

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

**RESOLUTION NO.: 2016-23
VARIANCE APPLICATION NO.: 2016-12**

RE: FREDERICK SNELL
Block 326.24, Lot 53
Application for bulk variance

WHEREAS, FREDERICK SNELL, whose mailing address is 160 North Ensign Drive, 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 326.24, Lot 53, as shown on the Tax Map of the Township of Little Egg Harbor and otherwise known as 160 N. Ensign Drive Little Egg Harbor, New Jersey; and

WHEREAS, a public hearing was held on said application on 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 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 along the east of North Ensign Drive, approximately 1500 FT north of East Playhouse Drive, in the Hickory Island area of the Township. The Applicant is proposing to remove a Sandy damaged home and construct a new 36' x 46' home. The submitted plans include raised front yard and rear yard decks. 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 application does not include any reference to raising the home on pilings, nor does the application provide any architectural or site civil design plans. The deck is included in the building footprint because it is greater than 18" above grade. The applicant requires the following variances:

- a. §15-14E(6) for combined side yard setback;
- b. §15-14E(10) for maximum percent building coverage;
- c. §15-7.81 for maximum encroachment into required front yard setback for uncovered stairs; and

Applicant requests no other bulk variances or waivers, as an existing non-conforming shed shall be removed.

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. Applicant offers, through his Architect, that the unusual shape of his property necessitates variance relief.

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's neighbor, Lou DiRcco, testified in opposition due to his concerns about his view, but the Board notes that applicant does not seek a rear yard setback variance.

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 14th day of September, 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:

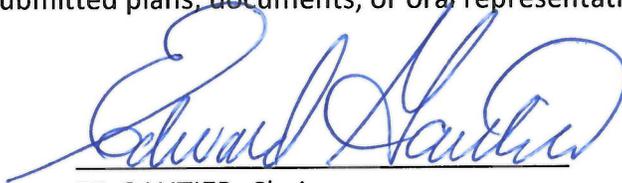
1. The applicant shall strictly adhere to the representations, plans and exhibits submitted with regard to the proposed development of the subject property and should further comply in all respects with the technical review letter as prepared by the Little Egg Harbor Township Zoning Board of Adjustment Engineer dated July 26, 2016, a copy of which is annexed hereto and made a part hereof.

2. Applicant is specifically granted a variance for §15-14(E)(6) for combined side yard setback of 14 FT when 15 FT is required.

3. Applicant is specifically granted a variance for §15-14(E)(10) for maximum building percent of 35% when 30% is required.

4. Applicant shall, with respect to the use for the space underneath the home which will be approximately 1,650 square feet, utilize same for storage, with no occupancy permitted.

5. The Applicant shall comply with RSIS standards with respect to off-street parking.
6. No habitable space shall be permitted in the attic.
7. The applicant shall direct any runoff to the front or rear of the property and shall locate the outside HVAC equipment on the deck in the rear.
8. The uncovered stairs may encroach into the required front yard setback as required to elevate the building to the minimum of the ABFE or the BFE, plus any required freeboard. No such additional encroachment shall exceed five (5) feet.
9. Applicant shall submit revised plans to verify building height, location and compliance with flood hazard regulations and shall include a key map.
10. 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.
11. 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.
12. 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

August 10, 2016, as copied from the minutes of said meeting.



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