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

RESOLUTION NO. 2026-14
VARIANCE APPLICATION NO. 2026-06

RE: ERIK CHODNOFF/NJ FUND 2025, LLC
40 Oak Lane
Block 291.07, Lot 14.02
Application for Bulk Variance

WHEREAS, ERIK CHODNOFF/NJ FUND 2025, LLC, whose mailing address is 420 Tremont Avenue, Egg Harbor Township, New Jersey 08234, has applied for relief pursuant to N.J.S.A. 40:55D-70c, affecting premises located at Block 291.07, Lot 14.02, as shown on the Tax Map of the Township of Little Egg Harbor and otherwise known as 40 Oak Lane, in the Township of Little Egg Harbor, State of New Jersey; and

WHEREAS, a public hearing was held on said application on September 9, 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, 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 easterly side of Oak Lane south of Leitz Boulevard and north of Laurel Lane. The PIQ is located within the R-75 Residential Zones. The site is 0.13 acre lot, currently vacant with a small, wooded area along the northerly property line. There is an existing transformer concrete pad within a NJ Bell easement on the property.

The Applicant is proposing to construct a single family dwelling with 3 bedrooms, a proposed concrete driveway with 2 – 9 ft x 18 ft parking spaces, and a turn-around area. The site is proposed to be serviced by public water and sewer.

3. The applicant seeks the following existing non-conforming/ variance approval:

a. **Per §215-4.11E(1) Minimum Lot Area :** The minimum lot area is 7,500 sf, whereas 5,469 sf is existing.

b. **Per §215-4.11E(3) Minimum Lot Depth:** The minimum lot depth is 100 ft, whereas 79.04 ft is existing.

4. Applicant requests no other bulk variances or waivers.

6. Applicant provided testimony stating that he is the contract purchaser of property owned by the seller, who has been the owner of the property since at least 1959 when it was purchased from Bob Light, who previously owned an abundance of property in the area.

7. Applicant, through his Professional Engineer, testified that although the use in conforming, variances are required for lot area and lot depth, but the benefits of the deviation outweigh any detriment to the Zone Plan and Zoning Ordinance, as adequate light, air and open space will be provided and the development will be in keeping with the surrounding neighborhood.

8. The Applicant was represented by Francis Ballock, Esquire of Goldenberg, Mackler.

9. William Ashley, who is the adjacent neighbor behind the fence at the rear of the subject property, offered testimony that he has resided in his home for 24 years and he would prefer the lot to remain as open space.

10. Kathleen Ashley, wife of William Ashley, offered testimony that ranches are predominant on the subject street and she does not wish to have her view blocked by the Applicant's two-story home.

11. 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 14th day of

October, 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:

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 April 12, 2026, a copy of which is annexed hereto and made a part hereof.

2. The applicant is granted the following existing non-conforming/ variance approval:

a. **Per §215-4.11E(1) Minimum Lot Area :** The minimum lot area is 7,500 sf, whereas 5,469 sf is existing.

b. **Per §215-4.11E(3) Minimum Lot Depth**: The minimum lot depth is 100 ft, whereas 79.04 ft is existing.

3. Applicant shall comply with the conditions contained in the Township Engineer's letter dated June 30, 2026.

4. Applicant agrees to correct all zoning map errors on the documents submitted to the Board.

5. Applicant agrees to have a minimum of two uncovered parking spaces with a turnaround on the subject property to eliminate the need for cars to back into Oak Lane.

6. Applicant shall provide on-site roof drainage into recharge basins and shall direct all drainage to the street and shall not direct drainage to any adjacent properties.

7. Applicant shall make appropriate application for any required tree removal permit.

8. Applicant agrees to have the curb cut and driveway opening comply with Township standards.

9. Applicant shall install a wood fence similar in design to that shown on the plan and photograph submitted by the Applicant, which is an upgraded design solid wooden fence.

10. The Applicant shall plant regular arborvitaes approximately five (5) foot on center in a quantity of approximately 40 on the easterly property line stopping at the front yard setback.

The shade trees shown on the plan submitted by the Applicant shall be replaced by the arborvitaes.

11. Applicant shall grant a sidewalk easement to the Township and record the same after approval by the Board Engineer and Attorney. A copy of the recorded Deed of Easement shall be submitted to the Board Secretary within 90 days after the memorialization of this Resolution.

12. Applicant shall install the air-conditioning condenser unit to the rear of the subject dwelling.

13. Applicant shall obtain any required approvals from the Little Egg Harbor Township Municipal Utilities Authority and shall further obtain any required road opening permits from the Township of Little Egg Harbor for utility installation as well as any other required approvals.

14. Applicant shall install concrete to the front sidewalk from the flat step in front of the front door of the dwelling in accordance with the revised plan submitted to the Board.

15. Applicant shall comply with all regulations of the Township Zoning Ordinance.

16. 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.

17. 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.

18. 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 September 9, 2026, as copied from the minutes of said meeting.

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