

QUINTON TOWNSHIP PLANNING BOARD

RESOLUTION NO.: 10-10

RESOLUTION GRANTING BULK VARIANCE APPROVAL

RE: BLOCK 2, LOT 22 (8 Hemple Road - Hengeli)

WHEREAS, an application was made to the Quinton Township Planning Board (the "Planning Board" or the "Board") by KEVIN HENGELI, whose address is 8 Hemple Road, Quinton, New Jersey, for Bulk Variance Approval to allow for the construction of a new single family residence of 1,372 square feet on the property located at 8 Hemple Road, within a P-BR Zoning District, and more particularly known as Block 2, Lot 22 on the Official Tax Map of Quinton Township (the "Property") and depicted and described in a Variance Plan prepared by Dale E. Boston, P.L.S. & P.P. (N.J. Lic. No. 32648) of Boston and Seeberger, 13 Carroll Avenue, Pennsville, New Jersey 08070, dated March 26, 2010 and in any other plans and materials filed with the application, all of which are incorporated by reference herein; and

WHEREAS, the Board determined that it has jurisdiction to hear the application, and that same is complete and in conformity with the Ordinance and the Municipal Land Use Law except for any matters that must be resolved as conditions of this approval; and

WHEREAS, at its May 11, 2010 meeting, the Board heard testimony and representations from the applicant, Kevin Hengeli ("Hengeli") and provided an opportunity for interested persons to make statements or ask questions about the application; and

WHEREAS, Hengeli provided testimony regarding the proposed 1,372 square foot single family residence that is being proposed to be constructed on the Property. In particular, Hengeli testified that he must remove the existing house that is on the Property due to a serious termite infestation that cannot be corrected. Hengeli testified that the new residence will be located further back on the property which will result in better visibility. Hengeli also testified that he cannot put the new residence in a location that would not require a bulk variance due to the existence of an existing septic system and the location of trees, both of which impact the location of the new residence; and

WHEREAS, Hengeli provided reasons as to why the positive and negative criteria have been met. With regard to the positive criteria, Hengeli explained that the Property is unique in character because it is small in size and the existence of the septic system and trees creates a hardship. With regard to the negative criteria, Hengeli explained that the construction of the 1,372 square foot residence will not be detrimental to the public or substantially impair the zoning ordinance or its intent; and

WHEREAS, Lawrence DiVietro, Jr., P.P., P.L.S. the Planning Board Planner and Andrew Hogg, P.E., the Planning Board Engineer, provided a review letter dated April 8, 2010, in which they summarized the application and advised the board to obtain testimony regarding the positive and negative criteria; and

WHEREAS, no members of the public commented with respect to this application; and

WHEREAS, after hearing the above testimony and representations, reviewing all application materials, considering the Planning Board Engineer's review correspondence, and discussing the application with the Planning Board Engineer, Planner and Solicitor, the Board made the following findings and conclusions:

- a. The property is located in a P-BR zoning district.

b. The applicant proposes to construct a 1,372 square foot single family residence. In order to construct the residence, the applicant requires the following bulk variances:

1. Lot Area- .934 acres where 3.9 acres is required.
2. Lot Width- 181.5 feet where 300 feet is required.
3. Lot Depth- 224.17 feet where 300 feet is required.
4. Front Yard- 33.6 feet where 50 feet is required (existing shed)
5. Front Yard- 4.8/22.0 feet where 50 feet is required (existing house)
6. Side Yard- 9.5 feet where 50 feet is required (existing garage)
7. Side Yard- 46.5 feet where 50 feet is required (existing shed)

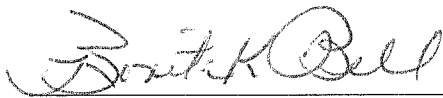
c. The applicant has satisfied the positive and negative criteria for those reasons set forth by Hengeli.

NOW, THEREFORE, BE IT RESOLVED by the Quinton Township Planning Board that for the reasons set forth above, the applicant's bulk variance application is hereby granted subject to the following conditions:

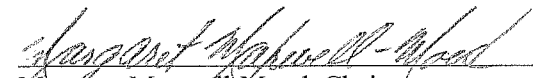
1. The applicant must pay any and all required fees and escrow replenishment amounts that are due or may become due to the Township within seven (7) days notice thereof.
2. The applicant must comply with all representations made through any representative during the course of its presentation to the Board and in all documents filed with the application.
3. The applicant must obtain approvals or letters of inapplicability from all other agencies having jurisdiction over the applicant's proposed development.

The undersigned, Chairman of the Quinton Township Planning Board, hereby certifies that the above is a true copy of a resolution adopted by said Board on June 8, 2010 to memorialize action taken on May 11, 2010.

Attest:



Bonita Bell, Secretary
Quinton Township Planning Board



Margaret Maxwell-Mood, Chairperson
Quinton Township Planning Board

VOTE:

ayes 9 _____
 nays 0 _____
 other 0 _____