

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

**RESOLUTION NO. 2021-19
VARIANCE APPLICATION NO. 2021-23**

RE: STORAGE MASTERS, LLC
Block 285, Lot 13.05 and 13.06
130 Mathistown Road
Amended Preliminary and Final Major Site Plan and
Use Variance Application

WHEREAS, STORAGE MASTERS, LLC whose mailing address is 45 McDonald Street, Staten Island, New York 10314, has applied for Amended Preliminary and Final Major Site Plan Approval and Use Variance relief pursuant to N.J.S.A. 40:55D-70(d), affecting premises located at Block 285, Lots 13.05 and 13.06, on the Tax Map of the Township of Little Egg Harbor and otherwise known as 130 Mathistown Road, Little Egg Harbor, New Jersey; and

WHEREAS, such proof of service as may be required by the New Jersey Statutory Law and Township Ordinance requirements upon appropriate property owners and governmental bodies has been duly furnished; and

WHEREAS, a public hearing was held on said application on August 9, 2023 and October 11, 2023, in the Municipal Building of the Township of Little Egg Harbor and testimony and exhibits were 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 property in question is located on the East side of Mathistown Road (C.R.2). The

1.92 acre tract site presently includes three (3) existing mini-storage buildings. The Applicant has previously received approvals from the Township Planning Board for a minor subdivision of Block 285, Lots 13.05 (per filed map L4283, DB 2001, Page 1412) that created the subject lot and amended site plan approval for a conditional use to construct two (2) additional mini-storage buildings along with parking, drive aisles, stormwater management and landscaping.

The Applicant was previously seeking relief from §215-4.23A to operate a U-Haul truck rental business in connection with the self-storage business, where the U-Haul truck rental business is not a permitted use in the General Business Zone.

The Applicant previously submitted an application as noted above and was deemed complete and subsequently heard at the August 9, 2023 public hearing, where the application was carried upon the Applicant providing additional information and subsequently heard on October 11, 2023.

The Applicant is currently seeking an Amended Preliminary and Final Major Site Plan approval as well as the aforementioned Use Variance approval to operate a U-Haul truck rental business in connection with the previously approved self-storage business. The project proposes to remove the existing car wash use from existing Lot 13.05 and convert the existing building into a storage building. The applicant also proposes parking for the U-Haul rental truck business. The now existing Lots 13.05 and 13.06 will be consolidated into one Lot, as the owners will run the U-Haul business in conjunction with the self-storage facility.

2. The Applicant currently seeks relief from §Section 215-4.23 to operate a U-Haul truck rental business in connection with the self-storage business, where the U-Haul truck rental

business is is not a permitted use in the General Business Zone.

3. Applicant seeks the following Existing Non-Conforming/Variance approval:

a. Existing Non-Conforming Condition per plans for Amended Site Plan as approved by the Planning Board.

b. **Minimum Lot Area**: the minimum lot area required is 3 acres, whereas 2.35 acres is existing.

c. **Minimum Side Yard Setback**: The required minimum side yard setback is 30 Ft, whereas 27.29 SF is existing.

d. **Per §215-4.19(D)(3)** the minimum setback for a free-standing sign is 50 feet, whereas 10 feet is proposed. A variance is required.

4. Applicant seeks no other variances or waivers.

5. The Applicant provided testimony 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.

6. The Applicant was represented by Jeremy Price, Esquire.

7. No one testified in opposition to the Application.

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

a. The applicant has demonstrated that the requested "d-2" use variance and 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 8th day of November, 2023, 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 November 8, 2022, May 4, 2023, revised June 5, 2023, July 31, 2023 and October 9, 2023, copies of which are annexed hereto and made a part hereof, as well as the review letters as prepared by Taylor Design Group dated January 18, 2023, May 30, 2023, August 4, 2023 and October 9, 2023, copies of which are annexed hereto and made a part hereof.

2. Applicant is granted the following use variance:

a. The Applicant is granted a “d-2” use variance to allow the operation of a U-Haul truck rental business in connection with the self-storage business, where the U-Haul truck rental business is not a permitted use in the General Business Zone.

3. Applicant is granted the following Existing Non-Conforming/Variance approval:

a. Existing Non-Conforming Condition per plans for Amended Site Plan as approved by the Planning Board.

b. **Minimum Lot Area**: the minimum lot area required is 3 acres, whereas 2.35 acres is existing.

c. **Minimum Side Yard Setback**: The required minimum side yard setback is 30 Ft,

whereas 27.29 SF is existing.

d. Per §215-4.19(D)(3) the minimum setback for a free-standing sign is 50 feet, whereas 10 feet is proposed. Applicant testified the sign will comply with Township Ordinance and a variance is not needed.

4. Applicant shall abandon the car wash use.
5. Applicant shall remove the existing signs and the new sign will comply with all ordinances.
6. Lots 13.05 and 13.06 shall be consolidated.
7. Shade trees shall be planted and maintained with landscaping on all four sides.
8. The Center driveway apron shall be removed, including the asphalt and stone base. The area shall thereafter be covered with topsoil and landscaped.
9. Applicant shall comply with all review letters, including lighting and landscaping.
10. A statement of operation shall be included on all plans.
11. The number of U-Haul trucks shall be limited to eight trucks and two trailers and ten parking spaces shall be designated.
12. The access circulation shall be approved by the fire sub-code official.
13. The Hours of operation for the U-Haul business shall be 8 A.M. to 6 P.M. with 1 employee.
14. The hours of operation for the self-storage business shall be 6 A.M. to 10 .P. M.
15. The retention basin shall be restored and maintained.
16. A 6 ft. solid fence shall be constructed on the southern right side from the rear to the

front. A variance for the front 6 ft. fence is granted. The Applicant may end the solid fencing at the cedar trees on the easterly border.

17. No boats or RVs shall be stored outside.

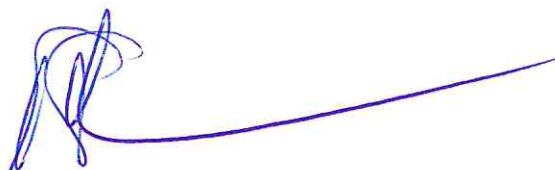
18. The building fascia shall be repaired and a trash enclosure shall comply with the Engineer's letters.

19. 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.

20. 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.

21. 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.

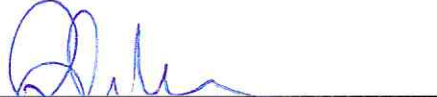
22. The applicant shall resubmit this entire proposal should there be any substantial deviation from this Resolution or the submitted plans, documents, or oral representations made by this applicant.



EUGENE 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 October 11, 2023, as copied from the minutes of said meetings.



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