

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

**RESOLUTION NO.: 2022-10
VARIANCE APPLICATION NO.: 2022-03**

RE: ESPOSITO, CONCETTA AND JAMES
BLOCK 326.30, LOT 21.01
851 RADIO ROAD
Application for Bulk Variance

WHEREAS, CONCETTA AND JAMES ESPOSITO, whose mailing address is 851 Radio Road, 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 326.30, Lot 21.01, as shown on the Tax Map of the Township of Little Egg Harbor and otherwise known as 851 Radio Road, Little Egg Harbor, New Jersey; and

WHEREAS, a public hearing was held on said application on May 11, 2022, 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 (PIQ) is located on the east side of Radio Road, the lot is a double frontage lot, with frontage also along South Pulaski Boulevard. The entire 0.239 acre (10,414.8 sf) site is upland property. The site is currently developed with an existing 1 story single family dwelling with a rear deck, concrete driveway, concrete pad, and an existing shed.

The Applicant seeks variance relief to allow for an accessory structure to be constructed in the front yard area of South Pulaski Boulevard where an accessory structure is not permitted within a front yard area.

3. The applicant requires the following variance:

A. **Side Yard Setback for Accessory Use (Existing Shed) §15-4.14E(8)**: the required side yard setback for an accessory structure is 5 feet, whereas 3 feet is existing.

B. **Front Yard Setback for Accessory Use (Proposed Garage) §15—4.14E**: an accessory structure is not allowed within the front yard area of a lot, whereas the proposed garage is located within the front yard area of South Pulaski Boulevard.

C. Applicant requests no other bulk variances or waivers.

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. The Applicant was represented by Richard Kitrick, Esquire appearing on behalf of the Applicant.

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 2nd day of June, 2022, 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 29, 2022, a copy of which is annexed hereto and made a part hereof.

2. The Applicant is granted the following variances:

A. **Front Yard Setback for Accessory Use (Proposed Garage) §15—4.14E:** an accessory structure is not allowed within the front yard area of a lot, whereas the proposed garage is located within the front yard area of South Pulaski Boulevard.

3. Applicant testified that the proposed garage would not have a bathroom, running water or living conditions.

4. The applicant shall add the proposed driveway to the plan.

5. Applicant shall move the existing shed to comply with all zoning and flood requirements or remove same.

6. Applicant shall comply with all other zoning requirements contained in the Engineers technical review letter dated March 29, 2022.

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 thirty (30) days from the date of memorialization of this Resolution or any approvals granted herein shall

automatically become null and void.

8. This variance is subject to §15-3.11 of the Little Egg Harbor Township Land Use Development Ordinance. Construction or alteration shall commence on each and every structure permitted by the variances within one (1) year from the date of entry of this Resolution.

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.

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 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 11, 2022, as copied from the minutes of said meeting.



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