

**REFUSAL OF PERMIT
OFFICE OF THE ZONING ENFORCEMENT OFFICER
OF
BOROUGH OF UPPER SADDLE RIVER**

Date: 02/08/2021
Re:Application#: 1212

To:
PONTONE, STEVEN & KIM
2 OLD CHIMNEY RD
UPPER SADDLE RIVER NJ 07458

Voucher/Receipt#	
Check #:	406
Amount collected	\$ 200.00

Your application for a permit to:

- a) Construct a proposed pool located within the side yard, not the rear yard.
- b) Construct two (2) accessory structures a covered pavilion (seventeen feet by seventeen feet 17x17) approx. sq. footage of two hundred and eighty-nine square feet (289 sq. ft) and a pergola (twelve feet by twelve feet 12x12) approx. sq. footage of one hundred and forty-four square feet (144 sq. ft) in the rear and side yard properties.

on the property at 2 OLD CHIMNEY RD Upper Saddle River Block : 712 Lot : 8
has been denied for noncompliance with provisions of Article (s) : Sections : of the Municipal Zoning Ordinance for the following reasons: *These include but may not be limited to the items listed as follows:*

- a) Construct a proposed pool located within the side yard, not the rear yard. The pool is proposed to be entirely forward of the rear building line of the home. (A private swimming pool meeting the requirements of the Board of Health shall be permitted as an accessory use in a rear yard; Section 150-19D(1), (The pool shall be located at least 35 feet from any side or rear lot line, measured from the edge of the water area of the pool; Section 150-19D(1)b).
- b) Construct two (2) accessory structures a covered pavilion (seventeen feet by seventeen feet 17x17) with an approx. square footage of two hundred and eighty-nine square feet (289 sq. ft) and a pergola (twelve feet by twelve feet 12x12) with an approx. square footage of one hundred and forty-four square feet (144 sq. ft) in the rear and side yard properties. (There shall be permitted no more than one accessory building on a lot, exclusive of a shed. One shed shall be permitted on a lot. An accessory building shall be located only in the required rear yard; Section 150-19B).

The proposed site improvements contain non conformities and would require variances to remain.

Information on procedures for an appeal of this decision to the Planning Board can be obtained from the Clerk of the Planning Board. It should be noted that under State Statute, notice of appeal of this decision must be filed with this office not later than twenty (20) days from the date of this notice. You can also file for a variance to the Planning Board and can obtain the necessary forms from the Planning Board Clerk

The application which you submitted has been placed in the inactive files in the Zoning Department. Please contact this office to resubmit the application.

Denied by: _____

Gerald Falotico

Zoning Official

CC: Clerk, Board of Adjustment
Permit
Letter
Gerald Falotico, Zoning Official