

**RESOLUTION OF FINDINGS AND CONCLUSION  
BOARD OF ADJUSTMENT  
BOROUGH OF RUMSON  
BLOCK 105, LOT 30**

**WHEREAS**, Rakesh and Suhma Sahni has applied to the Board of Adjustment of the Borough of Rumson to raze the existing single family house and construct a new single family house and detached garage, re-designate the riverfront as the front yard, and add a swimming pool at the existing premises located at 56 Wardell Avenue, known as Block 105, Lot 30 on the Tax Map of the Borough of Rumson, and which premises are in the R-2 Zone; and

**WHEREAS**, on September 27, 2023, at a meeting of the Board, due notice having been given the adjoining property owners and published in accordance with N.J.S.A. 40:55D-12 as appears by affidavits filed with the Board, and a quorum being present, the aforementioned application was heard; and

**WHEREAS**, the Board, after carefully considering the evidence presented by the Applicant and the public, including a Site Survey by J. Goddard, LS dated May 15, 2023; Site/Architectural Plans by M. Monroe, Architect, sheets A1, T1, A3 to A5, A9 to A12 dated June 27, 2023 revised August 14, 2023; Zoning Officer Memo dated August 11, 2023, revised August 14, 2023, prior Resolution dated May 19, 2009, and color renderings (A1), has made the following findings:

1. The property is an existing single family house with a detached garage, located on an irregular 1.27 acre Lot having approximately 288 feet frontage on Wardell Avenue and irregular depth with the rear of the Lot fronting on the Shrewsbury River. There was an Application to the Board in 2009 that, as revised, resulted in a Resolution dated May 19, 2009 that approved razing the existing two story garage, and constructing a new three car garage with certain additions to the house. That approval was not acted upon or constructed. The existing house was substantially damaged by a fire in early 2023. The applicant now proposes to raze the existing damaged house and two car detached garage, construct a new single family house and two car detached garage, re-designate the river frontage as the front yard, realign the driveway, and add an in-ground swimming pool, all as shown on the Plans. The proposal requires Variances for primary front setback (75 feet required, 50 feet

- proposed); Lot circle (100 feet required, 50 feet existing); swimming pool setback from waterway (25 feet required, 20 feet proposed); and principal structure side yard setback (25 feet required, 21.12 feet proposed).
2. The property is an irregularly shaped relatively narrow (133 feet wide) waterfront 1.28 acre Lot. As noted, the existing house was substantially damaged by a fire and replacing it with a new house in substantially the same location on the Lot is warranted. The Plans as revised comply with floor area, building coverage, and Lot coverage limitations. The Variances required arise because of the irregular Lot shape and the Lot being located at the cul-de-sac. During the Hearing the applicant advised that the Plans would be revised to flip/reverse the pool and to slightly shift the driveway entrance/location northeast. The Board will review revised Plans showing the changes prior to adoption of an approved Resolution. The applicant also advised that an abandoned boat adjacent in the water will be removed as part of the demolition. No neighbors or objectors appeared.
  3. As noted, the Board finds that the Lot shape supports the Variance relief. The new improvements will enhance the appearance and utility of the property. The Board reviewed the revised Plans, dated October 13, 2023 at the October meeting and found the revision to the pool layout and the driveway entry location acceptable and minor changes.

**NOW THEREFORE BE IT RESOLVED** by the Board of Adjustment of the Borough of Rumson on this 26th day of October 2023 that the Application of Rakesh and Suhma Sahni to raze the existing single family house and construct a new single family house and detached garage, re-designate the riverfront as the front yard, and add a swimming pool as shown on the Plans as revised in accordance with the Plans presented at the Hearing, be granted upon the following conditions:

1. That this variance will be deemed to be void by abandonment if a building permit is not issued within one year from the date hereof.

2. All factual representations made on behalf of the applicants are incorporated herein as conditions of this variance.
3. The action of the Board of Adjustment in approving this application shall not relieve the applicants of responsibility for any damage caused by this project, nor does the Board of Adjustment or the Borough of Rumson accept or have any responsibility or liability for the structural design of the project or for any damage which may be caused by the project.
4. Prior to issuance of any Certificate of Occupancy the applicant must repair or replace any curb, sidewalk, or street pavement damaged, in the judgment of the Borough Administrative Officer, as part of or by reason of the construction of the project.
5. The following must be accomplished prior to the issuance of a development, zoning and/or building permit:
  - a. Abandoned boat must be removed from the property.
  - b. Evidence must be provided by the applicant that the permits and approvals listed in subsection 22-3.4a, 4 of the Development Regulations have, where applicable, been obtained.
  - c. Taxes must be current.
  - d. If applicable, inspection fees as required by subsection 22-3.14m and n of the Development Regulations must be paid by the applicant.
  - e. Notice must be published as required by subsection 22-3.3e, 5 of the Development Regulations.

Above Resolution moved by \_\_\_\_\_, seconded by \_\_\_\_\_, and on roll call the following vote was recorded:

In the Affirmative:

In the Negative:

Abstain:

The foregoing is a true copy of a Resolution adopted by the Board of Adjustment of the Borough of Rumson at its meeting on October 26, 2023, as copied from the Minutes of said meeting.

DATE: October 26, 2023

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Secretary  
Board of Adjustment