

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

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**RESOLUTION NO.: 2016-19  
VARIANCE APPLICATION NO.: 2016-09**

RE: NOLAN, ROBERT AND PAULINE  
BLOCK 325, LOT 33  
4 SURFSIDE BOULEVARD  
Application for Bulk Variance

**WHEREAS**, Robert and Pauline Nolan, whose mailing address is 4 Surfside Boulevard, 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, Lot 33, as shown on the Tax Map of the Township of Little Egg Harbor and otherwise known as 4 Surfside Boulevard, Little Egg Harbor, New Jersey; and

**WHEREAS**, a public hearing was held on said application on June 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 WFD (Waterfront Development Zone Residential (R-50) and is located at the northwest intersection of Surfside Boulevard and Radio Road in the Mystic Beach portion of the Township. The site is rectangular in shape and currently contains a single family residential dwelling with a shed and driveway. The Applicant

proposes to remove the storm damaged home and construct a new raised home which will be FEMA compliant. The existing accessory shed was removed and no sheds are permitted. The existing home would be considered a pre-existing nonconforming use in the zone, as single family detached residential homes are not a permitted use in the WFD Zone. The proposed home would be considered an expansion of a nonconforming use.

3. The applicant requires the following variances:

A. From N.J.S.A. 40:55D-70(d)(1) To permit a use or principal structure in a district restricted against such use or principal structure.

B. From N.J.S.A. 40:55D-70(d)(2) To permit the expansion of a nonconforming use.

C. From §15-4.24D(1) – Minimum lot area required – 12,000 square feet – 9,464 square feet existing and proposed.

D. From §15-4.24D(2) – Minimum lot width required – 120 feet – 108.8 feet existing and proposed.

E. From §15-4.24D(3) – Minimum lot depth required – 100 feet – 96.12 feet existing and proposed.

F. From §15-4.24D(4) – Minimum front yard setback required – 40 feet – 34 feet proposed.

G. From §15-4.24D(5) – Minimum side yard setback required – 15 feet – 13.4 feet proposed.

H. From §15-4.24D(6) – Minimum rear yard setback required – 20 feet – 5.2 feet proposed.

4. Applicants provided testimony on their own behalf, stating it 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 plot plans to demonstrate the appearance of the new 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.

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 8th day of June, 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 May 25, 2016, a copy of which is annexed hereto and made a part hereof.

2. Applicants are specifically granted the following variances:

A. From N.J.S.A. 40:55D-70(d)(1) To permit a use or principal structure in a district

restricted against such use or principal structure.

B. From N.J.S.A. 40:55D-70(d)(2) To permit the expansion of a nonconforming use.

C. From §15-4.24D(1) – Minimum lot area required – 12,000 square feet – 9,464 square feet existing and proposed.

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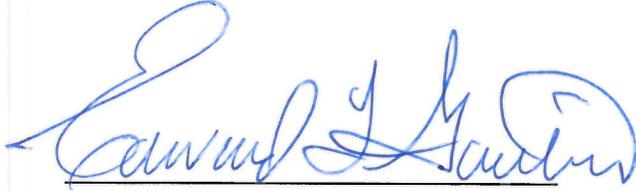
3. The Applicant shall comply with RSIS standards with respect to off-street parking.

4. 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 forty-five (45) days from the date of memorialization of this Resolution or any approvals granted herein shall automatically become null and void.

5. 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.

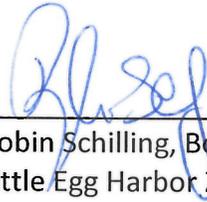
6. The applicant shall resubmit this entire proposal should there be any substantial deviation from this Resolution or the submitted plans, documents, or oral representations made by this applicant.



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