

**RESOLUTION NO. 2020-007
PILESGROVE TOWNSHIP PLANNING BOARD
RESOLUTION MEMORIALIZING THE GRANT
OF BULK VARIANCE SUBJECT TO CERTAIN CONDITIONS, TO APPLICATION
NO. 2019-008
BRIAN SHEETS
(BLOCK 21.02, LOT 6)**

**Approved: February 19, 2020
Memorialized: May 20, 2020**

WHEREAS, an Application was filed by BRIAN SHEETS (Applicant), whose mailing address is 11 Two Penny Run, Pilesgrove, New Jersey 08098, for bulk variances for lot coverage and total square footage of multiple sheds and all current preexisting non-conforming conditions, for the construction of a 300 square foot shed located on the Property known as Block 21.02, Lot 6 on the Pilesgrove Township Tax Map and more commonly known as 11 Two Penny Run, Pilesgrove, New Jersey 08098. Property being located in a SR – Single Family Residence Zoning District. The shed being depicted on a survey entitled Variance Plan for Brian Sheets prepared by Land Engineering, LLC whose mailing address is 84 East Grant Street, Suite 1, Woodstown, New Jersey 08098 and signed by James A. Clancy, Professional Engineer and Land Surveyor, New Jersey License Number 33998, being constituted of one (1) sheet; and

WHEREAS, James H. McKelvie, P.E., CME, the Pilesgrove Township Planning Board Engineer, having reviewed the Application and rendered a review letter thereon dated August 20, 2019 (Engineer’s Letter); and,

WHEREAS, the Application was deemed complete, with waivers requested by the Board; and

WHEREAS, notice to the public was required in accordance with the Township Ordinance and Municipal Land Use Law (MLUL); and

WHEREAS, notice was provided in accordance with the Township Ordinances and the MLUL; and,

WHEREAS, the Board determined that it has jurisdiction to hear the Application and proceed with a public hearing on the Application on the regular meeting of the Pilesgrove Township Planning Board convened on February 19, 2020; and,

WHEREAS, the Board heard testimony from the Applicant; and

WHEREAS, hearing the above testimony and representations, the Board made the following findings of fact:

1. The Property is in an SR – Single Family Residential Zoning District. The Property is located on 11 Two Penny Run, Pilesgrove, New Jersey 08098.
2. There is currently a two-story family dwelling, deck, framed shed, and an inground pool with framed pool house on the Property.
3. The Applicant is requesting approval for a preexisting 288 square foot shed and an additionally proposed 300 square foot shed along with any and all other preexisting non-conforming conditions.
4. The Applicant is now requesting bulk variances as follows:
 - a. Lot coverage – 26.6% proposed, 12% permitted.
 - b. Square footage of multiple sheds 588 feet proposed, 450 feet permitted.
 - c. Side yard set-back 16 feet proposed, and 40 feet permitted.
5. The Applicant is also requesting that all preexisting non-conforming conditions on the Property not already approved be reconsidered and approved by the Board.
6. The Applicant testified that he needs the shed for additional storage.
7. As it relates to the variances requested the Applicant testified to the following positive and negative criteria:

Positive: The purpose of the MLUL would be advance by this deviation from the zoning ordinance and the benefits from this deviation outweigh any detriment to the public good.

Negative: The garage installed would not be a detriment to the public good and would not substantiate impair the intent of the zoning ordinance.
8. The Board next reviewed the technical section of the Engineer’s letter. The Applicant agreed to comply with all comments and requirements in the Engineer’s letter subject to the Engineer’s approval.

BE IT THEREFORE RESOLVED on this ____ day of _____, 2020 by the Pilesgrove Township Planning Board, bulk variances and all pre-existing nonconforming conditions for the construction of a framed one story garage as further depicted on the survey submitted is granted with the waivers requested, subject to the following conditions:

1. To comply with all comments and requirements contained in the Engineer's letter, subject to Engineer's satisfaction.
2. To pay any and all required fee's which are due or may become due to the Township within seven (7) days notice thereof, including, but not limited to, settlement of any outstanding review escrow accounts.
3. Obtaining any and all other approvals for the proposed revisions that may be required by any governmental/regulatory body including, but not limited to the Salem County Planning Board. Applicant's engineer shall certify that said approvals have been received.

BE IT FURTHER RESOLVED that in the event the above caption and revisions are not satisfied within two (2) years from the date of the granted approval, the relief granted herein shall be denied retroactively to said approval date.

BE IT FINALLY RESOLVED that the Applicant is hereby placed on notice that:

1. The Applicant shall comply with all representations made during the hearing and all filed documents.
2. Applicant shall indemnify and hold the Board harmless from any and all claims of any kind which may result of any deficiency in the Application.
3. During construction Applicant shall correct any condition causing corrosion and/or negative effect upon the community wherein three (3) days' notice or any lesser time deemed required from or by the Township Engineer.
4. Applicant shall be responsible for locating the improvements in accordance with the ordinance and/or this Resolution. Same may be required by the retention of a professional land surveyor, engineer, etc. to ensure compliance with the Ordinance. Applicant expressly understands that the Township shall be responsible for locating the improvements and if same or not in compliance with the ordinance and/or this Resolution, Applicant shall be obligated to remove said non-confirmative improvements and re-locate them with in accordance with the zoning requirements or

- this resolution.
5. Any additional site improvements or modifications to the approved plan require approval from the Pilesgrove Township Planning Board.
 6. The Applicant shall comply with any and all ordinance and MLUL bond requirements.

PILESGROVE TOWNSHIP PLANNING BOARD

BY: _____
JEFFREY STRING, Chairperson

ATTEST:

RITA SHADE, Secretary

ACKNOWLEDGMENT

I, Brian Sheets, the applicant, hereby certify I reviewed the within Resolution, and realize the Board has relied upon all representations as an essential element in granting this approval. I acknowledge I have the absolute right to request the rescission of this approval within 45 days of the adoption of the Resolution, subject to payment of any and all fees associated therewith. I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are wilfully false, I am subject to punishment.

Dated: _____
Brian Sheets, Applicant

X:\My Documents\CLIENT FILES - PILESGROVE PLANNING BOARD\Sheets\Resolution.docq