

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

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**APPLICATION NO. 2025-02  
RESOLUTION NO. 2025-12**

RE: RUSSELL, BARBARA  
Block 282, Lot 6.109  
135 Briarwood Drive  
Little Egg Harbor, New Jersey 08087  
Application for a bulk variance

**WHEREAS**, BARBARA RUSSELL whose mailing address is 134 Briarwood 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 282, Lot 6.109 as shown on the Tax Map of the Township of Ocean and otherwise known as 135 Briarwood Drive, in the Township of Little Egg Harbor, State of 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 May 14, 2025, 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 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 westerly side of Briarwood Drive approximately 367 ft south of Ivy Creek Drive. The tract consists of 0.123-acres (5,376 sf). The site contains a 1-story dwelling with a front porch and rear enclosed porch, a concrete driveway, and concrete walkway. The site also contains 10 ft of a 20 ft wide drainage easement along the southerly property line. The Applicant seeks variance relief to construct a 10 ft x 38 ft single level deck at 24" above grade and 1.4 ft from the rear property line. Per §215-7.8H unroofed decks shall be considered part of the principal structure and shall not extend into any yard area unless such unroofed deck does not rise more than eighteen (18) inches above ground level, whereas the proposed deck is 24" above grade and 1.4 ft from the rear property line.

3. Applicant seeks the following existing non-conformities and variance approval:

A. Per §215-4.15A(6)(j){1}: the required minimum lot area is 6,000 sf, whereas 5,376 sf is the existing lot area.

B. Per §215-4.15A(6)(j){1}: the required minimum lot width is 60 ft, whereas 56 ft is the existing lot width.

C. Per §215-4.15A(6)(k){1}: the required minimum front yard setback is 25 ft, whereas 24.8 ft is the existing front yard setback.

D. Per §215-4.15A(6)(k){3}: the required minimum rear yard setback which have rear property lines abutting common open space is 10 ft, whereas 11.4 ft is existing and 1.4 ft is proposed.

4. Applicant seeks the following Waivers:

A. Section G, numbers 6, 10, 11 and 12 contained in the Township Engineers

letter dated March 24, 2025.

5. Applicant requests no other bulk variances or waivers.
6. Applicant provided testimony stating 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. A member of the public, David Cardano, spoke 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 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.
  - B. The proposed structure will not have a negative impact on light, air and open space to adjoining property.

**NOW, THEREFORE, BE IT RESOLVED**, by the said Board that on this 11<sup>th</sup> day of June, 2025, the application is hereby deemed approved, in accordance with the application and documents submitted by 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 under date of March 24, 2025, as prepared by the Township of Little Egg Harbor Board of Adjustment Engineer, a copy of which is annexed hereto and made a part hereof.
2. Applicant is granted the following existing non-conformities and variance approval as

follows:

A. Per §215-4.15A(6)(j){1}: the required minimum lot area is 6,000 sf, whereas 5,376 sf is the existing lot area.

B. Per §215-4.15A(6)(j){1}: the required minimum lot width is 60 ft, whereas 56 ft is the existing lot width.

C. Per §215-4.15A(6)(k){1}: the required minimum front yard setback is 25 ft, whereas 24.8 ft is the existing front yard setback.

D. Per §215-4.15A(6)(k){3}: the required minimum rear yard setback which have rear property lines abutting common open space is 10 ft, whereas 11.4 ft is existing and 1.4 ft is proposed.

3. Applicant is granted the following Waivers as follows:

A. Section G, numbers 6, 10, 11 and 12 contained in the Township Engineers letter dated March 24, 2025.

4. Applicant shall use open spindles on the deck.

5. There shall be no change to the grading of the property.

6. 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

7. 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.

8. 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.



**GREG LESZEGA, 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 May 14, 2025, as copied from the minutes of said meeting.



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