

PLANNING BOARD
CITY OF SOUTH AMBOY

RESOLUTION PB-10-13
RESOLUTION TO APPROVE PRELIMINARY AND FINAL MINOR SUBDIVISION WITH
VARIANCES OF BLOCK 2, LOT 2, LANDS OF THE CITY OF SOUTH AMBOY

WHEREAS, application has been made by Wojciech Zeromski (“Applicant”) to the Planning Board of the City of South Amboy (“Board”) for preliminary and final minor subdivision approval with bulk variances for (Block 2, Lot 2); and

WHEREAS, the Planning Board held a public hearing on September 25, 2013 and has carefully considered the Application as well as the testimony and exhibits presented by the Applicant; and

WHEREAS, The Applicant was represented by James Vail, Esq.; and

WHEREAS, the subdivision is sought in order to create a building lot that fronts on Highland Street, with the intention that the new vacant lot will be sold by the Applicant, who will continue to reside in the remainder of the lot in the existing single family residence; and

WHEREAS, both resulting lots will require a variance for lot depth, where 100 feet is required and 75 feet proposed; the lot on which the current residence is located requires a variance for minimum rear yard; and

WHEREAS, there will be two off-street parking spaces provided on each lot; and

WHEREAS, the existing garage fronting on Highland Street will be removed; and

WHEREAS, the Applicant’s presentation stated that the proposed subdivision would not be out of character because the other lots in the vicinity are of irregular shapes and sizes and if

approved, would result in a single family home fronting on Highland Street rather than the current garage fronting on Highland Street; and

WHEREAS, the Applicant agreed to the condition that he have a subdivision map prepared by a licensed surveyor depicting the footprint of the proposed dwelling and that each lot would have two off-street parking spaces; and

WHEREAS, the Applicant agreed to the condition that no additional bulk (c) variances would be sought for either of the resulting lots, and that this condition be contained in a Deed Restriction in the Subdivision Deed; and

WHEREAS, the Applicant testified that he will not construct a garage on the property on which the residence is currently located, and he will install a two-car driveway; and

WHEREAS, Frank Hawes, of 444 Prospect Street, South Amboy testified in opposition to the Application, and stated he would prefer any subdivision of the property to involve a different configuration.

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

1. Applicant seeks a minor subdivision with variances intended to divide the existing lot into two lots.
2. The subdivision requires three variances – each lot requires a lot depth variance and the lot on which the current residence is located will require a rear-yard set back variance.
3. The subject property is depicted upon a hand-drawn subdivision proposal on an unsealed 12/19/78 survey prepared by Concept Engineering Consultants, P.A.
4. The nature of the application is a minor subdivision with variances.
5. Strict application of the ordinance would result in undue hardship due to the irregular shape, size and location of the lot.