

CITY OF SOUTH AMBOY PLANNING BOARD

RESOLUTION PB-12 -17

Case Number 375-17

Resolution granting bulk variances for rear yard setback and maximum permitted coverage

Block 169 Lot 4

City of South Amboy

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 James and Lisa Bateh (the "Applicant") for bulk variances for rear yard setback and maximum permitted coverage as to premises located at 15 Lighthouse Drive , also known as Block 169 , Lot 4, located on the Tax Map of the City of South Amboy and situated in the Southern Waterfront Redevelopment Area Zone; and

WHEREAS, the application reviewed by the Board consisted of those plans and documents as identified in the report prepared by Angelo J. Valetutto, P.E. , P.P. the consultant to the Planning Board dated June 7, 2017 .and

WHEREAS, the application was certified as complete and a public hearing with respect to the Application was held by the Board on June 28,2017 as per public notice and personal notice pursuant to NJSA 40:55D-12 ; and

WHEREAS, as part of the instant application and based upon the initial plans submitted and reviewed by the consultant to the Planning Board., the Applicant required variances from the zoning requirements as set forth in the ordinance;

<u>Description</u>	<u>Existing</u>	<u>Proposed</u>
Minimum Rear Yard setback 15ft	11ft	12ft to 14ft
Maximum Permitted Coverage 25% (nonconformity)	33.55%-	37.31%

WHEREAS, at the aforesaid public hearing, the following Township reports were entered into the record:

<u>Description of Report</u>	<u>Date of Report</u>
Planning Report AJV Engineering Inc.	June 7, 2017

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 aforesaid Planning Report, makes the following findings of facts:

FINDINGS OF FACT


1. The Applicant testified that it required a larger deck in order to accommodate its desire to use the area for entertaining and in order to accommodate a large outdoor patio table
2. The Applicant acknowledged receipt of the Planning Report and had no objections to the conditions contained therein
3. The location of the rear deck as proposed is not visible to the public along Lighthouse Drive and does not create any other variances except as identified in the Planning Report.

NOW, THEREFORE, BE IT RESOLVED that the City of South Amboy Planning Board hereby **grants** Application #375-17 for Bulk variances for rear yard setback and maximum permitted coverage at Premises located at 15 Lighthouse Drive and also known as Block 169 , Lot 4 , located on the Tax Map of the City of South Amboy and situated in the Southern Waterfront Development Area Zone; subject to the following conditions;

1. The Applicant agreed that it would comply with the recommendations set forth in the Planning Report dated June 7, 2017
2. Compliance with the requirements of all applicable ordinances, statutes, codes, regulations and/or administrative directives.
3. Compliance with each and all other applicable approvals, if any, required by law or statute or regulation.
4. Compliance with all representations and agreements made by or on behalf of the Applicant at the hearing held on June 28, 2017.
5. All other matters set forth above, and/or incorporated herein.
6. Payment of all outstanding unpaid taxes, and other municipal charges and assessments.

7. Payment of all sums now and/or hereafter due for application fees and/or escrows.
8. The Applicant 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 receipt of a copy of this resolution by the Applicant, and the Applicant shall furnish, to the Planning Board Secretary, an Affidavit of Publication by said newspaper.
9. 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 July 26, 2017.

 7/26/2017

Kathryn Kudelka, Planning Board Secretary