

PLANNING BOARD  
CITY OF SOUTH AMBOY  
APPLICATION #325-12

RESOLUTION PB- 3-12  
RESOLUTION TO APPROVE BULK VARIANCES RELATED TO CONSTRUCTION  
LOCATED ON BLOCK 122, LOT 5, LANDS OF THE CITY OF SOUTH AMBOY

WHEREAS, application has been made by Alan Bowers, (“Applicant”) to the Planning Board of the City of South Amboy (“Board”) for bulk variance approval related to the demolition of an existing garage and reconstruction of a new garage on the same location on property located at 322 Fourth Street, South Amboy, (Block 122, Lot 5) (the “Property”); and

WHEREAS, Applicant is the contract purchaser of Property; and

WHEREAS, the existing garage is a pre-existing non-conforming accessory use; and

WHEREAS, Applicant seeks to demolish the existing garage and reconstruct a replacement garage on the same footprint, whereby there will be no expansion of the size of the garage; and

WHEREAS, the Applicant submitted the following plans in support of the Application:

1. Survey entitled “Survey of property for: Francis P. Hareslak and Victoria L. Hareslak”, prepared by Thomas M. Ernst, PLS, dated 3/15/00;
2. Signed and sealed architectural plan, entitled “Bowers Property”, prepared by Albert Ondar, RA, dated 1/11/12.

WHEREAS, the Planning Board held a public hearing on February 22, 2012 and has carefully considered the application as well as the testimony and exhibits presented by the Applicant; and

WHEREAS, the Application requires a variances for off street parking; setback for accessory building – 3 feet required, 0.7 feet proposed; Lot coverage – 25% maximum, 35.6% proposed; and Accessory building in front yard, setback of 25 feet required, 1.1 feet proposed; and

WHEREAS, the Applicant presented the testimony of Alan Bowers, the contract purchaser of the Property; and

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

1. Applicant seeks bulk variances to permit the demolition of an existing garage and reconstruction of a new garage on the same footprint.
2. The bulk variances requested are the same as those that exist with the existing garage, and there will be no additional variances required for the proposed construction of a replacement garage.
3. The Applicant proposes to utilize the new garage for the storage of vintage / collectible automobiles owned by the Applicant and his daughter.
4. The Applicant agreed to the condition that there will be no commercial storage of vehicles in the garage.
5. The Board's Engineer, Angelo Valetutto, P.E. prepared a report dated February 10, 2012, which was reviewed by the Applicant and made a part of the record.
6. The Applicant agreed to the condition that the new garage will not be used for any business purpose, and will be used only to store cars and related items owned by the Applicant and his family members.
7. The Applicant agreed to the condition that there will not be any maintenance work done on the vehicles at the Property, only washing of the vehicles.
8. That the Applicant has put forth evidence to justify the grant of the requested bulk variances.
9. That bulk variances 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.

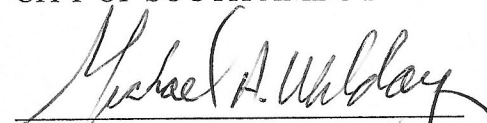
NOW, Therefore Be It Resolved by the Planning Board in the City of South Amboy in the County of Middlesex and State of New Jersey on this 28th day of March, 2012 bulk variances are hereby granted subject to the following conditions:

1. Applicant shall publish a brief notice of determination in an official newspaper of the City within 20 days of receipt of a copy of this Resolution from the Planning Board Secretary. Applicant shall furnish to the Board an Affidavit of Publication by said newspaper.
2. Satisfaction of all conditions set forth in the February 10, 2012 report of Angelo J. Valetutto, P.E., P.P.
3. Subject to all conditions placed on the record during the hearing.
3. The garage shall not be used for any commercial purposes.
4. There shall be no maintenance of vehicles on the subject Property except cleaning and/or washing of vehicles.
5. That all outstanding taxes, application, and escrow fees be paid in full, and no building permits shall be sought or issued without confirmation that all such taxes and fees have been paid in full.
6. Applicant and its successors in interest shall comply with all applicable state, county, and municipal laws and requirements in the use of the property.
7. This Resolution shall take effect as provided by law.

ATTEST:

  
LINDA GARNETT, Secretary

PLANNING BOARD OF THE  
CITY OF SOUTH AMBOY

  
MICHAEL WILDAY, Chairman