

PLANNING BOARD
CITY OF SOUTH AMBOY

RESOLUTION PB-8-12
RESOLUTION TO APPROVE BULK VARIANCES RELATED TO CONSTRUCTION
LOCATED ON BLOCK 67 LOT 5, LANDS OF THE CITY OF SOUTH AMBOY

WHEREAS, application has been made by Judith and Roberto Rodriguez, (“Applicant”) to the Planning Board of the City of South Amboy (“Board”) for bulk variance approval related to the construction of a one story addition and deck on property located at 354 Second Street, South Amboy, (Block67, Lot 5) (the “Property”); and

WHEREAS, Applicant is the owner of the Property; and

WHEREAS, the existing single-family residential structure has existing non-conforming variances which are not affected by the Application, including front yard setback; total side yard setback; off-street parking; Lot Width; and Lot Area; and

WHEREAS, the proposed addition will be constructed along the line of the dwelling, which only has a 1.5 foot set back, whereas 5 feet is required, resulting in the need for a bulk variance; and

WHEREAS, inclusion of the deck will result in lot coverage of 31.37% whereas 25% is permitted, resulting in the need for a variance

WHEREAS, the Planning Board held a public hearing on May 23, 2012 and has carefully considered the Application as well as the testimony and exhibits presented by the Applicant; and

WHEREAS, the Applicant presented testimony that the proposed construction is in conformity with the surrounding residential homes; and

WHEREAS, the Applicant presented testimony that the proposed construction will allow better utilization of the existing home; and

WHEREAS, the Applicant presented testimony that they cannot purchase property on either side of their property in order to alleviate the need for the requested variances; and

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

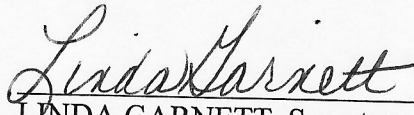
1. Applicant seeks bulk variances to permit the construction of a one-story addition and deck.
2. The Applicant agreed to the condition the roof of the one-story addition be limited to a six inch overhang and the gutters direct the rain away from the adjacent properties.
3. That the Applicant has put forth evidence to justify the grant of the requested bulk variances.
4. 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 27th day of June, 2012 the requested bulk variances are hereby granted subject to the following conditions:

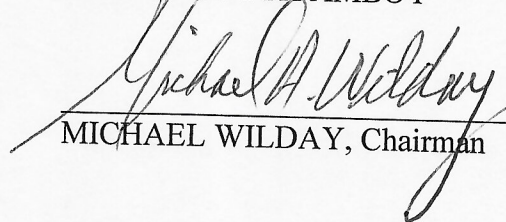
1. Applicant shall publish a brief notice of determination in an official newspaper of the City within 20 days of receipt of a copy of this Resolution from the Planning Board Secretary. Applicant shall furnish to the Board an Affidavit of Publication by said newspaper.
2. Subject to all conditions placed on the record during the hearing.
3. 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.

4. Applicant and its successors in interest shall comply with all applicable state, county, and municipal laws and requirements in the use of the property.
5. 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 June 27, 2012 at a duly convened meeting.

DATE:

Linda Garnett, Secretary