

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

**RESOLUTION NO. 2024-04
VARIANCE APPLICATION NO. 2023-10A**

RE: POMPONIO, DANIEL
165 STAGE ROAD
BLOCK 278, LOT 8.03
Application for Bulk Variance

WHEREAS, DANIEL POMPONIO, whose mailing address is 165 Stage Road, Little Egg Harbor, New Jersey, has applied for relief pursuant to N.J.S.A. 40:55D-70c(2), affecting premises located at Block 278, Lot 8.03, as shown on the Tax Map of the Township of Little Egg Harbor and otherwise known as 165 Stage Road, in the Township of Little Egg Harbor, State of New Jersey; and

WHEREAS, a public hearing was held on said application on February 14, 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, testimony and exhibits submitted and inspection of the site, if any, 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 is located on the south side of Stage Road. The tract consists of 2,405-acres (104,722 sf +/-) of all upland area. The property currently contains an existing 2-story dwelling along with a front porch, rear deck, an in-ground pool, stone/concrete driveway areas, paver and concrete patio areas, a volleyball court and three sheds.

Per Resolution 2023-16, the Applicant was previously denied variance relief to allow the construction of a 6,000 SF (60' x 100') pole barn in the rear of the property for personal use. The Applicant is also proposing to remove one of the existing sheds.

Currently the Applicant is seeking variance relief to allow the construction of a 5,400 SF (60' x 90') pole barn in the rear of the property for personal use. The current application has been amended to reduce the building size compared to the prior application, and as such should be considered a new application. The Applicant is also proposing to consolidate the other sheds located on the property and clean out the garage.

3. The applicant requires the following variances

a. **Maximum Size (Area) of Accessory Use (Pole Barn) §215-7.14F:**

The maximum allowable area for an accessory structure is 900 SF, whereas the proposed pole barn is 5,400 SF.

b. **Maximum Height of Accessory Use (Pole Barn) §215-7.14B:**

The maximum height of an accessory structure is 15 feet, whereas the plan indicates that a variance is requested for height. Applicant previously submitted elevation views of the pole barn with the original application that showed a height of 24'6". Applicant shall provide testimony whether the height will remain the same.

4. Applicant requests no other bulk variances or waivers.

5. The Applicant was represented by Richard Kitrick, Esquire.

6. Applicant provided testimony on his own behalf, stating that it would be a benefit to the surrounding community, in that the relief requested will not cause

substantial detriment to the public good and will not substantially impair the intent and purpose of the Zoning Plan or Zoning Ordinance, while enhancing the use, value and layout of the subject property.

7. Danny Delbuono testified that he was in favor of the application.

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

A. The applicant has demonstrated that the requested variance can be granted without substantial detriment to the public good and without substantially impairing the intent and purpose of the zone plan and zoning ordinances of the Township of Little Egg Harbor.

NOW, THEREFORE, BE IT RESOLVED, by the said Board that on this 13th day of March, 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 all representations, plans and exhibits submitted with regard to the subject property and shall further comply in all respects with the technical review letter as prepared by the Little Egg Harbor Township Zoning Board of Adjustment Engineer dated November 28, 2023, a copy of which is annexed hereto and made a part hereof.

2. The applicant is specifically granted the following variances:

a. **Maximum Size (Area) of Accessory Use (Pole Barn)§215-7.14F:**

The maximum allowable area for an accessory structure is 900 SF, whereas the proposed pole barn is 5,400 SF.

b, **Maximum Height of Accessory Use (Pole Barn) §215-7.14B:**

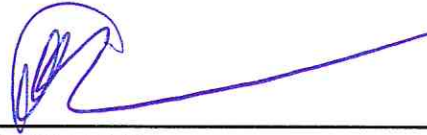
The maximum height of an accessory structure is 15 feet, whereas the plan indicates that a variance is requested for height. Applicant previously submitted elevation views of the pole barn with the original application that showed a height of 24'6". Applicant testified that the height of the pole barn would be 25 feet or less.

3. Applicant certifies that the pole barn will contain no habitable areas.
4. Applicant certifies that the pole barn will not be used for any commercial use and same shall be contained in a Deed Restriction.
5. Applicant testified that the pole barn would be for personal use only.
6. Applicant testified that there would be no water or sewer hook up to the inside of the pole barn with the exception of an exterior hose bib.
7. Applicant shall eliminate the three existing sheds.
8. Applicant testified that the leaders will drain into a drywell.
9. Applicant shall provide elevation views on the plot plan.
10. Applicant testified that there would be no new out building with the exception of the existing pool house.
11. Applicant to provide documentation that the drywell is sufficient to avoid runoff to the neighboring properties.
12. Applicant shall obtain any and all soil permits.
13. Applicant shall use earth tones suitable to the Board's Landscaping Engineer.
14. Applicant shall plant a buffer of Evergreen trees along the east property line adjacent to Lot 9.03.

15. The applicant shall further reimburse the Township of Little Egg Harbor 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.

16. 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.

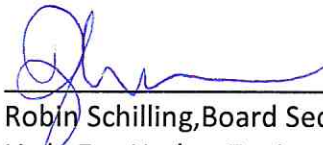
17. The applicant shall resubmit this entire application should there be any substantial deviation from this Resolution or the submitted plans, documents, or oral representations made by this applicant, his attorneys or other professionals.



EUGENE F. SULLIVAN
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 February 14, 2024, as copied from the minutes of said meeting.



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