

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

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**RESOLUTION NO.: 2022-11  
VARIANCE APPLICATION NO.: 2021-17**

RE: CRUZ, JOSE  
BLOCK 189.01, LOT 15.01  
9 Juniper Place  
Application for Bulk Variance

**WHEREAS**, JOSE CRUZ, whose mailing address is 282 South Main Street, Bangor, Pennsylvania 18013, has applied for relief pursuant to N.J.S.A. 40:55D-70(c) affecting premises located at Block 189.01, Lot 15.01, as shown on the Tax Map of the Township of Little Egg Harbor and otherwise known as 9 Juniper Place, Little Egg Harbor, New Jersey; and

**WHEREAS**, a public hearing was held on said application on June 8, 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 cul-de-sac of Juniper Place on a lagoon. The 0.39 acre site is located in the R-75 Residential Zone. Of the 0.39 acres (17,012 sf) site, 14,530 sf is upland property, and 2,482 sf is located within the water. The site is currently an unimproved vegetated lot with a bulkhead and a dock. The Applicant is proposing to construct an elevated two-story, single-family dwelling on pilings, open underneath with a covered porch and steps in

the front and a rear deck with a landing and steps and a decorative stone yard and driveway. Parking for 1 vehicle under dwelling. The site is proposed to be serviced by private water and an on-site septic system. The existing bulkhead and dock are to remain. The Applicant is seeking relief from §15-11.12 to place the septic system within 40 ft of the water, whereas 100 ft is required.

3. The applicant requires the following variance relief:

A. §15-11.12: to place the septic system 40 feet from the water, whereas 100 ft is required.

B. 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. Additionally, Applicant has provided a letter from the Ocean County Board of Health approving he design to place the septic system within 40 ft of the water.

5. The Applicant was represented by Robert G. Shinn 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 13<sup>th</sup> day of July, 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 letters as prepared by the Little Egg Harbor Township Zoning Board of Adjustment Engineer dated September 23, 2021 and May 9, 2022, a copy of which is annexed hereto and made a part hereof.

2. The Applicant is granted the following variances relief:

A. **§15-11.12**: to place the septic system 40 feet from the water, whereas 100 ft is required.

3. The applicant shall add the well pump location to the plan.

4. Applicant shall provide a copy of the septic system design approved by the County.

5. Applicant shall comply with the terms of the Township Engineer's technical review letter dated May 9, 2022.

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.



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EUGENE W. 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 June 8, 2022, as copied from the minutes of said meeting.



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