

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

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**RESOLUTION NO.: 2016-03  
VARIANCE APPLICATION NO.: 2015-14**

RE: CHARLES AND CAROLINE SCHAEFFER  
Block 326.217, Lot 7  
Application for bulk variance

**WHEREAS**, CHARLES AND CAROLINE SCHAEFFER, whose mailing address is 1015 North Forklanding Road, Cinnaminson, New Jersey 08077, has applied for relief pursuant to N.J.S.A. 40:55D-70(c) affecting premises located at Block 326.217, Lot 7, as shown on the Tax Map of the Township of Little Egg Harbor and otherwise known as 15 Kentucky Drive, Little Egg Harbor, New Jersey; and

**WHEREAS**, a public hearing was held on said application on January 13, 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 on the east side of Kentucky Drive approximately 625 FT south of Louisiana Drive, on a manmade lagoon in the Mystic Island area of the Township. The Applicant has constructed a new 28' x 50' home on pilings in order to meet the new higher flood elevation requirements. The

submitted plans include a covered, raised front porch to the main entrance (front yard) with stairs and a raised rear yard deck with stairs. 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 16.5 feet. The elevation outside the house is 6.5; therefore the new home will be raised approximately 10 feet from the existing grade. The rear deck is included in the building footprint because it is greater than 18" above grade. The uncovered front stairs encroach more than 5 feet into the front yard setback per §15.7.81. The applicant requires the following variances:

- a. §15-4.14(E)(6) for the combined side yard setback for the principal building;
- b. §15-4.14 (E)(8) and §15-4.14 (F)(1)(d) for the accessory setback for the shed;
- c. §15-4.14 (E)(10) for maximum building coverage and
- d. §15-7.81 for permitted yard encroachment for the front yard stairs.

Applicant requests no other bulk variances or waivers.

3. Applicant provided testimony on his 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 10<sup>th</sup> day of February, 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 December 29, 2015, a copy of which is annexed hereto and made a part hereof.

2. Applicant is specifically granted a variance for §15-4.14(E)(6) for the combined side yard setback for the principal building of 14.9 FT when 15 FT is required.

b. Applicant is specifically granted a variance for §15-4.14 (E)(8) and §15-4.14 (F)(1)(d) for the accessory setback for the shed of 1.9 FT when 5 FT is required for the side yard and 11.2 FT when 15 FT is required for the rear yard.

c. Applicant is specifically granted a variance for §15-4.14 (E)(10) for maximum building coverage of 32.5% when 30% is required.

d. Applicant is specifically granted a variance for §15-7.81 for permitted yard encroachment for the front yard stairs of 14.4 FT when 15 FT is required.

3. The Applicant shall comply with RSIS standards with respect to off-street parking.

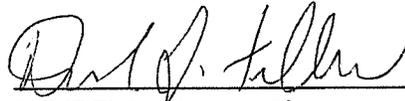
4. Applicant shall, with respect to the use for the space underneath the home which will be approximately 1,400 square feet with a height of approximately 10 feet, utilize same for storage and screen appropriately, with no occupancy permitted.

5. No habitable space shall be permitted in the attic.

6. 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.

7. 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.

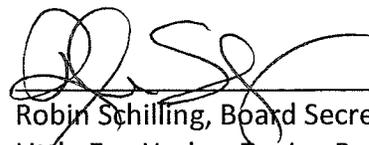
8. The applicant shall resubmit this entire proposal should there be any substantial deviation from this Resolution or the submitted plans, documents, or oral representations made by this applicant.



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DAVE FULLER, Vice-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 January 13, 2016, as copied from the minutes of said meeting.



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