

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

**DOCKET NO. 08-18-BA
RESOLUTION NO. 2019-2**

RE: CAUFIELD, LISA
Block 239, Lot 69
8 Point Road
Ocean Township, New Jersey 08758
Application for a bulk variance

WHEREAS, LISA CAUFIELD, whose mailing address is 55 Daniel Avenue, Rutherford, New Jersey 07070, has applied for relief pursuant to N.J.S.A. 40:55D-70(c), affecting premises located at Block 239, 69, as shown on the Tax Map of the Township of Ocean and otherwise known as 8 Point Road, 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 69 of Block 239, within the Township of Ocean,

Ocean County, New Jersey. The subject property is located in the R-BB Residential Zoning District and provides frontage on Point Road. The Applicant is proposing to elevate the existing structure and then construct a new deck, stairs, pergola, and paver patio in the rear of the property.

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

A. **Minimum Lot Size (410-14.2.F)**: The existing lot provides an area of 9,918.2 square feet, whereas a minimum area of 10,000 square feet is required.

B. **Minimum Lot Width (410-14.2.F)**: The existing lot has a width of 62.5 feet, whereas a minimum width of 100 feet is required.

C. **Minimum Side Yard Setback (410-14.2.F)**: The existing side yard setbacks to the structure are 7.18 feet and 8.82 feet, whereas a minimum setback of 10 feet is required.

D. **Minimum Combined Side Yard Setback (410-14.2.F)**: The existing combined side yard setback is 16 feet, whereas a minimum combined setback of 20 feet is required.

4. Applicant seeks variance approval as follows:

A. **Minimum Lot Size (410-14.2.F)**: The existing lot provides an area of 9,918.2 square feet, whereas a minimum area of 10,000 square feet is required.

B. **Minimum Lot Width (410-14.2.F)**: The existing lot has a width of 62.5 feet, whereas a minimum width of 100 feet is required.

C. **Maximum Lot Coverage (410-14.2.F)**: The applicant is proposing a lot (building) coverage of 31.6%, whereas a maximum of 30% is permitted.

D. **Minimum Side Yard Setback (410-14.2.F)**: The existing side yard setbacks

to the structure are 7.18 feet and 8.82 feet, whereas a minimum setback of 10 feet is required.

E. Minimum Combined Side Yard Setback (410-14.2F): The existing combined side yard setback is 16 feet, whereas a minimum combined setback of 20 feet is required.

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. John Caufield, husband of the applicant, testified that they did inquire about purchasing the property next door; however, a new neighbor also was attempting to purchase it.

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 October 11, 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 nonconformances as follows;

A. **Minimum Lot Size (410-14.2.F)**: The existing lot provides an area of 9,918.2 square feet, whereas a minimum area of 10,000 square feet is required.

B. **Minimum Lot Width (410-14.2.F)**: The existing lot has a width of 62.5 feet, whereas a minimum width of 100 feet is required.

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4. Applicant shall, with respect to the use for the space underneath the house, utilize same as a garage and/or for storage only.

5. Applicant agreed that the air conditioner unit for the house would be moved as testified to decrease the side yard setback.

6. Applicant shall provide a grading plan.

7. 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.

8. 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.

9. 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.

10. 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