

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

**DOCKET NO. 02-19-BA
RESOLUTION NO. 2019-5**

RE: STONE, CAROL
Block 153, Lot 8
15 Cutlass Way
Ocean Township, New Jersey 08758
Application for a bulk variance

WHEREAS, CAROL STONE, whose mailing address is 11 Cutlass Way, Ocean Township, New Jersey 08758, has applied for relief pursuant to N.J.S.A. 40:55D-70(c), affecting premises located at Block 153, 8, as shown on the Tax Map of the Township of Ocean and otherwise known as 15 Cutlass Way, 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 February 21, 2019, 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 153, within the Township of Ocean, Ocean

County, New Jersey. The subject property is located in the R-SC Residential Zoning District and provides frontage on Cutlass Way. The Applicant is currently constructing a 2 ½ story dwelling with rear and front decks. The front deck is covered and the rear deck is partially covered with a second floor deck. The rear deck (12' x 36') encroaches into the rear yard setback and applicant is seeking a variance for same.

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

A. **Minimum Rear Yard Setback (410-14.2.F)**: The minimum rear yard setback required is 20 feet where 18.2 feet is proposed.

4. Applicant seeks variance approval as follows:

A. **Minimum Lot Size (410-14.2.F)**: The minimum rear yard setback required is 20 feet where 18.2 feet is proposed.

5. The Applicant was represented by Christopher Supsie, Esquire.

6. 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.

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

A. This applicant has demonstrated that the requested variance 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 March, 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 January 30, 2019, 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 Rear Yard Setback (410-14.2.F): The minimum rear yard setback required is 20 feet where 18.2 feet is proposed.

3. Applicant seeks variance approval as follows:

A. Minimum Lot Size (410-14.2.F): The minimum rear yard setback required is 20 feet where 18.2 feet is proposed.

4. Applicant shall direct any proposed roof leaders away from adjacent properties.

5. 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.

6. 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.

7. 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.

8. 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