

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

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**RESOLUTION NO. 2017-13  
VARIANCE APPLICATION NO. 2017-02**

RE: GEORGE E. ROORK  
1423 Route 539  
Block 83, Lot 12.01  
Zone: GB- General Business  
Bulk Variance

**WHEREAS**, GEORGE R. ROORK, whose mailing address is 1423 Route 539, Little Egg Harbor, New Jersey, has applied for relief pursuant to N.J.S.A. 40:55D-70c(2), affecting premises located at Block 83, Lot 12.01, as shown on the Tax Map of the Township of Little Egg Harbor and otherwise known as 1423 Route 539, in the Township of Little Egg Harbor, State of New Jersey; and

**WHEREAS**, a public hearing was held on said application on April 12, 2017 and May 10, 2017, 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:

**WHEREAS**, said Board having considered said application, testimony and exhibits submitted and inspection of the site, if any, makes the following findings:

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

2. The property in question is located on the north side of Route 539, approximately 380 ft west of Parkertown Drive. The property in question is located within the GB – General Business Zone. The site currently contains a one story dwelling with a detached garage in the rear of the dwelling along with a driveway. The applicant is proposing to construct a 35' x 44' pole barn for residential car and boat storage. The proposed pole barn structure would be considered permitted accessory use in the zone, however, the proposed pole barn does not meet the height and size requirements of the zone. It should also be noted that the existing home would be considered a pre-existing non-conforming use in the zone, as single family detached residential homes are not permitted use in the GB Zone. The proposed pole barn would be considered an expansion of the non-conforming use. The applicant requires the following variances

A. From **NJSA 40:55D-70(d)(1)** – To permit a use of principal structure in a district restricted against such use or principal structure.

B. From **NJSA 40:55D-17(d)(2)** – To permit the expansion of a non-conforming use.

C. From **§15-7.14B** – Accessory buildings shall not exceed fifteen (15) feet in height, whereas 18' – 6" is proposed.

D. From **§15-7.14F** – Any building with a gross floor area in excess of 900 square feet or containing living space shall not be considered an accessory building, whereas 1,584 square feet is

Applicant requests no other bulk variances or waivers.

3. Applicant provided testimony on his own behalf, stating that it would be a benefit to the surrounding community, in that the relief requested will not cause substantial detriment to the public good and will not substantially impair the intent and purpose of the Zoning Plan or Zoning Ordinance, while enhancing the use, value and layout of the subject property.

4. No person appeared in opposition to the subject application.

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

A. This applicant has demonstrated that the requested variance can be granted without substantial detriment to the public good and without substantially impairing the intent and purpose of the zone plan and zoning ordinances of the Township of Little Egg Harbor.

**NOW, THEREFORE, BE IT RESOLVED**, by the said Board that on this 14<sup>th</sup> day of June, 2017, 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 all representations, plans and exhibits submitted with regard to the subject property and shall further comply in all respects with the technical review letter as prepared by the Little Egg Harbor Township Zoning Board of Adjustment Engineer dated March 20, 2017, a copy of which is annexed hereto and made a part hereof.

2. Applicant may construct the pole barn in accordance with the plans as presented by the Applicant.

3. The applicant is specifically granted the following variances:

A. **§15-7.14B** a height of 18' 6" when 15' is permitted.

B. **§15-7.14F** gross floor area of 1,584 square feet where 900 square feet is required for an accessory building.

4. Applicant is granted the following Use Variances for the GB Zone:

A. **NJSA 40:55D-70(d)(1)** to permit a use of a principal structure in a district restricted against such use or principal structure.

B. **NJSA 40:55D-70(d)(2)** to permit the expansion of a non-conforming use.

5. Applicant certifies that the pole barn will contain no habitable areas and will not contain a bathroom.

6. Applicant certifies that the pole barn will not be used for any type of business or commercial use.

7. Applicant may connect to the water and sewer but only for a sink.

8. The applicant shall further reimburse the Township of Little Egg Harbor 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.

9. 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.

10. The applicant shall resubmit this entire application should there be any substantial deviation from this Resolution or the submitted plans, documents, or oral representations made by this applicant, his attorneys or other professionals.

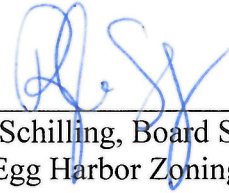


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ED GAUTIER, Chairman  
Little Egg Harbor Zoning Board of Adjustment

**CERTIFICATION**

The foregoing is a true copy of a memorializing resolution by said Board at its meeting of May 10, 2017 as copied from the minutes of said meeting.



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