

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

**RESOLUTION NO.: 2022-16
VARIANCE APPLICATION NO.: 2022-06**

RE: SMITH, THOMAS
BLOCK 325, LOT 42
32 Surfside Boulevard
Application for Use Variance

WHEREAS, Thomas Smith, whose mailing address is 520 Whitesville Road, Jackson, New Jersey 08527, has applied for relief pursuant to N.J.S.A. 40:55D-70(d) affecting premises located at Block 325, Lot 42, as shown on the Tax Map of the Township of Little Egg Harbor and otherwise known as 32 Surfside Boulevard, Little Egg Harbor, New Jersey; and

WHEREAS, a public hearing was held on said application on September 14, 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 property is owned by the Estate of Josephine Durko, Denise Marie Lykosh, Executrix.
2. Thomas Smith, the Applicant, is the Contract Purchaser.
3. The property in question (PIQ) is at the terminus of a cul-de-sac located on Surfside Boulevard on the lagoon. The lot consists of 0.344 acres (14,991.24 SF), with 0.300-acre (13,086 sf) of the site being upland property. The site is currently a vacant wooded lot. The Applicant seeks a "d-1" use variance relief to allow for the construction of a single-family dwelling within

the Waterfront Development zoning district, which is not a permitted use.

4. The applicant requires the following variances:

A. A “d-1” Use Variance to allow for the construction of a single-family dwelling within the Waterfront Development zoning district, which is not a permitted use.

5. Elaine Lykosh, testified that she was in favor of the application and that the neighbors are opposing the same so that they can keep using the property for their own personal use.

6. Joseph Corbieio testified that the lot was beautiful and it should not be used by the public for their own personal use and that he was in favor of the application.

7. Cher Reyent testified against the application at first but conceded that so long as the applicant would obtain permission and adhere to the requirements from the DEP she would be in favor of the same.

8. Based upon the foregoing evidence, the Board makes the following findings:

A. The applicant has demonstrated that the requested use 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 12th day of October, 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 and has provided evidence of hardship:

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 June 8, 2022, a copy of which is annexed hereto and made a part hereof.

2. The Applicant is granted the following variances:

A. A "d-1" Use Variance to allow for the construction of a single-family dwelling within the Waterfront Development zoning district, which is not a permitted use.

3. The house shall comply with the height ordinance.

4. There shall be no accessory structures.

5. The driveway apron to be installed shall be based upon wetlands compliance.


6. The driveway shall be stone.

7. Applicant shall obtain all permits which need to be obtained.

8. 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.

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.

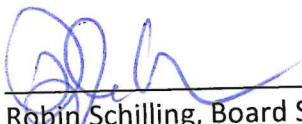
10. The applicant shall resubmit this entire proposal should there be any substantial deviation from this Resolution or the submitted plans, documents, or oral representations made by this applicant.



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 September 14, 2022, as copied from the minutes of said meeting.



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