

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

**RESOLUTION NO.: 2016-11
VARIANCE APPLICATION NO.: 2016-01**

RE: WILLIAM FLOCKHART
Block 304, Lot 8
Application for bulk variance

WHEREAS, WILLIAM FLOCKHART, whose mailing address is 15 Nantucket Court, 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 304, Lot 8, as shown on the Tax Map of the Township of Little Egg Harbor and otherwise known as 15 Nantucket Court, Little Egg Harbor, New Jersey; and

WHEREAS, a public hearing was held on said application on March 8, 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 west side of Nantucket Court in the Holly Lake Harbor area of the Township, approximately 365 feet north of South Boom Way. The Applicant is proposing to retain an existing screen enclosure surrounding an outdoor pool. The screened enclosure is approximately 50 feet wide along the rear of the house, approximately 21 feet wide along the left side of the house and

approximately 36 feet wide along the right side of the house. The applicant requires the following variance:

- a. §15-4.14(F)(1)(d) for rear yard setback.

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. Applicant provided testimony that all permits were issued by the Township for the screenroom and were closed out by the Township after completion of construction. Applicant, through counsel, suggests this to be a classic case of estoppel.

6. Members of the public appeared to testify on this Application, both favorable and unfavorable.

7. 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 13th day of April, 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 February 3, 2016, a copy of which is annexed hereto and made a part hereof.

2. Applicant is specifically granted the following variances:

- (a) A minimum front yard setback of 13.5 ft. when 20 ft. is required.
- (b) A minimum rear yard setback of 11.9 ft. when 15 ft. is required.

3. 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.

4. 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.

5. 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 April 13 , 2016, as copied from the minutes of said meeting.



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