

**RESOLUTION # 2020-34
ZONING BOARD OF ADJUSTMENT
TOWNSHIP OF MEDFORD
COUNTY OF BURLINGTON, STATE OF NEW JERSEY
GRANTING BULK VARIANCE APPROVAL
FOR PROPERTY KNOWN AND DESIGNATED AS
BLOCK 6201 LOT 4
AKA 94 HINCHMAN ROAD, MEDFORD, NEW JERSEY**

ZVE-1076

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 the property owners of Block 6201, Lot 4, AKA 94 Hinchman Road, Medford, New Jersey (hereinafter referred to as the "Property"); and

WHEREAS, the Owner/Applicant of the property is James Moffa, represented by Robert Kingsbury, Esquire of Medford, New Jersey; and,

WHEREAS, the property is located in the RGD-2 Zone; and

WHEREAS, the purpose of the Application is to obtain an approval to allow the construction of an oversized shed, having dimensions of 12 ft. x 20 ft. (240 sq. ft.) whereas 168 sq. ft. is the maximum permitted. In addition the lot coverage allowed is 15%, whereby 21.75% will exist if this application is approved; and

WHEREAS, the Applicant has submitted and the Zoning Board has reviewed, and the following documents were marked into evidence:

- A-1 Checklist received August 31, 2020;
- A-2 Land Development Application received August 31, 2020;
- A-3 Picture (1) received August 31, 2020;
- A-4 Building and Lot Worksheet received August 31, 2020;
- A-5 Plan of Survey, Dated May 5, 1986;

A-6 Authorization to Enter Grounds received September 3, 2020;

WHEREAS, uncontroverted testimony from the Applicant and uncontroverted representations from the Applicant's Attorney were received at a Zoning Board Hearing held on September 16, 2020, as follows:

1. If approved, the Applicant will remove the existing shed, so that there will only be one shed on the property which will have dimensions of 12 ft. x 20 ft.
2. There is no storage area available in the home, garage, crawl-space, or attic. The Applicant needs a larger shed than the one which currently exists on the property.
3. The Applicant will be certain to adhere to the setback requirements when installing and placing the shed.
4. On the left side of the property is an approximate 12-acre vacant land property owned by the Township. On the right side of the property is an existing home.
5. The Applicant will provide new landscaping, suitable to the reasonable satisfaction of the Zoning Board Engineer and the Zoning Board Professional Planner, in order to adequately and properly shield the new shed from the adjoining property owner.
6. There will be no electric or plumbing connected to the shed.
7. The site is approximately 1 acre in size.
8. The increase in lot coverage will be less than 1%, up to 21.75%.
9. The adjoining property owner will not be able to see the shed.
10. There will be no setback violation when the shed is placed on the property.

WHEREAS, there being no public opposition or comment regarding the Application;

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

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

NOW, THEREFORE, BE IT RESOLVED this 16th day of September 2020, by the Zoning Board of Adjustment of the Township of Medford, County of Burlington, State of New Jersey, that the aforementioned Bulk Variance application to allow for the placement of the shed is hereby approved, subject to the following;

1. The shed will be placed in compliance with the setback requirements of the Township.

2. There will be no plumbing or electric connected to the shed.

3. The approval is hereby conditioned upon the Applicant applying for and receiving all appropriate Zoning and Construction Permits.

4. The Applicant will cooperate with the Zoning Board Engineer and Zoning Board Professional Planner in order to provide adequate landscaping to properly shield the shed from the adjoining properties.

5. The existing shed will be removed at the time that the new shed is placed on the property.

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 Applicant has provided sufficient proofs pursuant to the provisions set forth in N.J.S.A. 40:55D-70(c)(1) to legitimate the granting of the Application.

6. The area will be esthetically improved because the existing shed will be removed, and the new shed will be adequately buffered and shielded from the adjoining properties.

7. The Application as modified herein, is in general compliance with the Zone Plan and will not unduly impact upon the neighborhood scheme.

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. Wolf.

AYES: Mr. Cocivera, Mr. Hamilton, Mr. Wolf, Mr. Richards, Mr. Umba, Mr. Simmers and Mr. Meehan.

NAYES: none.

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 September 16, 2020 and thereafter memorialized by vote of the Zoning Board of Adjustment on October 21, 2020 a quorum being present and voting in the majority.

BETH PORTOCALIS, Secretary
Medford Township Zoning Board of Adjustment

DONNA SYMONS, Chairwoman
Medford Township Zoning Board of Adjustment