

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

**RESOLUTION NO.: 2022-15
VARIANCE APPLICATION NO.: 2022-09**

RE: MASSA, ALEXANDER AND ETHEL
 BLOCK 321, LOT 23
 126 EAST BRIG DRIVE
 Application for Bulk Variance

WHEREAS, ALEXANDER AND ETHEL MASSA, whose mailing address is c/o Richard Kitrick, Esquire, 830 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 321, Lot 23, as shown on the Tax Map of the Township of Little Egg Harbor and otherwise known as 126 East Brig Drive, Little Egg Harbor, New Jersey; and

WHEREAS, a public hearing was held on said application on August 10, 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 southern side of East Brig Drive and is a lagoon lot. The tract consists of 0.115-acres (5,000 sf), with 0.102-acres (4,467.5 sf) of the site being upland property. The site is currently a vacant lot with remnants of an existing concrete driveway as well as a bulkhead and dock located along the lagoon at the rear of the property.

The Applicant seeks variance relief to allow for construction of a new single-family dwelling with bulk variances for front yard setback and building coverage.

3. The applicant requires the following variance:

A. Minimum Front Yard Setback §15-4.14E(4): the required minimum front yard setback is 20 feet, whereas the proposed front yard setback from East Brig Drive is 14.5 feet.

B. Maximum Building Coverage §15-4.14E(10): the maximum allowable building coverage is 30%, whereas the proposed building coverage is 37.6%.

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. Kathy Castaldo and Michael Castaldo testified that they felt it was a problem with cars and that no other home was that close.

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 14th day of September, 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. **Minimum Front Yard Setback §15-4.14E(4):** the required minimum front yard setback is 20 feet, whereas the proposed front yard setback from East Brig Drive is 14.5 feet.

B. **Maximum Building Coverage §15-4.14E(10):** the maximum allowable building coverage is 30%, whereas the actual building coverage is 37.6%.

3. Applicant testified that the proposed garage would not contain any living quarters.

4. The applicant shall amend the plot plan to indicate the actual lot coverage as 37.6%.

5. Applicant shall have the French drains go into the ground from the gutters.

6. Applicant shall comply with all other zoning requirements contained in the Engineers technical review letter dated July 7, 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. 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.

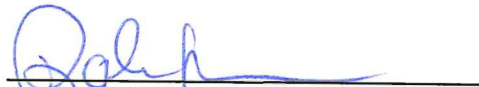
9. The applicant shall resubmit this entire proposal should there be any substantial deviation from this Resolution or the submitted plans, documents, or oral representations made by this applicant.



Greg Leszega, Vice-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 August 10, 2022, as copied from the minutes of said meeting.



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