

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

**RESOLUTION NO.: 2016-20
VARIANCE APPLICATION NO.: 2016-10**

RE: FALDUTO, MICHAEL
BLOCK 276, LOT 7
35 Stage Road
Application for Use and Bulk Variance

WHEREAS, Michael Falduto, whose mailing address is 35 Stage Road, 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 276, Lot 7, as shown on the Tax Map of the Township of Little Egg Harbor and otherwise known as 35 Stage Road, 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 GB (General Business) Zone and is located on the south side of Stage Road, approximately 250 feet east of Giffordtown Lane in the West Tuckerton portion of the Township. The site is rectangular in shape and currently contains a single family residential dwelling and shed. The Applicant proposes to construct a 20' x 24' addition to the west side of the existing home. The existing home would be considered a pre

existing non-conforming use in the zone, as a single family detached residential homes are not a permitted use in the GB Zone. The proposed addition would be considered an expansion of a non-conforming use.

3. The applicant requires the following variances:

A. From N.J.S.A. 40:55-D-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 §15-4.24E(1) – Minimum lot area required – 22,500 square feet – 10,235 square feet existing and proposed.

D. From §15-4.19E(2) – Minimum lot width – 150 feet required – 82.98 feet existing and proposed.

E. From §15-4.19E(3) – Minimum lot depth – 150 feet required – 126.65 feet existing and proposed.

F. From §15-4.19E(4) – Minimum front yard setback – 70 feet required – 3.2 feet existing and proposed.

G. From §15-4.19E(5) – Minimum side yard setback – 20 feet required – 7.2 feet existing and proposed.

H. From §15-4.19E(6) – Minimum combined side yard setback – 40 feet required – 29 feet proposed.

4. Applicant provided testimony on his 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.

5. Applicant supplied plans to depict the appearance of the new addition. In the Applicant's opinion there would be no detriment to the surrounding community by the granting 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. Applicant further notes that the home pre-existed all zoning.

6. No member of the public appeared to testify on this Application

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 July, 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 31, 2016, a copy of which is annexed hereto and made a part hereof.

2. Applicant is 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 §15-4.24E(1) – Minimum lot area required – 22,500 square feet – 10,235 square feet existing and proposed.

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H. From §15-4.19E(6) – Minimum combined side yard setback – 40 feet required – 29 feet proposed.

3. The shed in the back yard shall not be used for business.

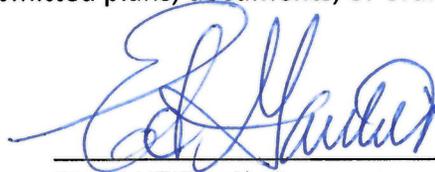
4. The Applicant shall comply with RSIS standards with respect to off-street parking. No commercial vehicles shall be parked on the property.

5. 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.

6. 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.

7. 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