

**RESOLUTION OF MEMORIALIZATION OF THE LITTLE EGG HARBOR  
TOWNSHIP BOARD OF ADJUSTMENT**

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**RESOLUTION NO.: 2016-17  
VARIANCE APPLICATION NO.: 2016-06**

RE: ANNA PALMIOTTO  
Block 325.106, Lot 32  
Application for bulk variance

**WHEREAS**, ANNA PALMIOTTO, whose mailing address is 133 E. Hudson Drive, Little Egg Harbor, New Jersey 08087, has applied for relief pursuant to N.J.S.A. 40:55D-70(c) affecting premises located at Block 325.06, Lot 32, as shown on the Tax Map of the Township of Little Egg Harbor and otherwise known as 133 E. Hudson Drive, Little Egg Harbor, New Jersey; and

**WHEREAS**, a public hearing was held on said application on May 11, 2016, in the Municipal Building of the Township of Little Egg Harbor and testimony was presented on behalf of the applicant and all interested parties having been heard; and

**WHEREAS**, said Board having considered said application and testimony of the applicant, makes the following findings:

1. The application is deemed complete pursuant to the applicable provisions of the Little Egg Township Zoning Ordinance.

2. The subject property is located within the Residential (R-50) Zone, and is located along the north side of East Hudson Drive, approximately 850 FT east of Twin Lakes Boulevard, on a manmade lagoon, in Mystic Island area of the Township. The Applicant has constructed a new 34' x 37' home on pilings in order to meet the new higher flood elevation requirements. The submitted plans include decks on both the front and rear of the house. The front deck is

covered and has stairs. The rear deck is covered and has stairs. The shed is shown on the plans with an existing 1.1 foot side yard setback. It should be noted that this property is being shown on preliminary FEMA work maps as requiring a Base Flood Elevation (BFE) of 10 feet, as it is located within the "AE" zone. The finished floor elevation is 12 feet. The elevation outside the house is 6; therefore the new home will be raised approximately 6 feet from the existing grade. Both decks and stairs (with the exception of the stairs within 18" of grade) are included in the building footprint calculations because they are greater than 18" above grade. The applicant requires the following variances:

- a. §15-4.14(E)(4) for the front yard setback for the principal building; and

Applicant requests no other bulk variances or waivers, as an existing non-conforming shed shall be removed.

3. Applicant provided testimony on her own behalf, stating that the granting of variance relief would be a benefit to the surrounding community for the new structure would be compatible with the existing homes in the area.

4. Applicant supplied plans to demonstrate the appearance of the dwelling. In the Applicant's opinion there would be no detriment to the surrounding community by the grant of this variance relief which would, in applicant's opinion, constitute a benefit to the neighborhood without being inconsistent with the zone plan and zoning ordinances. No view will be impaired.

5. No member of the public appeared to testify on this Application.

6. Based upon the foregoing evidence, the Board makes the following findings:

A. The applicant has demonstrated that the requested variance relief may be granted without substantial detriment to the public good and without substantially impairing the intent and purpose of the zone plan or Zoning Ordinances of the Township of Little Egg Harbor.

**NOW, THEREFORE, BE IT RESOLVED**, by the said Board that on this 11<sup>th</sup> day of May, 2016, based upon the findings herein above stated, the application is hereby granted subject to the following conditions, together with all stipulations of the applicant:

1. The applicant shall strictly adhere to the representations, plans and exhibits submitted with regard to the proposed development of the subject property and should further comply in all respects with the technical review letter as prepared by the Little Egg Harbor Township Zoning Board of Adjustment Engineer dated April 22, 2016, a copy of which is annexed hereto and made a part hereof.

2. Applicant is specifically granted a variance for §15-4.14(E)(4) for the front yard setback of 14.8 FT when 20 FT is required.

3. The Applicant shall bring the existing shed into compliance with Ordinance requirements or remove the same.

4. Applicant shall, with respect to the use for the space underneath the home which will be approximately 1,250 square feet with a height of approximately 6 feet, utilize same for storage , with no occupancy permitted.

5. The applicant shall further reimburse the Little Egg Harbor Township Zoning Board of Adjustment for all professional fees expended with regard to this application within thirty (30)

days from the date of memorialization of this Resolution or any approvals granted herein shall automatically become null and void.

6. The applicant shall further secure any and all other necessary applications, permits or approvals and post any surety bonds that may be required by any other governmental agency.

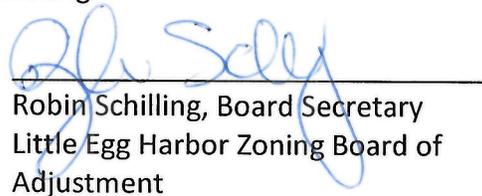
7. The applicant shall resubmit this entire proposal should there be any substantial deviation from this Resolution or the submitted plans, documents, or oral representations made by this applicant.



ED GAUTIER, Chairman  
Little Egg Harbor Zoning Board of Adjustment

**CERTIFICATION**

The foregoing is a true copy of a memorializing resolution by said Board at its meeting of June 8 , 2016, as copied from the minutes of said meeting.



Robin Schilling, Board Secretary  
Little Egg Harbor Zoning Board of  
Adjustment