

PLANNING BOARD
CITY OF SOUTH AMBOY

RESOLUTION PB- 6 -15
RESOLUTION APPROVING BULK VARIANCE FOR PROPERTY LOCATED ON BLOCK
11, LOT 21 LANDS OF THE CITY OF SOUTH AMBOY

WHEREAS, application has been made by Frank and Elizabeth De Lucca (“Applicant”) to the Planning Board of the City of South Amboy (“Board”) for Bulk Variances related to property located at 353 Parker Avenue, (Block 11, Lot 21) (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 improved with a two-story single family residential building; and

WHEREAS, the Application seeks a bulk variance in order to enclose the existing rear porch including a three foot overhand at its rear side of the porch, resulting in the following variance –Lot coverage, 30.01% existing, maximum of 25% permitted, and 33.58% proposed; and

WHEREAS, the Planning Board held a public hearing on March 25, 2015, 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 presented the testimony of Frank De Lucca; and

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

documents:

{147294.DOC.1}

1. Signed/unsealed survey, entitled, "Survey of Property for Frank and Elizabeth DeLucca", prepared by Thomas M. Ernst, P.L.S., dated 9/3/85.

2. Applicant's notes as to proposal.

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 March 6, 2015; and

WHEREAS, Mr. De Lucca testified that the enclosed porch will be used recreation and relaxation and to provide more living space. Mr. De Lucca further testified that the porch will be insulated so that it can be used year round; and

WHEREAS, Mr. De Lucca testified that the purpose of the three foot overhand was to add additional space, and that it will be a floor overhand, and the roof will be reframed to cover the new area.

WHEREAS, the Applicant consented to the conditions contained in Mr. Valetutto's March 6, 2015 review letter; and

WHEREAS, the Board deemed said Application complete and further the Board did review the Application, including but not limited to the submitted plans and heard testimony and reviewed the aforesaid report of Mr. Valetutto, P.E., P.P., at a public meeting held on March 25, 2015; and

WHEREAS, the Board has considered the plans, the respective testimony aforesaid and the report to it by its consultant, Angelo J. Valetutto, P.E., P.P., and finds that:

(A) The Planning Board has jurisdiction in this matter.

- (B) 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.
- (C) During the course of the proceedings Applicant agreed to comply with all of the items set forth in the March 6, 2015 review letter by Mr. Valetutto.

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

1. Applicant seeks a bulk variances in order to enclose the existing rear porch, resulting in the following variance – Lot coverage, 30.01% existing, maximum of 25% permitted, and 33.58% proposed.
2. The Board's Engineer, Angelo Valetutto, P.E. prepared a report dated March 6, 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 variance.
4. That the requested bulk variance is herein granted subject to the conditions set forth herein. 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 April, 2015 that a Bulk variance in conformance with the plans submitted by the Applicant, and pursuant to the conditions set forth in this Resolution shall be and is hereby granted, subject to the following conditions:

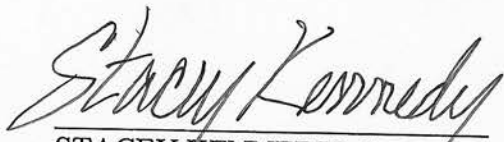
1. Compliance with all conditions set forth in the March 6, 2015 review letter of the Board's Engineer.
2. The property will be maintained in conformance with the property maintenance regulations.
3. Compliance with the requirements of all applicable ordinances, statutes, codes, regulations and/or administrative directives.

4. Each and all other applicable approvals, if any, required by law or statute or regulation.
5. Compliance with all representations and agreements made by or on behalf of the Applicant at the hearing held on March 25, 2015.
6. All other matters set forth above, and/or incorporated herein.
7. Payment of all outstanding unpaid taxes, and other municipal charges and assessments.
8. Payment of all sums now and/or hereafter due for application fees and/or escrows.
9. 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.

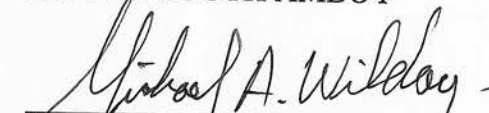
Be it Further Resolved that,

1. This Resolution shall take effect as provided by law.

ATTEST:


STACEY KENNEDY, 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 April 22, 2015 at a duly convened meeting.

DATE:

Stacey Kennedy, Secretary