

PLANNING BOARD  
CITY OF SOUTH AMBOY

RESOLUTION PB- 1 -12  
RESOLUTION TO APPROVE USE VARIANCE AND BULK VARIANCES FOR BLOCK 8,  
LOTS 22.01, 22.02 & 28.01 LANDS OF THE CITY OF SOUTH AMBOY

WHEREAS, application has been made by Alan S. Meszaros, ("Applicant") to the Planning Board of the City of South Amboy ("Board") for use variance and bulk variance approval (Block 8, Lots 22.01, 22.02 & 28.01); and

WHEREAS, Applicant owns property known as Block 8, Lots 22.01, 22.02, and 28.01, also known as 2080 Route 35 North, South Amboy, New Jersey ("Property"), a portion of which is in the B-2 Zone and a portion of which is in the RA Zone; and

WHEREAS, Applicant seeks to construct a freestanding sign on Lot 28.01, to advertise the businesses located on the adjacent Lots 22.01 & 22.02, which requires a use variance; and

WHEREAS, Applicant seeks to construct the sign 10.2 feet from the front property line and 6.18 feet from the side property line, whereas 25 feet is required, resulting in the need for bulk variances; and

WHEREAS, the Planning Board held a public hearings on November 30, 2011, and has carefully considered the application as well as the testimony and exhibits presented by the Applicant; and

WHEREAS, the Applicant appeared without counsel; and

WHEREAS, the Applicant presented the testimony of Alan Meszaros and Robert W. Dill, Architect; and

WHEREAS, the Application included a plan entitled "New Sign for Alan Meszaros" prepared by R.W. Dill Architect and Planner dated 9/26/11 and consisting of two sheets; and

WHEREAS, the Board has made the following findings and conclusions:

1. Applicant is the owner of the Property, on which there is constructed a building in the rear of the Property used for commercial and residential purposes.
2. Applicant seeks a use variance and bulk variances to permit the construction of a freestanding sign, four feet by eight feet, twelve feet total in height, on the southerly property line on Lot 28.01, to advertise the principal use which is located on the adjacent Lots 22.01 and 22.02.
3. The sign will be constructed of unbreakable fiber plastic with a metal frame. There will be a brick or masonry planter approximately 3 feet beyond the sign.
4. The sign is requested in the proposed location in order to alert drivers traversing Route 35 so that there is time to slow and enter the property rather than pass by and have to make a U-turn and come back.
5. The advertising on the sign will be limited to Rumors and the businesses located in the building existing on the Property.
6. The use variance is necessary due to the fact that the Property is comprised of three adjacent Lots, and there is no appropriate place for locating the sign on Lots on which the businesses are located.
7. The bulk variances are necessary because compliance with the 25 foot set back required by the ordinance would result in a loss of parking spaces and the need to construct the sign higher than twelve feet in order to be seen behind the existing fence.
8. The Applicant agreed to the condition that the sign may only advertise businesses existing on the Property.
9. There will be no illumination associated with the sign nor will there be any reflective paint or reflective coloring.

10. During the hearings the Applicant and its professionals agreed to the imposition of conditions set forth below to address the Board's concern.
11. During the Application, testimony was offered by the Applicant setting forth the proposed use of the property and that the proposed variances were compatible with the adjoining and existing uses, would not impair the intent and purpose of the zone plan or Master Plan and would not be a substantial detriment to the public good.
12. The use variance and bulk variances as set forth in this Resolution are herein granted. The benefit of granting such variances outweighs the detriment, and can be granted without substantial detriment to the public good and will not substantially impair the intent and purpose of the zone plan and zoning ordinance. The Applicant has established special reasons for the grant of the requested use variance.

NOW, Therefore Be It Resolved by the Planning Board in the City of South Amboy in the County of Middlesex and State of New Jersey on this 25th day of January, 2012 Use Variance and Bulk variances are hereby granted subject to the following conditions:

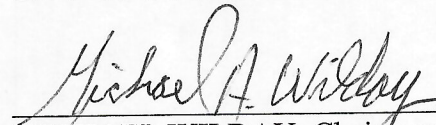
1. Advertising on the sign shall be limited to businesses located on the Property.
2. The location and size of the sign shall be as set forth on the plan entitled "New Sign for Alan Meszaros" prepared by R.W. Dill Architect and Planner dated 9/26/11 and consisting of two sheets.
3. There shall be no illumination associated with the sign and the sign shall not contain any reflective color or paint.
4. Applicant shall construct a planter of brick, masonry or Allen block and be planted with a mixture of Junipers or other similar plantings.
5. Satisfaction of all conditions set forth in the report of Angelo J. Valettutto, P.E., P.P. dated November 18, 2011.
6. Satisfaction of all conditions placed on the record during the Application.
7. That all outstanding taxes, application, and escrow fees be paid in full.

8. That the Applicant submit copies of Approvals of any other Governmental Agencies having jurisdiction over this Site.
9. Applicant and its successors in interest shall comply with all applicable state, county, and municipal laws and requirements in the use of the property.
10. This Resolution shall take effect as provided by law.

ATTEST:

  
LINDA GARNETT, Secretary

PLANNING BOARD OF THE  
CITY OF SOUTH AMBOY

  
MICHAEL WILDAY, Chairman

**CERTIFICATION**

Certified to be a True Copy of a Resolution adopted by the Planning Board of the City of South Amboy on November 30, 2011 at a duly convened meeting.

DATE:

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Linda Garnett, Secretary