

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

**RESOLUTION NO.: 2018-18
VARIANCE APPLICATION NO.: 2018-14**

RE: SCHEMICHEN, PAUL & MADDALENA
Block 325.16, Lot 1
2 Spar Court
Application for bulk variance

WHEREAS, PAUL and MADDALENA SCHEMICHEN, whose mailing address is 2 Spar 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 325.16 Lot 1, as shown on the Tax Map of the Township of Little Egg Harbor and otherwise known as 2 Spar Court, Little Egg Harbor, New Jersey; and

WHEREAS, a public hearing was held on said application on October 10, 2018, 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 northern side of Spar Court, approximately 375 ft. north of West Playhouse Drive at the intersection with Ship Drive, in the Mystic Island area of the Township. The property is located within the R-50 Residential Zone. The applicant has constructed a new home on pilings in order to meet the new higher flood elevation requirements. The submitted plans include a raised rear yard deck. It should be noted that this property is shown on the FEMA maps as requiring a Base flood Elevation (BFE) of 10 feet, as it is located within the

“AE” zone. The application is for variance relief relating to the as-built condition of a house within the side yard setback. The applicant requires the following variances:

a. **Minimum Front Yard Setback – front steps and landing (§15-4.14E(4))**: where 20 FT is required and 6 FT is proposed.

b. **Minimum Side Yard Setback – Principal (§15-4.14E(5))** where 5 FT is required and 4.6 FT is proposed and for accessory air conditioning where 2FT is required and .9 FT is proposed.

3. Due to the uniqueness of the situation, where there is a greater distance from the home to the bulkhead, the granting of said variance would not distract from the neighborhood.

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

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 October, 2018, 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 September 21, 2018, a copy of which is annexed hereto and made a part hereof.

2. Applicant is specifically granted the following variances:

a. Minimum Front Yard Setback – front steps and landing (§15-4.14E(4)): where 20 FT is required and 6 FT is proposed.

b. Minimum Side Yard Setback – Principal (§15-4.14E(5)) where 5 FT is required and 4.6 FT is proposed and for accessory air conditioning where 2FT is required and .9 FT is proposed.

3. 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.

4. Applicant shall comply with RSIS standards with respect to off-street parking

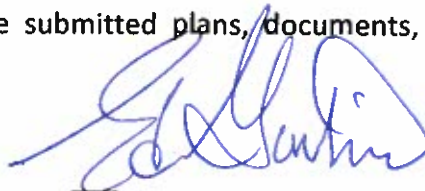
5. Applicant shall, with respect to the use for the space underneath the home which will be approximately 1,200 square feet, utilize same for storage and/or garage, with no occupancy permitted.

6. 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.

7. 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.

8. 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.



ED GAUTIER, 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

October 11,

2018, as copied from the minutes of said meeting.



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