

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

**RESOLUTION NO. 2024-05
VARIANCE APPLICATION NO. 2023-19**

RE: KETTLE, JASON
24 FERN DRIVE
Block 175, Lot 27
Application for Bulk Variance

WHEREAS, JASON KETTLE, whose mailing address is 24 Fern Drive, in the Township of Little Egg Harbor, New Jersey, has applied for relief pursuant to N.J.S.A. 40:55D-70c(2), affecting premises located at Block 175, Lot 27, as shown on the Tax Map of the Township of Little Egg Harbor and otherwise known as 24 Fern Drive, in the Township of Little Egg Harbor, State of New Jersey; and

WHEREAS, a public hearing was held on said application on February 14, 2024, 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 (PIQ) is located on the east side of Fern Drive. The tract consists of approximately 0.579-acres (25,231 sf). The site is currently developed with a 1-1/2 story framed dwelling and an existing lean-to-shed. The Applicant is proposing to construct a 2,400 SF garage to house several antique cars as well as a mobile home along with a gravel driveway. The applicant also is proposing to install a new well and septic system on the property. The applicant is seeking variance relief to exceed the allowable size and height of the proposed garage.

3. The applicant requires approval for the following existing non-conformities:

a. Minimum Front Yard Setback §215-4.9E(4)– The minimum front yard setback required is 40 feet, whereas the existing dwelling has a front yard setback of 10.7. This is an existing non-conformity; a variance may be required.

b. Minimum Side Yard Setback – Accessory Use – Existing Shed §215-4.9E(8): The minimum side yard setback for an accessory use required is 10 feet, whereas the existing shed has a side yard setback of 3.5. This is an existing non-conformity; a variance may be required.

4. Applicant requires approval for the following variances:

a. Maximum Height §215-7.14B: The maximum height allowed for an accessory building is 15 feet, whereas the proposed garage has a height of 19 feet.

b. Maximum Size §215-7.14F: The maximum area allowed for an accessory building is 900 SF, whereas the proposed garage has a total area of 2,400 SF.

5. Applicant requests no other bulk variances or waivers.

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

7. 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.

8. No person appeared in opposition to the subject application.

9. 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 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 14, 2023, a copy of which is annexed hereto and made a part hereof.

2. The applicant is granted approval for the following existing non-conformities:

a. **Minimum Front Yard Setback §215-4.9E(4)**– The minimum front yard setback required is 40 feet, whereas the existing dwelling has a front yard setback of 10.7. This is an existing non-conformity.

b. **Minimum Side Yard Setback – Accessory Use – Existing Shed §215-4.9E(8)**: The minimum side yard setback for an accessory use required is 10 feet, whereas the existing shed has a side yard setback of 3.5. This is an existing non-conformity.

3. Applicant is granted the following variance approval:

a. **Maximum Height §215-7.14B**: The maximum height allowed for an accessory building is 15 feet, whereas the proposed garage has a height of 19 feet.

b. **Maximum Size §215-7.14F**: The maximum area allowed for an accessory building is 900 SF, whereas the proposed garage has a total area of 2,400 SF.

4. Applicant certifies that the garage will not be used for any commercial business.

5. Applicant testified that the garage shall not be connected to the water and Sewer, with the exception of an outside hose bib.

6. All roof gutters and leaders shall drain into drywells.

7. There shall be no disturbance of soil and regrading.

8. Applicant testified that there will be no habitable use.

9. Applicant testified that the only utility that will run to the garage will be electric and gas for heating purposes only and all lighting shall comply with Ordinance.

10. Applicant shall provide a grading plan.

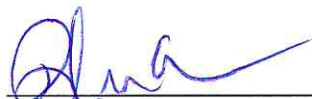
11. All perimeter trees shall be detailed on the plan.
12. Applicant shall consider more muted tones.
13. Applicant acknowledges that the garage is for personal use only and same shall be incorporated in a deed restriction.
14. The applicant shall further reimburse the Township of Little Egg Harbor Zoning 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.
15. 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.
16. 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