

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

---

**RESOLUTION NO.: 2024-06  
VARIANCE APPLICATION NO.: 2023-18**

RE: THOMAS MARINELLI REAL ESTATE, LLC  
132 EAST SAIL DRIVE  
BLOCK 324, LOT 7  
Application for Bulk Variance

**WHEREAS**, THOMAS MARINELLI REAL ESTATE, LLC, whose mailing address is 115 West Selfridge Avenue, Beach Haven, New Jersey 08008, has applied for relief pursuant to N.J.S.A. 40:55D-70(c) affecting premises located at Block 324, Lot 7, as shown on the Tax Map of the Township of Little Egg Harbor and otherwise known as 132 East Sail Drive, Little Egg Harbor, 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 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 East Sail Drive, which is a lagoon lot. The tract consists of approximately 0.114-acres +/- (5,000 sf +/-), with approximately 0.095-acres +/- (4,147 SF) of the lot being upland area. The site is currently a vacant lot with a wooden bulkhead located in the rear of the property. The Applicant seeks variance relief to for minimum lot area, minimum lot depth, minimum front yard setback and maximum, lot coverage. An additional variance is required for combined side yard setback.

3. The Applicant seeks the following variance approval:

A. **Minimum Lot Area (Upland) (§215-4.14F(1)(a))**: The minimum lot area required is 4,350 SF, whereas the existing lot area is 4,147 SF.

B. **Minimum Lot Depth – Bulkhead Lot (§215-4.14F(1)(b))**: The minimum lot depth required is 87 feet, where the existing lot has a depth of 82.7 feet.

C. **Minimum Front Yard Setback (Dwelling) (§215-4.14E(4))**: The minimum front yard setback required is 20 feet, whereas the proposed dwelling has a front yard setback of 18 feet.

D. **Minimum Front Yard Setback (Stairs) (§215-7.8(1))**: The minimum front yard setback required for uncovered entrance stairs is 15 feet, whereas 12.7 feet is provided.

E. **Minimum Combined Side Yard Setback (§215-4.14E(6))**: The minimum combined side yard setback required is 15 feet, whereas the proposed combined side yard setback is 14 feet, due to the fireplace on the east side of the dwelling.

F. **Maximum Building Coverage, Percent (§215-4.14E(10))**: The maximum building coverage allowed is 30%, whereas the proposed plans depict 35.2% coverage.

G. 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.

5. The Applicant was represented by Daniel Benkendorf, Esquire

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 13<sup>th</sup> 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 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 November 14, 2023, a copy of which is annexed hereto and made a part hereof.

2. The Applicant is granted the following variance relief:

A. **Minimum Lot Area (Upland) (§215-4.14F(1)(a))**: The minimum lot area required is 4,350 SF, whereas the existing lot area is 4,147 SF.

B. **Minimum Lot Depth – Bulkhead Lot (§215-4.14F(1)(b))**: The minimum lot depth required is 87 feet, where the existing lot has a depth of 82.7 feet.

C. **Minimum Front Yard Setback (Dwelling) (§215-4.14E(4))**: The minimum front yard setback required is 20 feet, whereas the proposed dwelling has a front yard setback of 18 feet.

D. **Minimum Combined Side Yard Setback (§215-4.14E(6))**: The minimum combined side yard setback required is 15 feet, whereas the proposed combined side yard setback is 14 feet, due to the fireplace on the east side of the dwelling.

E. **Maximum Building Coverage, Percent (§215-4.14E(10))**: The maximum building coverage allowed is 30%, whereas the proposed plans depict 35.2% coverage.

3. The roof leaders shall be piped into the lagoon.

4. Water from the side and back shall run to the lagoon.

5. The water from the front shall run to the street.

6. Applicant acknowledges that the street floods and same will be incorporated into the Deed recital.

7. There will be no living space on the ground floor.

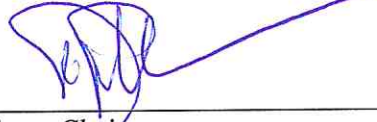
8. Applicant shall construct switch back steps in the front to eliminate the necessity of the Minimum Front Yard Setback (Stairs).

9. 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.

10. 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.

11. 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.

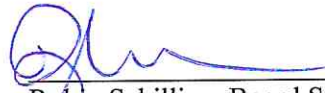


---

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



---

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