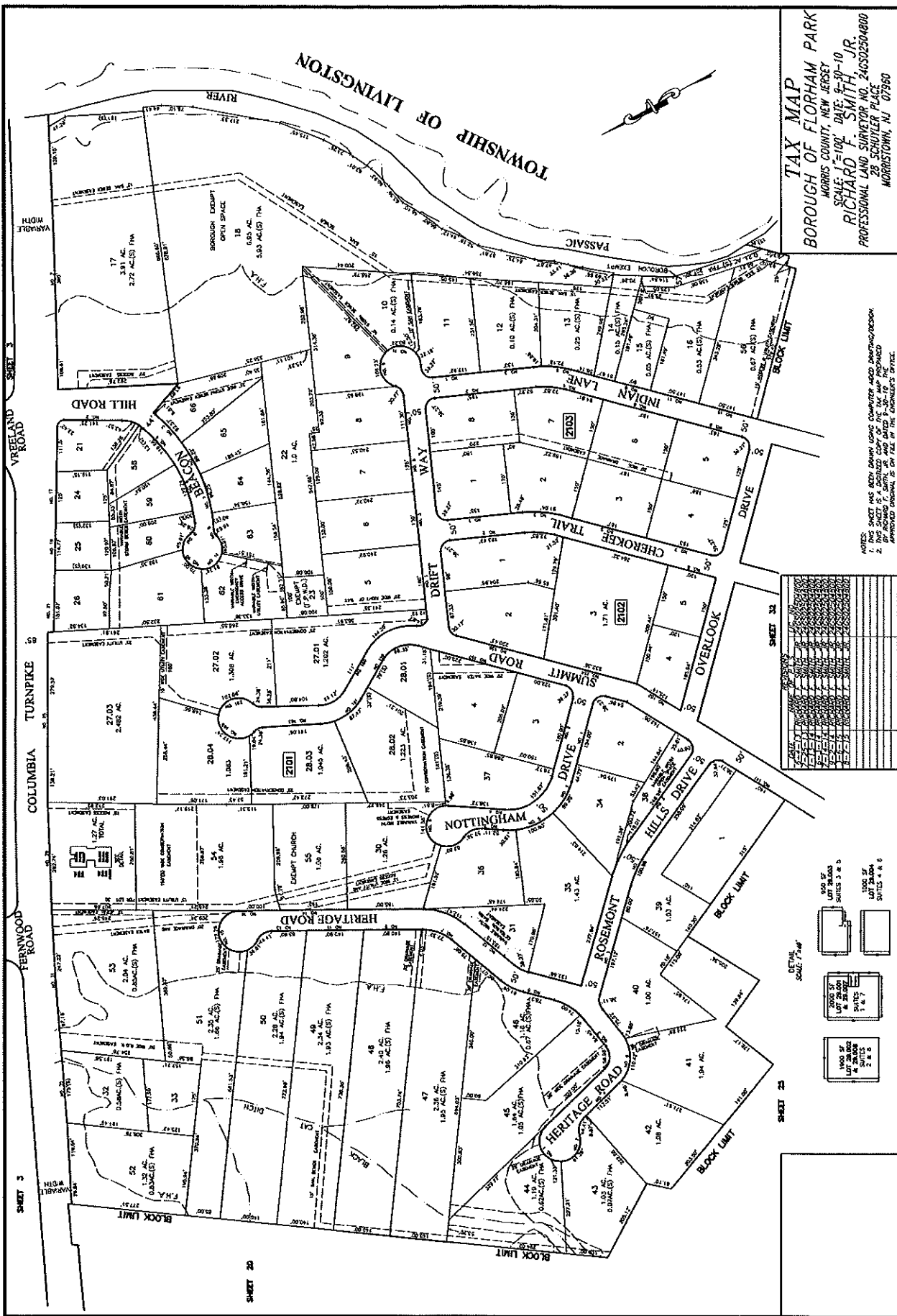
The variance relief is sought from Section(s) 250-9 and 250-14 of the Borough Code as follows: (1) Building Coverage, where 10% is permitted and 12.4% is proposed; (2) Rear yard setback for an existing condition wherein 50' is required and 47.3' is existing.

Applicant also seeks the continuation and recognition of any pre-existing nonconforming conditions, together with any and all other variances, exceptions, waivers, design waivers, interpretations, de minimis exceptions, and such other relief as may be determined to be necessary during the review and processing of the application, including any amendments to the plans without further notice as permitted by law.

The hearing on this application will be held on **September 16, 2026 at 6:30 p.m.** at Borough Hall, 111 Ridgedale Avenue, Florham Park, New Jersey. When the case is called, all interested parties may appear, either in person or by attorney, and present any objections or comments regarding this application.

Copies of the application and plans are on file in the office of the Zoning Board of Adjustment Secretary and are available for public inspection at least ten (10) days prior to the hearing date.

Steven Azzolini, Esq.
Azzolini & Benedetti, LLC
134 Columbia Turnpike
Florham Park, NJ 07932
973-765-0700
Attorney for Applicant



TAX MAP
BOROUGH OF FLORHAM PARK
MORRIS COUNTY, NEW JERSEY
SCALE: 1"=100' DATE: 9-30-10
RICHARD F. SMITH, JR.
PROFESSIONAL LAND SURVEYOR NO. 240502504800
28 SCHUYLER PLACE
MORRISTOWN, NJ 07960

NOTES:
1. THIS MAP WAS PREPARED USING THE MOST RECENT AERIAL PHOTOGRAPHY AVAILABLE.
2. THIS MAP IS A PRELIMINARY COPY OF THE FINAL MAP.
3. ANY CHANGES TO THIS MAP WILL BE MADE BY THE SURVEYOR'S OFFICE.

10000 SF LOT 2000 4.00 AC SUITES 1 & 2	10000 SF LOT 2000 4.00 AC SUITES 3 & 4	10000 SF LOT 2000 4.00 AC SUITES 5 & 6	10000 SF LOT 2000 4.00 AC SUITES 7 & 8	10000 SF LOT 2000 4.00 AC SUITES 9 & 10
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10000 SF LOT 2000 4.00 AC SUITES 1 & 2	10000 SF LOT 2000 4.00 AC SUITES 3 & 4	10000 SF LOT 2000 4.00 AC SUITES 5 & 6	10000 SF LOT 2000 4.00 AC SUITES 7 & 8	10000 SF LOT 2000 4.00 AC SUITES 9 & 10
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10000 SF LOT 2000 4.00 AC SUITES 1 & 2	10000 SF LOT 2000 4.00 AC SUITES 3 & 4	10000 SF LOT 2000 4.00 AC SUITES 5 & 6	10000 SF LOT 2000 4.00 AC SUITES 7 & 8	10000 SF LOT 2000 4.00 AC SUITES 9 & 10
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"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: John Marchese Date: July 1, 2026

Your application for a building permit to construct a garage and breezeway addition

On the property located at 162 Summit Rd
Known as Block 2101, Lot 27.02 on the Tax
Map of the Borough of Florham Park is hereby denied for non-compliance with the
provisions of Section (s) 250-9 Schedule of the Municipal Zoning Ordinance for the
following reason(s):

Applicant is seeking to exceed the 10% allowable building coverage with a proposed
coverage of 12.4%. Existing coverage is 8.8%.

Applicant is seeking to encroach the 50ft rear setback with a 47.3 setback. This is an
existing condition resulting from a previous addition project that was approved for a
50ft setback. The project was never closed out.

Signed: 
Kayla Kaplan, Zoning Officer

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