

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

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**RESOLUTION NO. 2021-07  
VARIANCE APPLICATION NO. 2020-08**

RE: GIBERSON, RANDALL  
24 WHITE OAK LANE  
Block 126, Lot 77  
Application for Bulk Variance

**WHEREAS,** RANDALL GIBERSON, whose mailing address is 24 White Oak Lane, Parkertown, Little Egg Harbor, New Jersey, has applied for relief pursuant to N.J.S.A. 40:55D-70c(2), affecting premises located at Block 126, Lot 77, as shown on the Tax Map of the Township of Little Egg Harbor and otherwise known as 24 White Oak Lane, Parkertown, in the Township of Little Egg Harbor, State of New Jersey; and

**WHEREAS,** a public hearing was held on said application on January 13, 2021, 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, testimony and exhibits submitted and inspection of the site, if any, 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 on the easterly side of White Oak Lane, approximately 850 ft north of Railroad Drive. The property in question is located within the R-200 Residential Zone. The site is 0.75 acre lot and currently contains a one-story single family residential dwelling with garage, a roofed front porch, a planter area in the front yard, rear patio, a shed, a 6 ft wood fence enclosing the rear of the property with 2 double gates on either side of the house, an asphalt driveway and a stone surface for the

majority of the lot. The applicant proposes to construct a 50 ft. x 30 ft. pole barn. The proposed pole barn structure would be considered a permitted accessory use in the zone. The proposed structure does not meet the height and size requirements of the zone.

3. The applicant requires the following variances

a. **§15-7.14B** – Accessory building shall not exceed 15 ft in height, whereas the Applicant has indicated the proposed height of 21.75 ft.

b, **§15-7.14F** – Any building with a gross floor area in excess of 900 square feet or containing living space shall not be considered an accessory building, whereas the Applicant is proposing an area of 1,500 sf.

4. Applicant requests no other bulk variances or waivers.

5. The Applicant was represented by Robert Shinn, Esquire.

6. Applicant provided testimony on his own behalf, stating that it would be a benefit to the surrounding community, in that the relief requested will not cause substantial detriment to the public good and will not substantially impair the intent and purpose of the Zoning Plan or Zoning Ordinance, while enhancing the use, value and layout of the subject property.

7. No person appeared in opposition to the subject application.

8. The Applicant's neighbor, Denise Theilerer, questioned the Applicant regarding the size of the pole barn and the planting of trees.

9. Based upon the foregoing evidence, the Board makes the following findings:

A. Due to the unique location of the property, the applicant has demonstrated that the requested variance can be granted without substantial detriment to the public good and without substantially impairing the intent and purpose of the zone

plan and 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 February, 2021, 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 all representations, plans and exhibits submitted with regard to the subject property and shall further comply in all respects with the technical review letter as prepared by the Little Egg Harbor Township Zoning Board of Adjustment Engineer dated December 28, 2021, a copy of which is annexed hereto and made a part hereof.

2. Applicant may construct the pole barn in accordance with the plans as presented by the Applicant.

3. The applicant is specifically granted the following variances:

a, **§15-7.14B** – Accessory building height of 25 ft wherein 15 ft is permitted.

b. **§15-7.14F** - floor area where 1680 square feet is proposed and 900 square feet is required for an accessory building

4. Applicant certifies that the pole barn will contain no habitable areas.

5. Applicant certifies that the pole barn will not contain a bathroom.

6. Applicant certifies that the pole barn will not be used for any type of business.

7. Applicant testified that the only utilities would be electric service and a water line for the sink.

8. Applicant testified that the gutters will drain into a French drain.

9. Applicant shall plant a buffer of 12-14 foot Leeland Cypress along the property line to adjoining neighbor and around the rear of the accessory structure which shall be spaced 10 to 15 feet apart.

10. The applicant shall further reimburse the Township of Little Egg Harbor 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 application should there be any substantial deviation from this Resolution or the submitted plans, documents, or oral representations made by this applicant, his attorneys or other professionals.



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EUGENE F. SULLIVAN  
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 January 13, 2021, as copied from the minutes of said meeting.



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