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

DOCKET NO. 2026-07
RESOLUTION NO. 2026-15

RE: RAPP, JEFF AND DIANE
Block 262, Lot 19.02
785 Nugentown Road
Little Egg Harbor, New Jersey 08087
Application for a bulk variance

WHEREAS, JEFF AND DIANE RAPP, whose mailing address is 785 Nugentown Road, 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 262, Lot 19.02, as shown on the Tax Map of the Township of Ocean and otherwise known as 785 Nugentown Road, 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 September 9, 2026, 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 southwesterly side of Nugentown Road, east of Welch Court. The PIQ is located within the R-1A Residential Zone. The site is a 0.883 acre lot and currently contains a one-story, single-family residential dwelling with a 2-car garage, covered front porch, rear wood deck, a shed, and a U-shaped gravel driveway with block/brick aprons. A portion of the site is wooded. The

Applicant proposes to construct a 44 ft x 36 ft pole barn (1,584 sf) with an attached 10 ft x 36 ft lean-to (360 sf). The proposed pole barn would be considered a permitted accessory use in the R-1A Zone (§214-4.6B). The proposed structure exceeds the height and size requirements of §215-7.14.

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

A. Minimum Lot Area – Per §215-4.6E(1): The required minimum lot area is 43,560 sf, whereas the existing lot area is 37,592 sf. A variance is required.

B. Maximum Height of an Accessory Structure – Per -7.14B accessory buildings shall not exceed 15 ft in height, whereas the Applicant has indicated the proposed height of 24.23 (as indicated on the pole barn specifications). Applicant has requested a variance

C. **Maximum Floor Area for an Accessory Structure** – Per §215-7.14F any building with a gross floor area in excess of 900 square feet or containing living space shall not be considered an accessory building, whereas the Applicant is proposing an area of 1,944 sf (as indicated on the Property Survey Map). Applicant has requested a variance.

4. Applicant requests no other bulk variances or waivers.

5. 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.

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

7. 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 properties.

NOW, THEREFORE, BE IT RESOLVED, by the said Board that on this 14th day of October, 2026, 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 August 31, 2026, 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-conforming/variance approval:

A. Minimum Lot Area – Per §215-4.6E(1): The required minimum lot area is 43,560 sf, whereas the existing lot area is 37,592 sf.

B. Maximum Height of an Accessory Structure – Per -7.14B accessory buildings shall not exceed 15 ft in height, whereas the Applicant has indicated the proposed height of 24.23 (as indicated on the pole barn specifications).

C. **Maximum Floor Area for an Accessory Structure** – Per §215-7.14F any building with a gross floor area in excess of 900 square feet or containing living space shall not be considered an accessory building, whereas the Applicant is proposing an area of 1,944 sf (as indicated on the Property Survey Map).

3. Applicant shall remove the existing shed.

4. The new structure is for personal use only and the Applicant agrees that there shall be no commercial or business use of the pole barn.

5. The existing tent and the material stored under the tent shall also be removed from the property.

6. There shall be no utilities in the pole barn except for electric.

7. The pole barn shall not have running water nor will it be connected to public sewer/septic.

8. No trees are to be removed from the property in connection with the construction of the pole

barn.

9. Applicant shall maintain a row of arborvitaes along the back of the pole barn building.

10. Applicant shall direct roof leaders and the run off from the roof leaders to the right of the pole barn, where there is an existing drainage swale.

11. Applicant shall prepare a Deed restriction satisfactory to the Board Engineer and Attorney, which will restrict the use of the pole barn to personal use only with no commercial use. The Applicant shall have the Deed restriction recorded and provide the Board Secretary with a copy of the recorded Deed within ninety (90) days from the memorialization of this Resolution.

12. 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.

13. 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.

14. 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