

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

**RESOLUTION NO.: 2020-13
VARIANCE APPLICATION NO.: 2020-05**

RE: CALLAZZO PROPERTIES, LLC
Block 80, LOT 14.04
1432 Route 539 (North Green Street)
Application for use variance

WHEREAS, CALLAZZO PROPERTIES, LLC whose mailing address is c/o Mark Callazzo, 1151 Broad Street, Suite 216, Shrewsbury, New Jersey 07702, has applied for relief pursuant to N.J.S.A. 40:55D-70(c) affecting premises located at Block 80, Lot 14.04, as shown on the Tax Map of the Township of Little Egg Harbor and otherwise known as 1432 Route 539 (North Green Street), Little Egg Harbor, New Jersey; and

WHEREAS, a public hearing was held on said application on September 9, 2020, 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 is located along the western side of Route 539, approximately at the intersection with Parkertown Drive. The property is located within the GB General Business Zone and is additionally located in the Scenic Gateway Overlay Zone. The

Applicant seeks variance relief relating to use; and

3. On April 19, 2007 by memorialization of Resolution 2007-12, the Applicant received preliminary site plan approval for Block 80, Lot 14.06 from the Planning Board to construct a 4,800 sf single story office building. The Planning Board granted a waiver from providing an off-street loading space.

4. On April 19, 2007, by memorialization of Resolution 2007-11, the Applicant received preliminary site plan approval for Block 80, Lot 14.05 from the Planning Board to construct two 4,500 sf, single-story flex space buildings to include no exterior storage of goods or materials and no retail sale.

5. On June 19, 2008 by memorialization of Resolution 2008-21, Magoo Modular received preliminary and final site plan approval for Block 80, Lots 14.05 and 14.06 to develop Phase 1 which included a modular home sales office, to model modular homes, site parking, and all storm water management facilities; and preliminary approval for Phase 11 which included a 4,144 sf single-story office building and associated well and septic facilities.

6. On April 3, 2014 by memorialization of Resolution 2014-10, the Applicant received amended site plan approval to construct 2 flex space buildings. The Applicant was granted submission waivers of an environmental impact statement and a traffic study.

7. On May 5, 2016 by memorialization of Resolution 2016-16, the Applicant received administrative approval of architectural changes to the previously granted amended site plan approval; and

8, The site is currently developed with a 11,900 sf one-story flex space building with 6 units. The units are occupied as follows: Units 1 and 2 are a contractor's warehouse for Firestorm Safety, LLC; Unit 3 is warehouse space for Mr. Joseph Bramante; Units 4 and 5 are warehouse/light manufacturing for Tristate Glass; and Unit 6 is warehouse/assembly for Studio Six seven, Inc. The remaining improvements consist of a curbed parking lot with 16 parking spaces, a trash area, lighting, transformer, signage, bollards, septic system, gravel road access to an existing basin. The remainder of the site is wooded. There is a 2-way drive access along County Route 539 and sidewalk and curb along the entire frontage.

9. The Applicant currently seeks a use variance within the GB Zone for a proposed auto repair use within the previously approved one-story flex space building that has not yet been constructed. §15-4.19(3) auto repair shops and installations services are not permitted uses. The site is also within the Scenic Gateway Overlay Zone. In accordance with §15-4.24.2D(2)(a) auto repair shops and installation services are not permitted uses. The Applicant is also seeking a parking variance to provide 16 parking spaces whereas based on the information provided 31 parking spaces are required.

10. The Applicant was represented by Kenneth Palmer, Esquire.

11. The Applicant testified that he was removing his request for an auto repair use. He further 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.

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

13. 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.

B. The applicant has demonstrated that the property is unique and the Board finds a hardship with respect to parking.

NOW, THEREFORE, BE IT RESOLVED, by the said Board that on this 14th day of October, 2020, 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 June 1, 2020, a copy of which is annexed hereto and made a part hereof.

2. Applicant is specifically granted a use variance within the GB Zone for the following:

a. The fabrication, assembly, or processing of goods and materials or the storage of bulk goods and materials where such activities and materials create no significant hazard from fire or explosion or produce any toxic or corrosive fumes, gas, smoke, obnoxious dust or vapor, offensive noise or vibration, glare, flashes, or objectionable effluent;

b. Warehouse and storage of goods, where such activities and materials create no

significant hazard from fire or explosion or produce any toxic or corrosive fumes, gas, smoke, obnoxious dust or vapor, offensive noise or vibration, glare, flashes, or objectionable effluent;

c. Contractor's office, garage, warehouse, and shops; provided, however, that all materials are stored completely within the enclosed buildings; and

d. Contractors or craftsmenshop or equipment storage area, with no motor vehicle/auto use.


3. Tenants are permitted to conduct business hours of operation from 6 A.M. until 9 P.M. daily with the understanding that tenant may access their unit outside these hours to drop off or pick up business items so long as the vehicle used to do same shall not be over 10,000 pounds.

4. The variance for parking shall be granted for 16 spaces inclusive for both building phases. However, no overnight parking shall occur.

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 thirty (30) 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.

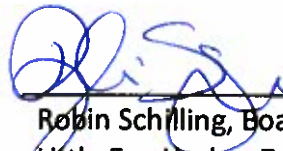
7. The applicant shall resubmit this entire proposal should there be any substantial deviation from this Resolution or the submitted plans, documents, or oral representations made by this applicant



EUGENE F. 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 September 9, 2020, as copied from the minutes of said meeting.



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