

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

**RESOLUTION NO.: 2021-09
VARIANCE APPLICATION NO.: 2020-10**

RE: MOONEY, PATRICK, KAITLYN MOONEY AND DANIEL MOONEY, JR.
BLOCK 323, LOT 9
127 East Sail Drive
Application for Bulk Variance

WHEREAS, PATRICK MOONEY, KAITLYN MOONEY AND DANIEL MOONEY, JR., whose mailing address is about to be 127 East Sail 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 323, Lot 9, as shown on the Tax Map of the Township of Little Egg Harbor and otherwise known as 127 East Sail Drive, Little Egg Harbor, New Jersey; and

WHEREAS, a public hearing was held on said application on February 10, 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 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 on the northerly side of East Sail Drive on the lagoon. Of the 0.11 acre (5,000 sf) site, 4,000 sf is upland property and 1000 sf is located within the water. The site is currently improved with a vinyl bulkhead and fixed pier. The Applicant is proposing to construct an elevated two-story, single family dwelling on pilings, open

underneath with a landing and steps in the front and a rear deck with a landing and steps and an asphalt driveway. The site is proposed to be serviced by public water and sewer. The existing bulkhead and fixed pier are to remain. The applicant requires the following variance:

A. Minimum Lot Area (Upland) §15-4.14F(1)(a): whereas 4,350 SF is required and 4,000 SF is existing .

B. Minimum Lot Depth to Bulkhead §15-4.14F(1)(b): where 87 FT is required and 84.9 FT is existing .

Applicant requests no other bulk variances or waivers.

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

4. 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.

5. Applicant's neighbor, Andre Genevieve, testified with respect to concerns regarding grading and the centering of the house.

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 10th day of March, 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 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 December 30, 2020, a copy of which is annexed hereto and made a part hereof.

2. The Applicant is granted the following variances:

A. **Minimum Lot Area (Upland) §15-4.14F(1)(a)**: whereas 4,350 SF is required and 4,000 SF is existing .

B. **Minimum Lot Depth to Bulkhead §15-4.14F(1)(b)**: where 87 FT is required and 84.9 FT is existing .

3. The Applicant shall comply with RSIS standards with respect to parking.

4. Applicant testified that the grade of the property is not being changed in any way that might cause additional run-off from the property onto neighboring properties. Run off shall flow into a French drain.

5. Applicant shall provide a CAFRA permit should same be required.

6. Applicant shall comply with all CAFRA Regulations.

7. Applicant shall comply with the Ordinance regarding street trees.

8. Applicant shall install a cement apron at the end of the driveway.

9. 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.

10. 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.

11. 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 February 10, 2021 as copied from the minutes of said meeting.



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