

PLANNING BOARD  
CITY OF SOUTH AMBOY

RESOLUTION PB- 07 -14  
RESOLUTION APPROVING USE VARIANCE FOR PROPERTY LOCATED ON BLOCK  
45, LOT 29 LANDS OF THE CITY OF SOUTH AMBOY

WHEREAS, application has been made by Blush Bar / Angelica Medina and Jacqueline Kasai ("Applicant") to the Planning Board of the City of South Amboy ("Board") for a Use Variance related to property located at 112 South Broadway (Block 45, Lot 29) (the "Property"); and

WHEREAS, Applicant operates a retail beauty and cosmetic shop on the first floor of the building on the Property; and

WHEREAS, the Property is located in the B-1 Zone; and

WHEREAS, the Property is currently improved with a three-story building, the first floor of which is used by the Applicant as part of its beauty and cosmetics shop; and

WHEREAS, the Application seeks a use variance to allow make-up classes as part of the business operated by the Applicant; 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, said Applicant was represented by Joseph Bulman, Esq.; and

WHEREAS, the Applicant presented the testimony of Angelica Medina and Jacqueline Kasai; and

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

- A. A Survey Plat prepared by William J. Fiore, P.L.S., dated 1/26/2012, consisting of one sheet;

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, April 9, 2014; and

WHEREAS, Ms. Medina testified that she, along with Jacqueline Kasai are the owners of Blush Bar Makeup Studio, LLC, the Applicant. The Applicant leases the store on the Property to carry out its business, which involves the retail sale of beauty supplies; and

WHEREAS, Ms. Medina further testified that the Applicant would like to conduct classes to teach the application of the beauty supplies sold as part of the existing business. The classes would be taught by Ms. Medina and Ms. Kasai and possibly one additional instructor. They propose to hold classes from 6:00 pm to 9:00 pm. During September, the beginning of January and in April they may conduct the classes during normal business hours of 10:00 am to 4:00 pm.

WHEREAS, Ms. Medina further testified that the proposed classes are an integral part of the continuing viability and success of the existing business, and is designed to enhance the sales of the existing business. She testified that the classes would have a positive effect on the community by furthering the business and improving people's lives. She testified that the benefits of allowing the use would outweigh any minimal negative impacts.

WHEREAS, the Board reviewed the Application, including but not limited to the submitted plans and heard testimony and reviewed the aforesaid report of Mr. Valetutto, at public meetings held on April 30, 2014; 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 comments offered by Mr. Valetutto, as well as the items set forth in his review letter.

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

1. Applicant seeks a use variance necessitated by providing instructional classes in connection with its sale of beauty products and cosmetics.
2. The Board's Engineer, Angelo Valetutto, P.E. prepared a report dated April 8, 2014, 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 a use variance.
4. That the requested Use Variance is herein granted. 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.