

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

**RESOLUTION NO.: 2026-11
VARIANCE APPLICATION NO.: 2025-11**

RE: CALLAHAN, KATHERINE AND TIMOTHY
Block 255, Lot 6
500 North Green Street
Expansion of a Non-Conforming Use Variance and Bulk Variance Application

WHEREAS, Katherine and Timothy Callahan, whose mailing address is 500 North Main Street, Little Egg Harbor, New Jersey 08087, has applied for relief pursuant to N.J.S.A. 40:55D-70(c) and 40:55D-70(d) affecting premises located at Block 255, Lot 6, as shown on the Tax Map of the Township of Little Egg Harbor and otherwise known as 500 North Green Street, Little Egg Harbor, New Jersey 08087; and

WHEREAS, a public hearing was held on said application on May 13, 2026 and June 10, 2026, 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 property in question (PIQ) is located on the west side of North Green Street (C.R. 39) at the intersection of 4th Avenue. The tract consists of approximately 0.36 acres (15,625 sf). There is a roadway easement dedicated to Ocean County at the intersection of North Green Street and 4th Avenue. The site is currently developed with a 2 story brick & frame building, concrete sidewalk, 2 frame sheds, a tent, stone access drive and parking, fencing and a crane.

The Applicant is proposing to operate a contractors office and shop on the first floor of

the existing building, to maintain the existing non-conforming residential use on the second floor of the existing building and to construct an accessory structure pole barn - 25 ft x 50 ft (1,250 SF) at a height of 14 ft to the eave and 17 ft to ridge to be detached from the existing mixed use residential/commercial building in the GB – General Business Zone within the Scenic Gateway Overlay Zone. There are 11 parking spaces delineated on a stone surface. The plan indicates that the existing tent and one of the existing sheds are to be removed. It is noted that contractor's offices and shops are a permitted use in the GB Zone, provided that all materials and equipment are stored within a completely enclosed building.

The Applicant is currently seeking a 'd-2' variance to maintain the existing non-conforming use associated with the existing residential use on the second story of the existing 2 story building along with 'c' variance relief from the maximum impervious coverage, accessory building height and from the existing conditions for minimum lot area, minimum lot width, minimum lot depth, and minimum front yard setback.

2. The Applicant requires the following Use Variance:

A. The Applicant requests variance relief under N.J.S.A. 40:55-D-70(d) (commonly referred to as a "Use" variance) to maintain the existing non-conforming use.

3. Applicant seeks the following Existing Non-Conforming/Variance approval

A. Per §215-4.19E(1) the minimum lot area is 22,500 sf, whereas 15,625 sf is existing.

B. Per §215-4.19E(2) the minimum lot width is 150 ft, whereas 125 ft is existing.

C. Per §215-4.19E(3) the minimum lot depth is 150 ft, whereas 125 ft is existing.

D. Per §215-4.19E(4) the minimum front yard setback is 70 ft, whereas 25.5 ft is

existing along North Green Street.

E. Per §215-4.19E(4) the minimum front yard setback is 70 ft, whereas 12.2 ft is existing along Fourth Avenue.

F. Per §215-4.19E(7) the minimum rear yard setback is 40 ft, whereas 60.7 ft is existing and 30 ft is proposed.

G. The Applicant is seeking a C Variance for the maximum height of the accessory building whereby 15 ft is permitted and 17 ft is proposed.

H. The Applicant is also seeking site plan approval for the contractor's office and shop as a permitted use.

4. The Applicant provided testimony 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 Richard Kitrick, Esquire.

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

A. The applicant has demonstrated that the requested use variance relief and bulk 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 day of July, 2026, based upon the findings herein above stated, the application is hereby granted subject to

the following conditions, together with all stipulations of the applicant and has provided evidence of hardship.

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 January 26, 2026, a copy of which are annexed hereto and made a part hereof.

2. The Applicant is granted the following Use Variance:

A. A D-2 variance (commonly referred to as a "Use" variance) to maintain the existing non-conforming residential use on the second floor of the existing 2 story building.

3. Applicant is granted the following Existing Non-Conforming/Variance approval

A. Per §215-4.19E(1) the minimum lot area is 22,500 sf, whereas 15,625 sf is existing.

B. Per §215-4.19E(2) the minimum lot width is 150 ft, whereas 125 ft is existing.

C. Per §215-4.19E(3) the minimum lot depth is 150 ft, whereas 125 ft is existing.

D. Per §215-4.19E(4) the minimum front yard setback is 70 ft, whereas 25.5 ft is existing along North Green Street.

E. Per §215-4.19E(4) the minimum front yard setback is 70 ft, whereas 12.2 ft is existing along Fourth Avenue.

F. Per §215-4.19E(7) the minimum rear yard setback is 40 ft, whereas 60.7 ft is existing and 30 ft is proposed.

G. The Applicant is granted the height variance for the proposed accessory

structure, whereby 15 ft is permitted and 17 ft is proposed.

H. The Applicant is granted site plan approval for the contractor's office and shop.

4. Applicant shall only have three employees.
5. The color of the pole barn shall be the same color as the house.
6. Applicant shall conduct operation during daylight hours only.
7. The existing natural buffers shall remain.
8. Applicant shall remove the two sheds and tent.
9. Applicant shall be permitted to have electric in the pole barn.
10. There shall be no outside storage of materials.
11. Raised 6 x 6 flower beds shall be constructed in the front on Green Street.
12. Gutters and leaders shall be constructed on the workshop and the existing structure, to flow into the French drains.
13. There shall be no living space on the ground floor of the main building.
14. The only business conducted in the pole barn shall be to support the contractor's office and shop use. The pole barn will not be rented or leased to another party.
15. Applicant shall comply with the sign Ordinance.
16. Truck delivery/circulation shall be one way, entering from North Green Street and exiting on Fourth Avenue. Trucks shall not be permitted to maneuver for delivery or access on Fourth Avenue or North Green Street.
17. Gates into and out of the workshop shall be closed, except when entering or leaving.
18. A white vinyl fence shall be installed along the Fourth Avenue frontage and along the

southerly property line to meet the existing neighbor's fence. The white vinyl fence shall be 6 ft high and be 8 ft off the Fourth Avenue street line property line.

19. No repairs of any kind shall be conducted outside the buildings. No construction of any kind shall be done outside of the buildings.

20. Applicant shall revise the plans to show a 17 ft. height of the accessory pole barn.

21. A two panel gate on the Fourth Avenue frontage shall be permitted.

22. A stone dust ADA compliant walkway shall be installed from the proposed aDA space to the building.

23. All construction shall take place only in the pole barn. The first floor of the two story building shall be used for the office to support the contractor's business.

24. Applicant shall install a 16 ft concrete driveway apron along the Fourth Avenue driveway frontage.

25. Applicant shall supply a landscaping plan to the Board Engineer for approval.

26. Applicant shall provide lawn seeding, including low level bushes and shrubs in the areas between the existing building and the existing street line.

27. There shall be no sale of vehicles on the property. There shall be no display of items for sale outside of the buildings.

28. Deliveries shall be limited to no peak times, specifically 7 a.m. to 9 a.m. and 2 p.m. to 4 p.m.

29. The boat currently stored on site shall be removed. Storage of vehicles and boats shall not be permitted on site.

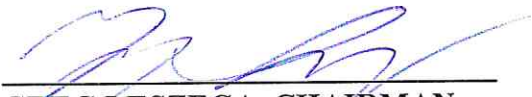
30. The applicant shall further reimburse the Little Egg Harbor Township Zoning Board

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.

31. 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.

32. 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.

33. Within six months from the date of the memorialization of the Resolution, Applicant shall fully cleanup the property which is more specifically described as compliance with Resolution conditions numbered, 7, 11, 18, 19, 21, 22, 24, 25, 26, 27 and 29. No building permit shall be issued prior to compliance with the listed conditions and only a footing foundation permit may be issued prior to such compliance. It is understood that the removal of the sheds and tent, and the outside storage of materials awaits construction of the pole barn, after which all other enumerated conditions must be fully complied with by the Application. A failure of the Applicant to comply with the specified conditions within a six month timeframe will result in all approvals becoming null and void, which would require Applicant to return to this Board for any continued use on the property.


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 June 10, 2026, as copied from the minutes of said meeting.



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