

PLANNING BOARD
CITY OF SOUTH AMBOY

RESOLUTION PB- 06 -14
RESOLUTION TO APPROVE BULK VARIANCE
FOR BLOCK 129, LOT 1
THE CITY OF SOUTH AMBOY

WHEREAS, application has been made by Hany Gemian and Samer Abdelmaseh, (“Applicants”) to the Planning Board of the City of South Amboy (“Board”) for bulk variance approval related to property located at 247 Walnut Street, South Amboy, (Block 129, Lot 1) (the “Property”); and

WHEREAS, the Planning Board held a public hearing on April 30, 2014, 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 Property is owned by the Applicants; and

WHEREAS, the Application seeks to enclose the existing front porch and construct a flower stand on the side of the existing two story residential building. The proposed construction will reduce the front-yard setback from the existing 12.6’ to 8’ whereas 25’ is required (“Application”); and

WHEREAS, the property is located in the RA building zone and the existing and proposed use is a permitted use in the zone; and

WHEREAS, the Applicant provided testimony from Hany Gemian; and

WHEREAS, the Board's Engineer Angelo Valetutto, P.E., P.P. issued a review letter dated April 8, 2014; and

WHEREAS, the Application included a plan entitled "Survey of Lands In: City of South Amboy, Middlesex County, New Jersey Lot 1 Block 129" prepared by PMC Land Surveying and dated 1/09/14 consisting of one sheet, on which was depicted the property which is the subject of the Application; and

WHEREAS, Mr. Gemian testified that they seek to enclose the porch area because during the Sandy and Irene storms they had water infiltration into the basement from the open porch area; and

WHEREAS, Mr. Gemian further testified that they would continue to use the enclosed porch as a sitting area;

WHEREAS, the Applicant consented to the condition of relocating the existing shed in the rear yard to comply with the setback requirements in the Development Regulations of the City of South Amboy; and

WHEREAS, the Applicant consented to the condition that the enclosure of the porch will contain at least 40 percent glazing.

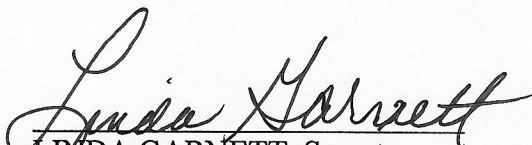
WHEREAS, the Board has made the following findings and conclusions:

1. Applicant seeks a bulk variance to permit the enclosure of an existing front porch and construction of a flower stand which will result in a front yard setback of 8 feet whereas 25 feet is required.
2. 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.

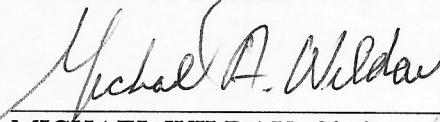
NOW, Therefore Be It Resolved by the Planning Board in the City of South Amboy in the County of Middlesex and State of New Jersey on this 28th day of May, 2014 a variance to permit the enclosure of the existing front porch and construction of a flower stand as set forth in the Application is hereby granted subject to the following conditions:

1. Satisfaction of all conditions set forth in the report of Angelo J. Valetutto, P.E., P.P. dated April 8, 2014.
2. Satisfaction of all conditions placed on the record during the Application.
3. The existing shed in the rear of the property shall be relocated to comply with the setback requirements contained in the Development Regulations.
4. The enclosure of the porch will contain at least 40% glazing.
5. That all outstanding taxes, application, and escrow fees be paid in full, and that no building permits shall be issued until all such taxes and escrow fees are paid in full.
6. 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 May 28, 2014 at a duly convened meeting.

DATE:

Linda Garnett, Secretary