

**RESOLUTION OF MEMORIALIZATION OF THE
TOWNSHIP OF OCEAN BOARD OF ADJUSTMENT**

**DOCKET NO. 07-18-BA
RESOLUTION NO. 2019-1**

RE: GOLDEN, DONALD B.
Block 207, Lot 8
59 Jefferson Street
Ocean Township, New Jersey 08758
Application for a bulk variance

WHEREAS, DONALD B. GOLDEN , whose mailing address is 59 Jefferson Street, Ocean Township, New Jersey 08758, has applied for relief pursuant to N.J.S.A. 40:55D-70(c), affecting premises located at Block 207, 8, as shown on the Tax Map of the Township of Ocean and otherwise known as 59 Jefferson Street, in the Township of Ocean, 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 December 20, 2018 in the Municipal Building of the Township of Ocean 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 Township of Ocean Zoning Ordinance.
2. The property in question is Lot 8 of Block 207, within the Township of Ocean, Ocean

County, New Jersey. The subject property is located in the R-1 Residential Zoning District and provides frontage on Jefferson Street and Atlantic Avenue. Applicant is proposing to extend the existing rear yard deck and add a deck within the front yard, with front and rear yard setback variances required.

3. Applicant seeks approval of all pre-existing variance conditions as follows;

A. **Minimum Lot Size (410-12.E(1))**: The lot is currently undersized with 0.17 Acres existing whereas 1 Acre is required.

B. **Minimum Lot Width (410-12.E(1))**: The minimum lot width required is 125 Feet whereas 100 feet is existing.

C. **Minimum Lot Depth (410-12.E(1))**: The minimum lot depth required is 150 feet whereas 75 feet is existing.

D. **Maximum Lot Coverage (410-12.E(1))**: The maximum lot coverage allowable is 15% whereas 21.1% is existing.

E. **Maximum Impervious Coverage (410-12.E(1))**: The maximum impervious coverage allowable is 20% whereas 33.7% is existing.

F. **Minimum Front Yard Setback (410.12.E(1))**: The minimum front yard setback required is 40 feet whereas 15.5 feet to Atlantic Avenue and 20.7 feet to Jefferson Street is existing. The applicant is proposing a front yard setback of 15.5 feet to Atlantic Avenue and 12.7 feet to Jefferson Street.

G. **Minimum Side Yard Setback (410-12.E(1))**: The minimum side yard setback required is 20 feet whereas 14.2 feet is existing to the house and 4.2 feet to the shed.

H. **Minimum Rear Yard Setback (410-12.E(1))**: The minimum rear yard

setback required is 40 feet whereas 18.1 feet to the deck and 30.1 feet to the house is existing.

The applicant is proposing a rear yard setback of 16 feet to the rear deck steps and 4.5 feet to the existing shed.

5. The applicant has provided testimony 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.

6. Janice Dryburgh testified that she was in favor of the application as she felt the Applicant was improving the home and enhancing the neighborhood.

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

A. This applicant has demonstrated that the requested variances can be granted without substantial detriment to the public good and without substantially impairing the intent and purpose of the zone plan and zoning ordinances of the Township of Ocean.

B. The proposed dwelling will be in conformance with those presently existing in the surrounding area.

NOW, THEREFORE, BE IT RESOLVED, by the said Board that on this day of January 2019, 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 under date of November 27, 2018, as prepared by the Township of Ocean Zoning Board of Adjustment Engineer, a copy of which is annexed hereto and made a part hereof.

2. Applicant is granted approval of all pre-existing variance conditions as follows;

A. Minimum Lot Size (410-12.E(1)): The lot is currently undersized with 0.17 Acres existing whereas 1 Acre is required.

B. Minimum Lot Width (410-12.E(1)): The minimum lot width required is 125 Feet whereas 100 feet is existing.

C. Minimum Lot Depth (410-12.E(1)): The minimum lot depth required is 150 feet whereas 75 feet is existing.

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H. Minimum Rear Yard Setback (410-12.E(1)): The minimum rear yard setback required is 40 feet whereas 18.1 feet to the deck and 30.1 feet to the house is existing. The applicant is proposing a rear yard setback of 16 feet to the rear deck steps and 4.5 feet to the existing shed.

3. Applicant shall remove the existing shed.

4. The applicant shall further reimburse the Township of Ocean 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.

5. Notification of this favorable approval shall be published in an official newspaper of the Township of Ocean Zoning Board of Adjustment by the applicant within ten (10) days of its passage by the Board.

6. 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.

7. 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.

JOHN PETROSILLI, CHAIRMAN
TOWNSHIP OF OCEAN ZONING BOARD OF ADJUSTMENT

CERTIFICATION

The foregoing is a true copy of a memorializing Resolution by said Board at its Meeting of _____, 2019.

STEPHANIE CAPACCIO, Board Secretary
Township of Ocean Zoning Board of Adjustment