

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

**RESOLUTION NO.: 2019-13
VARIANCE APPLICATION NO.: 2019-01**

RE: FALLAVOLLITA, GLENN
BLOCK 325.44, LOT 41
Application for Bulk Variance

WHEREAS, Glenn Fallavollita, whose mailing address is 8 Patriot Lane, Turnersville, New Jersey 08012, has applied for relief pursuant to N.J.S.A. 40:55D-70(c) affecting premises located at Block 325.44, Lot 41, as shown on the Tax Map of the Township of Little Egg Harbor and otherwise known as 104 S. Commodore Drive, Little Egg Harbor, New Jersey; and

WHEREAS, a public hearing was held on said application on March 13, 2019, 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 east side of South Commodore Drive, approximately 140 FT south of Staysail Drive, in the Mystic Island area of the Township. The property is located within the Residential (R-50) Residential Zone. The Applicant is proposing to construct a new 30' x 50' 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 being shown on preliminary FEMA maps as requiring a Base Flood Elevation (BFE) of

10 feet, as it is located within the "AE" zone. The proposed first floor is elevation 15.00 feet. The elevation outside the house is 5; therefore the home will be raised approximately 10 feet from the existing grade. The deck is included in the building footprint because it is greater than 18" above grade. The applicant requires the following variances:

- A. **Minimum Lot Depth §15-14F(1)(b)**: where 87 FT is required and 80.8 FT is proposed.
- B. **Minimum Front Yard Setback §15-14E(2)**; where 20 FT is required and 15.6 FT is proposed.
- C. **Maximum Building Coverage, Percent §15-14E(10)**: where 30% is required and 31% is proposed.

Applicant requests no other bulk variances or waivers.

3. 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.

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

5. 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 April, 2019. 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 February 8, 2019, a copy of which is annexed hereto and made a part hereof.

2. The Applicant is granted the following variances:

A. **Minimum Lot Depth §15-14F(1)(b)**: where 87 FT is required and 80.8 FT is proposed.

B. **Minimum Front Yard Setback §15-14E(2)**:, where 20 FT is required and 15.6 FT is proposed.

C. **Maximum Building Coverage, Percent §15-14E(10)**: where 30% is required and 31% is proposed.

3. The Applicant shall comply with RSIS standards with respect to off-street 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.

5. Applicant shall, with respect to the use for the space underneath the home, utilize same for storage and/or garage, with no occupancy permitted. Said space underneath the home shall be stoned.

6. No habitable space to be permitted in the attic.

7. 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 forty-five (45) days from the date of memorialization of this Resolution or any approvals granted herein shall automatically become null and void.

8. 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.

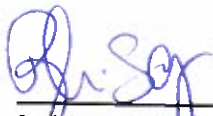
9. The applicant shall resubmit this entire proposal should there be any substantial deviation from this Resolution or the submitted plans, documents, or oral representations made by this applicant.



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 March 13, 2019, as copied from the minutes of said meeting.



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