

CITY OF SOUTH AMBOY PLANNING BOARD

**RESOLUTION PB-15-21
Application Number 421-21
DONNA CARVER**

Resolution for Bulk Variance Approval

**Block 34, Lot 13
136 George Street
City of South Amboy
RA Single Family Residential Zone**

WHEREAS, pursuant to the applicable provisions of the City of South Amboy Land Use Ordinance, the within application has been submitted to the City of South Amboy Planning Board (the "Board") by Donna Carver (the "Applicant") for Bulk Variance Approval, to permit the demolition of an existing single family dwelling and construct a modular single family dwelling on premises located at 136 George Street, also known as Block 34, Lot 13, located on the Tax Map of the City of South Amboy in the RA Zone; and

WHEREAS, the application reviewed by the Board consisted of plans and documents as identified in the report prepared by Jason C. Valetutto, P.E., P.P., the consultant to the Planning Board, dated October 18, 2021.

WHEREAS, upon review of the application and initial and revised plans submitted on behalf of the Applicant and reviewed by the consultant to the Planning Board, the Applicant required the following Variances from the zoning requirements as set forth in the ordinance;

<u>Description</u>	<u>Required</u>	<u>Proposed</u>
Bulk Variances		
Minimum Lot Area	5,000 sf	2,513.75 sf
Minimum Lot Width	50 ft	25 ft
Minimum Rear Yard Setback	25 ft	7.47 ft
Maximum Lot Coverage	25%	40.62%

WHEREAS, the application was deemed complete and a hearing was held by the Board on October 27, 2021 pursuant to public notice and personal notice pursuant to N.J.S.A. 40:55D-12; and

WHEREAS, at the public hearings, the following reports were entered into the record:

Description of Report

Date of Report

Planning Report AJV Engineering, Inc.

October 18, 2021

WHEREAS, the Board, after carefully considering the evidence presented to it by or on behalf of the Applicant, and upon the advice and recommendations of the advisory municipal personnel, and consultants (including, without limitation, those set forth in the Planning Reviews), makes the following findings of fact:

FINDINGS OF FACT

1. The Applicant was sworn in and testified as follows:
 - a. The plan is to demolish the existing two-story home and replace it with a one-story three-bedroom modular home.
 - b. The Applicant's husband is a cancer survivor and it has become difficult for him to deal with the stairs to the second floor.
2. The Applicant then produced Mr. Jon Harris, an Architect licensed in the State of New Jersey who was sworn and accepted as an expert in Architecture. Mr. Harris testified as follows:
 - a. The new home will be what is known as a manufactured home consisting of two boxes, made of concrete.
 - b. The foundation must be expanded to distribute the load of the new home.
 - c. There will be indoor steps to the basement and exterior steps to the exterior doors.
 - d. The variances are the result of an expanded first floor and elimination of a second floor. The home goes out and not up.
 - e. The height is not clear from the plans due to changes in elevation.
 - f. Applicant agreed that the height will not exceed thirty five feet.
 - g. The HVAC Condenser will be in the rear yard.
 - h. Applicant agreed to obtain an elevation certificate.
 - i. Applicant had no objection to the AJV report of October 18, 2021.
 - j. Reference was made to Exhibit A-1 (SP1.1) last revised August 15, 2021.
 - k. No exterior ramp is required.
3. Ann Quackenbusch, daughter of Applicant, was sworn and confirmed the need for a one-story home for her parents.
4. The hearing was then opened to the public.

No one from the public asked to be heard.

5. The Hearing was closed to the public.

CONCLUSIONS

The Board makes the following findings and conclusions:

1. The property is located in the RA Single Family Residential Zone and was previously utilized as a single family dwelling.
2. The Applicant's proposal would demolish the existing dwelling and replace it with a new dwelling, what is known as a manufactured home, with three (3) bedrooms.

Four bulk variances are required: Minimum Lot Area, Minimum Lot Width, Minimum Rear Yard, and Maximum Lot Coverage.

3. As to the requested bulk (c) variances:
 - a. The request for the variances are new and resulting from the proposal. The variances are the result of an expanded first floor and elimination of a second floor. The home goes out and not up.
 - b. The Applicant's husband is a cancer survivor and it has become difficult for him to deal with the stairs to the second floor.
4. The grant of the bulk variances described can be granted without substantial detriment to the City of South Amboy for the reasons set forth above and, in the record, and further does not create substantial detriment to the public good. The Applicant has satisfied its burden of proof as to both the positive and negative criteria required for the granting of the requested relief. The application will provide benefits to the City while resulting in no negative impact.

NOW, THEREFORE, BE IT RESOLVED that the City of South Amboy Planning Board hereby grants Application # 421-21 for Bulk Variance Approval to construct a new single family dwelling consisting of one-story in the RA Zone with the following conditions:

1. The Applicant agrees that it would comply with the recommendations set forth in the Planning Review dated October 18, 2021.
2. Compliance with the requirements of all applicable ordinances, statutes, codes, regulations and/or administrative directives.
3. Compliance with all representations and agreements made by or on behalf of the Applicant at the hearing held on October 27, 2021.
4. All other matters set forth above and/or incorporated herein.

5. Payment of all outstanding unpaid taxes, and other municipal charges and assessments.
6. Payment of all sums now and/or hereafter due for application fees and/or escrows.
7. The Board Secretary shall publish a brief notice of this determination in an official newspaper of the City of South Amboy within twenty (20) days of the date of this resolution.
8. Prior to the commencement of any site work, all professional escrow fees due the Board Planning Consultant and Planning Board Attorney shall be paid in full.

THIS IS TO CERTIFY that the foregoing is a true copy of the Resolution adopted by the Planning Board of the City of South Amboy at its public meeting held on November 17, 2021.



 Amy Russo, Planning Board Secretary

Planning Board

	Aye	Nay	Abstain	Absent
Chairwomen Mary Szaro	X			
Vice Chairman Scott Kominkiewicz			X	
Tom Kelly				X
Mayor Henry				X
Councilman Tom Reilly				X
Janet Kern	X			X
Dr. Jorge Gonzalez Gomez	X			
George Baranowski				X
Gary Forshner	X			
Alternates				
William DeMasi	X			
Andrew Horezga	X			
Robert Paulukiewicz	X			
Francis Mulvey			X	