

PLANNING BOARD
CITY OF SOUTH AMBOY

RESOLUTION PB-9-12
RESOLUTION TO APPROVE USE VARIANCE RELATED TO ALL PURPOSE TRAINING
FACILITY TO BE LOCATED IN EXISTING BUILDING - BLOCK 105, LOT 1, LANDS OF
THE CITY OF SOUTH AMBOY

WHEREAS, application has been made by Absolute Fitness, NJ, ("Applicant") to the Planning Board of the City of South Amboy ("Board") for use variance approval related to the use of approximately one-half of an existing building located on property located at 603 Washington Avenue, South Amboy, (Block 105, Lot 1) (the "Property"); and

WHEREAS, the Applicant was represented by Federick J. Kalma, Esq.; and

WHEREAS, Applicant will be a tenant in a portion of the Property; and

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

WHEREAS, Applicant seeks to operate an all-purpose training facility in a portion of the building, which is not a permitted use in the Zone; and

WHEREAS, the Planning Board held a public hearing on June 27, 2012 and has carefully considered the application as well as the testimony and exhibits presented by the Applicant; and

WHEREAS, the Planning Board considered the June 13, 2012 report of Angelo Valetutto, P.E., P.P., which report was entered into the record and acknowledged by the Applicant; and

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


1. Applicant seeks a use variance to utilize a portion of an existing building for an all-purpose training facility.

2. The use proposed by the Applicant will involve a maximum of 10 clients per hour and two employees.
3. The proposed use of the building will be less intense than the permitted uses and less intense than the uses for which site plan approval was obtained in 2000.
4. The Board's Engineer, Angelo Valetutto, P.E. prepared a report dated June 13, 2012, which was reviewed by the Applicant and made a part of the record.
5. The Application does not involve any interior or exterior structural changes to the existing building.
6. That the Applicant has put forth evidence to justify the grant of a use variance.
7. 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.

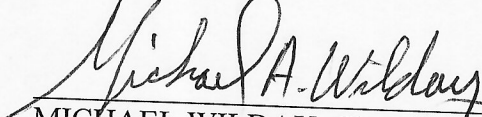
NOW, Therefore Be It Resolved by the Planning Board in the City of South Amboy in the County of Middlesex and State of New Jersey on this 25th day of July, 2012 a Use variance is hereby granted subject to the following conditions:

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. Satisfaction of all conditions set forth in the June 13, 2012 report of Angelo J. Valetutto, P.E., P.P. and all conditions placed on the record.
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 July 25, 2012 at a duly convened meeting.

DATE:

Linda Garnett, Secretary