

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

**RESOLUTION NO.: 2021-13
VARIANCE APPLICATION NO.: 2021-01**

RE: WHITAKER, TIMOTHY AND ELIZABETH
BLOCK 326.25, LOT 35
169 North Spinnaker Drive
Application for Bulk Variance

WHEREAS, TIMOTHY AND ELIZABETH WHITAKER, whose mailing address is 112 Evergreen Road, New Egypt, New Jersey 08533, has applied for relief pursuant to N.J.S.A. 40:55D-70(c) affecting premises located at Block 326.25 Lot 35, as shown on the Tax Map of the Township of Little Egg Harbor and otherwise known as 169 North Spinnaker Drive, Little Egg Harbor, New Jersey; and

WHEREAS, a public hearing was held on said application on April 14, 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 cul-de-sac of North Spinnaker Drive on the lagoon. Of the 0.125 acre (5,436.5 sf) site, 4,966 sf is upland property and 470.5 sf is located within the water. The site is currently improved with a bulkhead, a dock, a shed and a vinyl fence. The Applicant is proposing to construct a three-story, elevated single-family dwelling

with a two-car garage below on pilings, an exterior landing and steps on the westerly side, an exterior landing and steps on the easterly side, a paver sidewalk and a concrete driveway. The site is proposed to be serviced by public water and sewer. The existing bulkhead and dock are to remain.

3. The applicant requires the following variance:

A. Minimum Lot Width §15-4.14E(2): The minimum lot width required is 50 ft., whereas 36.18 ft. is existing.

B. Minimum Lot Depth to Bulkhead §15-4.14F(1)(b): the minimum lot depth required to the face of the bulkhead is 87 ft. whereas 76.6 ft. is existing.

C. 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. No person appeared in opposition to the subject 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 12th day of May, 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 March 1, 2021, a copy of which is annexed hereto and made a part hereof.

2. The Applicant is granted the following variances:

A. **Minimum Lot Width §15-4.14E(2)**: The minimum lot width required is 50 ft., whereas 36.18 ft. is existing.

B. **Minimum Lot Depth to Bulkhead §15-4.14F(1)(b)**: the minimum lot depth required to the face of the bulkhead is 87 ft. whereas 76.6 ft. is existing.

3. The Applicant testified that the shed shall be removed during construction.

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

5. The Applicant shall provide a grading plan.

6. The Applicant provided testimony that the driveway will pitch towards the road.

7. Applicant was reserving the right that if concrete was not used for the driveway they will use another non-impervious surface.


8. 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. _____

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

10. 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.

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.

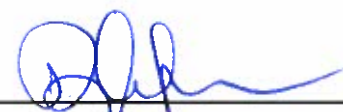
12. The applicant shall resubmit this entire proposal should there be any substantial deviation from this Resolution or the submitted plans, documents, or oral representations made by this applicant.



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 April 14, 2021 as copied from the minutes of said meeting.



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