

**RESOLUTION OF THE LITTLE EGG HARBOR
TOWNSHIP BOARD OF ADJUSTMENT
APPROVING THE APPLICATION FOR BULK VARIANCE RELIEF PURSUANT TO ORDER OF THE
SUPERIOR COURT OF THE STATE OF NEW JERSEY**

**RESOLUTION NO.: 2017-15
VARIANCE APPLICATION NO.: 2016-02**

RE: WEAVER, WILLIAM
BLOCK 315, LOT 11
21 West Boat Drive
Application for Bulk Variance

WHEREAS, William Weaver, whose mailing address is 130 Lexington Avenue, South Plainfield, New Jersey 07080, has applied for relief pursuant to N.J.S.A. 40:55D-70(c) affecting premises located at Block 315, Lot 11, as shown on the Tax Map of the Township of Little Egg Harbor and otherwise known as 21 West Boat Drive, Little Egg Harbor, New Jersey; and

WHEREAS, a public hearing was held on said application on March 9, 2016, June 8 2016 and August 10, 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 denied said application and the applicant having appealed the Board's decision to the Superior Court which subsequently overturned the decision of the Board; and

WHEREAS, said Board now must act upon the Order of the Court which determined that the Applicant has "...successfully proven the positive and negative criteria required per N.J.S.A. 40:55D-70(c)(1) and N.J.S.A. 40:55D-70(c)(2)."

NOW THEREFORE, BE IT RESOLVED, by the said Board that on this 9th day of August,

2017, based upon the directive of the Superior Court of the State of New Jersey, the following variances are approved:

A. From §15-4.14E(5) – Minimum side yard setback for the proposed stairs – 5 FT required – 1.9 Ft proposed.

B. From §15-4.14E(6) – Minimum combined side yard setback – 15 FT required – 11.6 FT proposed.

C. From §15-4.14E(10) – Maximum building coverage – 30% required – 33.5% proposed.

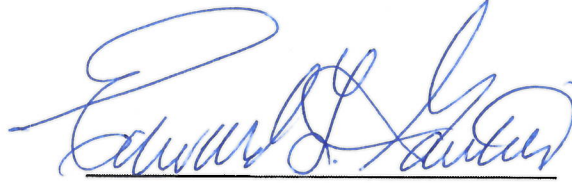
BE IT FURTHER RESOLVED that based upon testimony from the Applicant, the requested variance from §15-4.14E(6) – Minimum side yard setback for accessory structure (shed) – 5 FT required – 0.6 FT proposed, is withdrawn as the shed was moved to a conforming location.

BE IT FURTHER RESOLVED that the applicant shall further reimburse the Little Egg Harbor Township Zoning Board of Adjustment for all professional fees expended with regard to this application, exclusive of any fees or expenses associated with the appeal and litigation of this matter, within thirty (30) days from the date of memorialization of this Resolution or any approvals granted herein shall automatically become null and void.

BE IT FURTHER RESOLVED that 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.

BE IT FURTHER RESOLVED that the applicant shall comply with the Completeness requirement as set forth by the Board Engineer in his review letter under date of February 3, 2016, attached hereto as Exhibit A and made a part hereof and shall further provide all required

plans and proofs for construction within a flood plain and shall otherwise provide all plans and documentation required by the Township construction office pursuant to Ordinance and statutory requirements.



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 August 9, 2017, as copied from the minutes of said meeting.



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