

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

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**RESOLUTION NO. 2019-16  
VARIANCE APPLICATION NO. 2019-04**

RE: ESPOSITO, JOSEPH  
429 Thomas Avenue  
Block 68, Lot 2  
Application for Bulk Variance

**WHEREAS**, JOSEPH ESPOSITO, whose mailing address is 429 Thomas Avenue, Little Egg Harbor, New Jersey, has applied for relief pursuant to N.J.S.A. 40:55D-70c(2), affecting premises located at Block 68, Lot 2, as shown on the Tax Map of the Township of Little Egg Harbor and otherwise known as 429 Thomas Avenue, in the Township of Little Egg Harbor, State of New Jersey; and

**WHEREAS**, a public hearing was held on said application on April 10, 2019 and May 8, 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, 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 north side of Thomas Avenue, approximately 660 ft east of A Street. The property in question is located within the R3A (Residential) Zone. The site is 4.9 acres and currently contains a one-story single family residential dwelling with garage, a wood deck, inground pool, concrete walkways, 2 sheds with wood pads, stone driveway, chain link fence around the pool area and post and rail fence at the driveway entrance. The applicant proposes to remove a shed and

replace it with a proposed 36' x 24' garage. The proposed garage structure would be considered a permitted accessory use in the zone. The proposed structure does not meet the height requirements of the zone.

3. The applicant requires the following variance

a. **§15-7.14B** – Accessory buildings shall not exceed 15 ft in height, whereas the overall height of the garage has not been provided, however the height is greater than 15 ft.

4. Applicant requests no other bulk variances or waivers.

5. 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.

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

7. 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 zoning plan and zoning ordinances of the Township of Little Egg Harbor.

**NOW, THEREFORE, BE IT RESOLVED**, by the said Board that on this 12<sup>th</sup> day of June, 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 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 March 21, 2019, a copy of which is annexed hereto and

made a part hereof.

2. Applicant may construct the 36' x 24' garage 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 21 -22 ft wherein 15 ft is permitted.

4. Applicant certifies that the garage will contain no habitable areas.

5. Applicant certifies that the second story of the garage shall be for storage only.

6. Applicant testified that there will only be electrical service to the garage.

7. Applicant shall obtain the permits for the existing sheds within 90 days of the approval of this Resolution.

8. 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.

9. 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.

10. 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, 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 May 8, 2019 as copied from the minutes of said meeting.



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