

**RESOLUTION 2020 - 17
ZONING BOARD OF ADJUSTMENT
TOWNSHIP OF MEDFORD
COUNTY OF BURLINGTON, STATE OF NEW JERSEY
GRANTING BULK VARIANCE APPROVAL
TO STEVEN AND BONNIE GRIFFITH
FOR PROPERTY KNOWN AND DESIGNATED AS
BLOCK 2909, LOT 8
AKA 23 HOLLY DRIVE
MEDFORD, NEW JERSEY**

ESL-218

WHEREAS, The Zoning Board of the Township of Medford, County of Burlington, State of New Jersey (hereinafter referred to as the “Zoning Board”) has received an application for bulk variance approval for property known and designated as Block 2909, Lot 9, AKA 23 Holly Drive, Medford, New Jersey, (hereinafter referred to as the “Property); and

WHEREAS, the Owner/Applicant is pro se, appearing in their individual capacity; and

WHEREAS, the property is located in the GD Zone; and

WHEREAS, in conjunction with the application, the Applicant has submitted and the Zoning Board has reviewed the following documents which have been entered into evidence:

- A-1 Land Development Application received January 21, 2020.
- A-2 Checklist for Zoning Variance Applications received January 21, 2020.
- A-3 Survey Map dated October 17, 2019, received November 1, 2019.
- A-4 Building and Lot Coverage Worksheet received January 15, 2020.
- A-5 Proposed Site Plan dated January 15, 2020 and received January 15, 2020.
- A-6 Taylor Design group letter (2 pages) dated February 23, 2020.

WHEREAS, at a public hearing held on February 19, 2020 the Zoning Board received uncontroverted factual testimony as follows:

1. The Applicant, Steven Griffith, testified that he is the owner of 23 Holly Drive.
2. The Applicant purchased the subject property in or about December 2019.
3. The previous dwelling located on the site was demolished due to health and safety concerns.
4. The purpose of the application is to obtain bulk variance approval for a pending construction of a one story dwelling that will resemble a ranch styled home.
5. The required side yard setback is 30 feet, whereas the proposed side yards are 17.5 feet each.
6. The permitted building coverage is 12%, whereas the proposed building coverage is 12.66%.
7. The Applicant testified that the proposed construction is consistent with the neighborhood.
8. The Applicant testified that the benefits of the proposed variance substantially outweigh any detriments because the proposed application mirrors the current neighborhood scheme.
9. The Applicant further testified that the variance will not substantially impair the intent and purpose of the Township of Medford's zoning plan and zoning ordinance.
10. The Applicant testified that the layout of the construction will add to the aesthetics of the neighborhood and further promote a desirable visual environment.
11. Public comment was heard on this proposal, for which Michael Cugini of 30 Holly Drive testified as follows:
 - a. He is the owner of the dwelling immediately across the street from the applicant's lot.

- b. He has owned 30 Holly Drive since 1995.
- c. That the applicants proposed construction, with the requested bulk variance relief would be consistent with the neighborhood scheme because generally, all homes in that neighborhood have side yard setbacks of less than 17 feet, whereas the Applicant is requesting 17.5 feet.

12. After consulting with members of the Zoning Board, and the Applicant, it was agreed that a Bulk Variance, pursuant to the provisions of N.J.S.A. 40:55D-70(c)(2) is granted, inasmuch as sufficient proofs have been presented to the Zoning Board.

WHEREAS, the Applicant has complied with all notification requirements of the Township Land Use Ordinance; and

WHEREAS, all real estate property taxes and required fees have been paid in full to date.

NOW, THEREFORE, BE IT RESOLVED this 19th day of February 2020, by the Zoning Board of Adjustment of the Township of Medford, County of Burlington, State of New Jersey, that the aforementioned use variance application submitted in accordance with the provision of N.J.S.A. 40:55D-70(c)(2) is hereby granted.

In so approving the aforementioned application, the Zoning Board has made the following findings of fact:

1. The Applicant is the owner of the property and therefore has a proprietary interest in the application.
2. All required fees and real estate property taxes have been paid in full to date.
3. The Applicant has complied with all notification requirements of the Township Land Use Ordinance.

4. The application is therefore a “complete” application as defined by the New Jersey Municipal Land Use Law. In addition, the Zoning Board formally takes jurisdiction of this application.
5. The application has provided uncontroverted factual testimony to legitimate the findings of the Zoning Board that granting Bulk Variance relief will:
 - a. Effect a single specific piece of property;
 - b. Advance the purposes of the MLUL;
 - c. That the benefits of the proposed variance substantially outweigh any detriments;
 - d. There is no substantial detriment to the public good; and
 - e. The variance will not substantially impair the intent of the Township of Medford’s zoning plan and Zoning Ordinance.
6. The Applicant has provided sufficient testimony and proofs to grant the aforementioned bulk variance in accordance with the statutory regulations set forth hereinabove.

BE IT FURTHER RESOLVED that the Chairwoman and Secretary are authorized and designated to execute this Resolution, as well as any and all other documents in order to implement the intent of this Resolution.

BE IT FURTHER RESOLVED that this approval is based upon the documents and representations and testimony at the hearing. In addition, the Applicant will reimburse the Zoning Board within thirty (30) days of receipt of any and all invoices for professional fees expended by the Zoning Board in conjunction with this application.

BE IT FURTHER RESOLVED that a copy of this Resolution be forwarded to the Applicant and the Construction Department by the Zoning Board Secretary.

BE IT FURTHER RESOLVED that notification of this Resolution be published in an official newspaper of Medford Township by the Zoning Board Secretary within ten (10) days of its passage.

The foregoing Motion to approve this resolution was made by Mr. Umba, seconded by Mr. Simmers.

AYES: Ms. Symons, Mr. Cocivera, Mr. Hamilton, Mr. Pullman, Mr. Richards, Mr. Umba, and Mr. Simmers.

CERTIFICATION

I certify the forgoing resolution was duly adopted by the Zoning Board of Adjustment of the Township of Medford at their meeting held on February 19, 2020 and thereafter memorialized by vote of the Zoning Board of Adjustment on March 18, 2020 a quorum being present and voting in the majority.

BETH PORTOCALIS, Secretary
Medford Township Zoning Board of Adjustment