

PLANNING BOARD
CITY OF SOUTH AMBOY

RESOLUTION PB- 5 -17
Case Number 370-16
RESOLUTION APPROVING BULK VARIANCE FOR PROPERTY LOCATED ON
BLOCK 39, LOT 38 CITY OF SOUTH AMBOY

WHEREAS, an application has been made by Rafel Maciag (“Applicant”) to the Planning Board of the City of South Amboy (the “Board”) for a Bulk Variance related to property located at 105 Augusta Street, (Block 39, Lot (38) (the “Property”); and

WHEREAS, Applicant is the owner of Property; and

WHEREAS, the Property is located in the RA Zone; and

WHEREAS, the Property is currently a vacant lot, formerly improved with a one-story single family residential building; and

WHEREAS, the Application seeks a bulk variance in order to construct a new single family residential building consisting of three stories, four bedrooms, and containing 3,369.75 sf of gross floor area; and

WHEREAS, the Planning Board held a public hearing on February 22, 2017, and has carefully considered the Application as well as the testimony and exhibits presented by the Applicant; and

WHEREAS, the Applicant was not represented by counsel; and

WHEREAS, the Applicant testified on behalf of himself; and

WHEREAS, the Applicant submitted and the Board considered, the following documents:

- A. Signed and sealed plans entitled "New Construction Single Family Home, 105 Augusta Street, South Amboy, N.J. 08879, Block 39 Lot 38" prepared by Bogdan Szacilla, RA, dated 11/7/16 consisting of five sheets;
- B. Signed and sealed survey entitled "Location Survey of Property at: 105 Augusta Street, City of South Amboy, Middlesex County, N.J. Prepared by W.H.Canada, LS dated September 2016

WHEREAS, proper proof of advertisement and service of notices of a public hearing in regard to this Application have been furnished; and

WHEREAS, the aforementioned plans were reviewed by Angelo J. Valetutto, P.E., P.P., the consultant to the Planning Board, who provided a report to the Planning Board, dated February 9, 2015 (the "Planning Report"); and

WHEREAS, the Applicant testified:

1. that he is the owner of the Property.
2. the previous home was demolished as a result of damage sustained by Superstorm Sandy; and
3. that there are existing homes on each side of his property and therefore no ability to obtain additional property to make the lot conforming; and
4. that he consented to the conditions contained in the Planning Report

WHEREAS, Mr. Valetutto, P.E., P.P., confirmed that in the event the application is approved, four prior existing variances would be eliminated, leaving only the two requested variances for lot area and lot depth; and

WHEREAS, the Board deemed said Application complete and did review and consider the Application, including but not limited to the submitted plans and testimony and reviewed the Planning Report at a public meeting held on February 22, 2017;

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

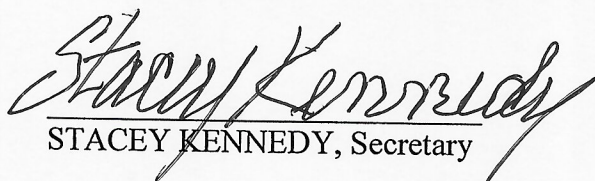
1. The Planning Board has jurisdiction in this matter.
2. Applicant seeks a bulk variance for a lot area and lot depth.
3. Applicant's proposal will not be in conflict with the Master Plan, the Official Map or the Development Regulations of the City Ordinances and will not adversely affect adjoining or nearby properties.
4. Applicant agreed to comply with all of the items set forth in the Planning Report.
5. The Board's Engineer, Angelo Valetutto, P.E. prepared a report dated February 9, 2015, which was reviewed by the Applicant and made a part of the record.
3. That the Applicant has put forth evidence to justify the grant of the requested bulk variances.
5. That the requested bulk variances are herein granted.
6. The benefit of granting such variance 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 of the City of South Amboy, on this 22nd day of March, 2017 that Bulk variances in conformance with the plans submitted by the Applicant and pursuant to the conditions set forth in this Resolution shall be and are hereby granted, subject to the following conditions:

1. Compliance with all conditions set forth in the Planning Report including but not limited to submission of a revised plot plan

2. The property will be maintained in conformance with the property maintenance regulations.
6. Compliance with the requirements of all applicable ordinances, statutes, codes, regulations and/or administrative directives.
7. Each and all other applicable approvals, if any, required by law or statute or regulation.
8. Compliance with all representations and agreements made by or on behalf of the Applicant at the hearing held on February 22, 2017.
9. All other matters set forth above, and/or incorporated herein.
10. Payment of all outstanding unpaid taxes, and other municipal charges and assessments.
11. Payment of all sums now and/or hereafter due for application fees and/or escrows.
12. The Applicant shall publish a brief notice of this determination in an official newspaper of the municipality 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.

ATTEST:


STACEY KENNEDY, Secretary

PLANNING BOARD OF THE
CITY OF SOUTH AMBOY


ROBERT PAULUKIEWICZ, Chairman

CERTIFICATION

Certified to be a true copy of a Resolution adopted by the Planning Board of the City of South Amboy on February 22, 2016 at a duly convened meeting.

DATE:

Stacey Kennedy, Secretary