

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

**RESOLUTION NO.: 2024-01
VARIANCE APPLICATION NO.: 2023-17**

RE: MANUEL MIRANDA
21 WEST SUSQUEHANNA DRIVE
BLOCK 325.99, LOT 12
Application for Bulk Variance

WHEREAS, MANUEL MIRANDA, whose mailing address is 21 West Susquehanna Drive, 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 325.99, Lot 12, as shown on the Tax Map of the Township of Little Egg Harbor and otherwise known as 21 West Susquehanna Drive, Little Egg Harbor, New Jersey; and

WHEREAS, a public hearing was held on said application on December 13, 2023 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 south side of West Susquehanna Drive, which is a lagoon lot. The tract consists of approximately 0.114-acres +/- (5,000 sf +/-). The site contains a raised 1-story frame dwelling with rear and side decks, a hot tub, as well as a bulkhead along the lagoon at the rear of the property. The Applicant seeks variance relief to allow the side

and rear accessory use to allow the existing hot tub to remain in its current location.

3. The Applicant seeks the following variance approval:

A. Minimum **Rear Yard Setback for Accessory Use - Bulkhead Lot – Hot Tub**

(§215-4.14F(1)(d)): The minimum rear yard setback to a bulkhead from an accessory use is 15 feet, whereas the existing hot tub has a setback of 9 feet from the bulkhead.

B. **Minimum Side Yard Setback – Accessory Use - Bulkhead Lot – Hot Tub**

(§215-4.14E(8)): The minimum accessory side yard setback is 5 feet, whereas the existing hot tub has a side yard setback of 2.3 feet..

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.

6. 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 10th day of January, 2024, 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 April 4, 2023, a copy of which is annexed hereto and made a part hereof.

2. The Applicant is granted the following variance relief:

A. Minimum **Rear Yard Setback for Accessory Use - Bulkhead Lot – Hot Tub**

(§215-4.14F(1)(d)): The minimum rear yard setback to a bulkhead from an accessory use is 15 feet, whereas the existing hot tub has a setback of 9 feet from the bulkhead.


B. **Minimum Side Yard Setback – Accessory Use - Bulkhead Lot – Hot Tub**

(§215-4.14E(8)): The minimum accessory side yard setback is 5 feet, whereas the existing hot tub has a side yard setback of 2.3 feet. Applicant has agreed to move the hot tub to be in compliance with the side yard setback and no side yard variance is required.

3. 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.

4. 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.

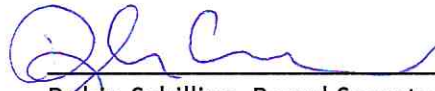
5. The applicant shall resubmit this entire proposal should there be any substantial deviation from this Resolution or the submitted plans, documents, or oral representations made by this applicant.



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 December 15, 2023 as copied from the minutes of said meeting.



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