



BOROUGH OF RINGWOOD
ZONING BOARD OF ADJUSTMENT
2025 ANNUAL REPORT

Adopted:

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Prepared by:

Allison Winkler, Secretary

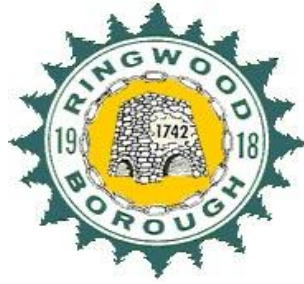


2025 Board of Adjustment Members

John Stack, Chairman
Malcolm Tennant, Vice Chairman
Herb Allen
Francisco Auteri
Pat Diamond
Kristie Mosley
Jack Valenti - Alternate #1
James Hahn - Alternate #2 (September)

Board of Adjustment Professionals

Jameson Van Eck, Board Attorney
David A. Hals, PE, Board Engineer
Jessica C. Caldwell, PP, AICP, LEED-GA, Board Planner
Allison Winkler, Board Secretary



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INTRODUCTION

This report was prepared in accordance with the requirements outlined in the New Jersey Municipal Land Use Law, section 40:55D-70.1, which states that:

The Board of Adjustment shall, at least once a year, review its decisions on applications and appeals for variances and prepare and adopt by resolution a report on its findings on zoning ordinance provisions which were the subject of variance requests and its recommendations for zoning ordinance amendment or revision, if any. The Board of Adjustment shall send copies of the report and resolution to the Governing Body and Planning Board.

This report summarizes the activity of the Borough of Ringwood Board of Adjustment from January 1, 2025 through December 31, 2025, and presents its findings on applications and appeals from land use ordinance provisions.

The Board of Adjustment is uniquely situated to bring to the attention of the Mayor and Council, and Planning Board, land use ordinance provision which has resulted in numerous variance requests. This information helps to enable the Borough to keep its land use regulations in step with the needs of the community.

BOARD OF ADJUSTMENT AUTHORITY

Pursuant to the New Jersey Municipal Land Use Law, N.J.S.A. 40:55D-1 et. Seq., a Board of Adjustment, has the authority to hear applications for various matters as outlined in the table below.

Type of Application	Zoning Board Jurisdiction
Appeals from decision of Zoning Officer	All Reviews
Interpretations of the Zoning Ordinance	All Reviews
Conditional Use Permits	Ancillary to “D” Type Variances
“C” Type Variances	Not if site plan or subdivision or conditional use is involved; also, ancillary to “D” Type Variances
“D” Type Variances	All Reviews
Permit for structure within public area or street; permit for structure on a lot with no street frontage	Not if site plan or subdivision or conditional use is involved; also, ancillary to “D” Type Variances
Subdivision Applications and Related Code Exceptions	Ancillary to “D” Type Variances
Type of Application	Zoning Board Jurisdiction
Site Plan Applications and Related Code Exceptions	Ancillary to “D” Type Variances
Certification of Legal Non-Conforming Use	All Reviews

As indicated in the table above, the New Jersey Municipal Land Use Law requires that all “d” type variance be heard by the Board of Adjustment. There are six categories of “d” type variances identified in the New Jersey Municipal Land Use Law, which are listed below. Any approval of a “d” type variance requires five affirmative votes from the Board of Adjustment.

- (1) a use of principal structure in a district restricted against such use or principal structure,
- (2) an expansion of a nonconforming use,
- (3) deviation from a specification or standard pursuant to section 54 of P.L. 1975, c.291 (C.40:55D-67) pertaining solely to a conditional use,
- (4) an increase in the permitted floor area ratio as defined in section 3.1 of P.L. 1975, c.291 (C.40:55D-4),
- (5) an increase in the permitted density as defined in section 3.1 of P.L. 1975, c.291 (C.40:55D-4), except as applied to the required lot area for a lot or lots for detached one or two dwelling unity buildings, which lot or lots either an isolated undersized lot or lots resulting from a minor subdivision or
- (6) a height of a principal structure which exceeds by 10 feet or 10% the maximum height permitted in the district for a principal structure.

2025 MEETING SUMMARY

The Board of Adjustment met a total of 13 times between January 27, 2025 and December 15, 2025. Twelve of those meetings were a Regular Meeting and one was a Special Meeting.

2025 APPLICATION SUMMARY

General Overview of Applications Heard

The Board heard a total of thirty-one (31) applications and twenty-five (25) of the applications were approved in 2025. The applications included a total of 62 variance requests, comprised of 59 “c”-type or bulk variance requests, and 3 “d”-type variance requests. One application included an interpretation and a Use Variance.

At the end of the year, five applications were carried to 2026 as a continuation of hearing.

Type of Variance	# of Applications Filed	Zone
“A” Appeal	0	-----
“B” Interpretation	1	R40
“C” Bulk	20	R-20
	5	R-40
	1	R-40V
	1	R-80V
	1	CC-80
“D” – Use Variance	2	R-40
	1	CS-40/R 40V

Types of Variances

There were 36 variances granted in the R-20 zone. Historically, side yard variances have been the most frequently requested, and this year they remained the most common. Overall, there were 17 fewer variances granted in the R-20 zone this year.

Front Yard	11
Side Yard	18
Rear Yard	4
Improved Lot	2
Lot coverage	1

There were 7 variances granted in the R-40 zone this year.

Front Yard	1
Side Yard	2
Max. Disturbed	3
Improved Lot Coverage	1

One variance for Maximum Disturbed Land Area was granted in each of the following zones: R-80V and R-40V.

The Board granted a C Variance to permit exterior wall-mounted signage in the CC-80V Zone.

Variance Application Requests

The types of applications, located in the R-20 zone, reviewed by the Board include:

- Six applications for a deck
- Four applications for an addition
- Two applications for air conditioner condensers
- Two applications for roof reframing
- Two applications for an accessory structure
- A single application for a three-season room
- A single application for a generator

The types of applications, located in the R-40 zone, reviewed by the Board include:

- Two applications for an addition
- Two applications for a deck
- A single application for a new single-family dwelling

The types of applications, located in the R-40V zone, reviewed by the Board include:

- A single application for a single-family dwelling

Use Variance and Site Plan Review

On January 27, 2025, the Board granted Use Variance approval under Docket #3163 to allow the existing kennel facility on the property to be used for the boarding, training, and day care of dogs that are not considered farm animals, in addition to the existing use involving sheepdogs. The approval did not include any changes to the previously approved 2005 site plan, nor did it involve any structural alterations to the buildings on the property. The application was required because the kennel operations had been conducted by a prior tenant involving non-farm dogs, which is not otherwise permitted without variance relief.

On June 16, 2025, the Board approved an application for a use variance, minor subdivision, and amended preliminary and final site plan approval. The Applicant proposes to expand an existing non-conforming use on the property and to modify the property boundaries through a lot line adjustment. As part of the proposal, one of the existing lots would be eliminated and the non-conforming operations would be consolidated onto a single, newly expanded parcel.

Appeals, Interpretations, and Certificates of Non-Conformity

An application, Docket #3170, was submitted to the Land Use Administrator on February 3, 2025, requesting: (i) an ordinance interpretation that a Cooperative Sober Living Residence (CSLR) constitutes a single family residential use and is therefore permitted in the R-40 zone and (ii) a Use Variance to permit the continued occupancy of a CSLR within the R-40 zone. The matter was heard on September 18, 2025; however, no final action was taken, and the application was carried to the 2026 calendar year for further proceedings.

Dismissals/Denials

On January 27, 2025, the Board considered a height variance application (Docket #3162) to permit construction of a 19-foot pole barn where 15 feet is the maximum height permitted in the zone. During its review, the Board determined that the pole barn exceeded the proposed 19-foot height and carried the matter to allow the applicant the opportunity to submit a revised variance request reflecting a reduced height or proceed with construction of a pole barn compliant with the 15-foot height limitation.

The applicants returned on February 24, 2025 with an amended application requesting a 2-foot variance to permit a 17-foot pole barn, noting that the pole barn had already been purchased and that returning it would be financially burdensome. The Board found that economic hardship and self-created hardship do not satisfy the variance criteria.

The Board denied the amended application, finding that the applicants failed to meet their burden of proof under both the C(1) and C(2) variance criteria. Under the C(1) criteria, the applicants did not demonstrate a unique or exceptional condition of the property creating a hardship requiring variance relief. Under the C(2) criteria, the applicants failed to establish that the proposed height would represent a better zoning alternative than compliance with the Borough's ordinances.

Modification of Terms or Conditions of Previously Granted Variance

On May 19, 2025, the Board considered an application, Docket #3177, seeking to modify a condition of approval contained in the Board's March 18, 2024 resolution. Specifically, the applicant requested relief from Condition #1, which stated that the deck could not be enclosed on the sides or with a roof without further Board approval. As part of a revised project, the applicant proposed installing an arbor over a portion of the deck. The Board approved the requested modification, permitting the installation of the arbor as proposed.

Recommendations for Zoning Ordinance Amendments or Revisions

The Board does not recommend any change be made to the requirements of the R-20 zone. Since the lots are small and located close to adjacent properties, having to file for a variance provides some control over the development of these lots.

Other Observations

The Board notes the actions taken by the Board are not always reflected in the statistics. The Board often works with residents/applicants to reduce the number and scope of variances requested to be more in compliance with town ordinances. In that regard, applications are withdrawn, dismissed, amended and/or modified, or imposed conditions by the Board.