

## PROPOSAL

Stark Kirby (the “Applicant”) is seeking minor subdivision (lot line adjustment), minor site plan, “c” variance and d(3) conditional use variance approval to effectuate a lot line adjustment between property designated as Block 4, Lots 35 (613 Spring Valley Road) and 36 (1 Hartley Farms Road) on the official tax map of the Township of Harding (individually referred to by lot number and collectively, the “Property”). The Applicant is further proposing to construct a new house on Lot 35 and retain the existing dwelling located on Lot 35 as an accessory residence.

The Property is located in the Hartley Farms Historic District and in the R-1 Residential Zoning District. When Hartley Farms became its own historic district, the district included properties along Spring Valley Road, a portion of Blue Mill Road and connected to the Silver Lake Historic District on Red Gate Road. Significantly, all of the existing structures located on Hartley Farms, some of which date back to the late 1700’s, were listed as “Contributing Structures” in the National Historic Register application that was approved.

The Hartley Farms subdivision was perfected in 1992. Of note, given the size of Hartley Farms, the owners were permitted to adopt rules and regulations applicable to development of properties located within Hartley Farms. Among the requirements for a property owner proposing development is to obtain approval from the Hartley Farms Architectural Review Committee, which the Applicant did for the proposed project (please see attached review letters). Additionally, these rules and regulations exempted buildings from side yard setback rules, which is why, for example, many existing barns, horse sheds, and cottages are located closer than 100 feet to the road and adjacent properties.

Lot 35 currently contains the “Blacksmith Cottage”, which is currently the principal residence and contains approximately 640 square feet, a barn, a shed, a pump house and related site improvements. The Blacksmith Cottage was constructed in approximately 1910 as a laundry to serve the Marcellus Hartley Dodge estate, which was located on the Property and adjacent properties. The Blacksmith Cottage was converted to a residence in the 1960’s. The shed on Lot 35 encroaches onto Lot 36. Lot 36 currently contains a single family house, patio, barn and other related site improvements.

Lot 35 also contains a 20-foot wide access easement from Spring Valley Road to the rear of Lot 35, benefiting adjacent Lot 33 in Block 4. A utility easement benefiting Lot 33 runs along the access easement. These easements are proposed to remain on Lot 35.

The Applicant is proposing improvements to Lot 35 only, consisting of removal and repurposing of the existing barn and construction of a two-story single family house, paver patio, pool and other related site improvements. Significantly, historic components of the barn, such as the timber frame and stone foundation, will be salvaged, reused and integrated in the construction of the proposed single family house. The Applicant is proposing to retain the Blacksmith Cottage, which is proposed to be used as an accessory residence. No improvements are proposed to Lot 36.

The following table represents the proposed lot line adjustment.

	<b>Existing Lot Area (acres)</b>	<b>Proposed Lot Area (acres)</b>
<b>Existing Lot 35</b>	3.400	3.402
<b>Existing Lot 36</b>	3.002	3.000

The following pre-existing non-conforming conditions exist on the Property and will remain as part of this application:

1. Lot 35
  - a. Ordinance Section 225-116.Q(2).The required space between driveway gates, pillars or posts shall provide for a minimum clear width of 20 feet and 12 feet is existing and proposed between driveway pillars.
  - b. Ordinance Section 225-122.F to permit a side yard setback of 26 feet to the existing cottage (no change proposed), where 26 feet is existing and 100 feet is required.
2. Lot 36:
  - a. Ordinance Section 225-116.D. The existing barn, an accessory structure, is located closer to the road than the principal structure, which accessory structures are required to be located behind the front façade of the principal structure.
  - b. Ordinance Section 225-122.F. A front yard setback of 100 feet is required, where a front yard setback to the existing barn of 14.7 feet is existing to remain.
  - c. Ordinance Section 225-122.F. A side yard setback of 100 feet is required, where a side yard setback to the existing barn of 2.2 feet is existing to remain.
  - d. Ordinance Section 225-122.F. A front yard setback of 100 feet is required, where a front yard setback to the existing principal dwelling of 68.5 feet is existing to remain.
  - e. Ordinance Section 225-122.F. a side yard setback of 100 feet is required, where a side yard setback to the existing principal dwelling of 58.6 feet is existing to remain.

The Applicant is seeking the following variance relief in connection with the improvements on Lot 35.

1. D(3) conditional use variance from Section 225-178 to permit an accessory dwelling unit that does not meet the following conditions: the minimum lot size required is 6 acres, where 3.4 acres is proposed; and the side yard setback is 26 feet, where the accessory building must comply with all of the setback limitations in the R-1 Zone, which requires a side yard setback of at least 100 feet.
2. C variance from Ordinance Section 225-122.F to permit a side yard setback of 27.4 feet to the existing shed, where 0 feet is existing and 100 feet is required.
3. C variance from Ordinance Section 255-122.H to permit a maximum lot coverage of 13.89%, where 13.98% is existing and 10% is permitted.

The Applicant is seeking the following design waiver relief in connection with the improvements on Lot 35.

1. Design waiver from Ordinance Section 225-74.C for stormwater management design to follow for individual lot site plan filings, where stormwater management is required for any residential subdivision.

2. Design waiver from Ordinance Section 225-74.E for landscaping plans to follow for individual lot site plan filings where landscaping plans are required for all major and minor subdivisions.
3. Design waiver from Ordinance Section 225-74.L for non-right or non-radial site lot line angles consistent with existing conditions where side lot lines shall be at right angles or radial to an existing curved road.