

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

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**RESOLUTION NO.: 2023-07  
VARIANCE APPLICATION NO.: 2020-12**

RE: BROWN, JAMES  
BLOCK 307, LOT 9  
16 CHESAPEAKE COURT  
Application for Bulk Variance

**WHEREAS**, JAMES BROWN, whose mailing address is 16 Chesapeake 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 307, Lot 9, as shown on the Tax Map of the Township of Little Egg Harbor and otherwise known as 16 Chesapeake Court, Little Egg Harbor, New Jersey; and

**WHEREAS**, a public hearing was held on said application on April 12, 2023, 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 Harbor Township Zoning Ordinance.

2. The property in question (PIQ) is located on the east side of Chesapeake Court and is a lagoon lot. The tract consists of 0.16-acres (6,995 sf), with the entire lot being upland property. The site is currently improved with a raised 2-story dwelling, raised deck, paver driveway and bulkhead along the north and east property lines. The applicant seeks variance relief to allow for construction of a new in-ground pool with bulk variance for rear yard setback

to the existing bulkhead.

3. Applicant seeks the following variance approval:

A. Rear Yard for Accessory Use from Bulkhead (Proposed Pool) §215-4.14F(1)(d):

whereas 15 ft. is required and 10 ft. is provided .

Applicant requests no other bulk variances or waivers.

4. The Applicant was represented by Richard M. Kitrick, Esquire

5. The Applicant testified that 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.

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 May, 2023, 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 letters as prepared by the Little Egg Harbor

Township Zoning Board of Adjustment Engineer dated March 20, 2023 and March 28, 2023, copies of which are annexed hereto and made a part hereof.

2. The Applicant is granted the following variances:

A. Rear Yard for Accessory Use from Bulkhead (Proposed Pool) §215-4.14F(1)(d):

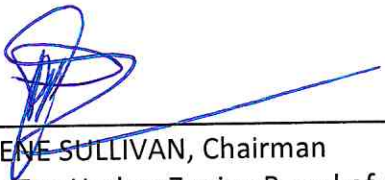
whereas 15 ft. is required and 10 ft. is provided .

3. The section of the second gate on the north side shall be worked out with the Engineer.

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 thirty (30) 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.

  
EUGENE SULLIVAN, 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 12, 2023, as copied from the minutes of said meeting.



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