

RESOLUTION NO. 2018-12

Applicant: Steven Wahl

Property: 108 Chestnut Avenue  
Block 1412 Lot 2

Zone: R2- Single Family Detached Residential Zone

Application to construct a 24 feet X 36 feet X 16.17 feet high Pole Barn

**RESOLUTION OF THE BERLIN TOWNSHIP PLANNING/ZONING BOARD  
DENYING APPLICATION FOR A VARIANCE TO PERMIT A 24X36 POLE BARN**

WHEREAS. On February 27<sup>th</sup> 2018, the Planning/Zoning Board of the Township of Berlin, Camden County, New Jersey, considered the above application. The applicant was seeking a variance to permit the construction of a 24X36X16.16 feet high Pole Barn in the R2 Zone where a 12X20 accessory building is permitted, and

WHEREAS. The site is located in the R2-Single Family Detached residential Zone, and

WHEREAS. The Board received the variance application dated November 2<sup>nd</sup> 2017, prepared by Mark A. Rinaldi Esq. and containing the following;

1. Map of Survey revised to August 31<sup>st</sup> 2017 prepared by Arthur F. Siefert Jr. P.L.S.
2. Architectural building elevations, floor plan and details dated August 8<sup>th</sup> 2017 by Joseph S. Benedetto R.A.

All documents have been received and reviewed by Charles J. Riebel Jr. P.E., P.L.S., P.P. the Engineer for the Board. The report of the Board's Engineer is dated January 23<sup>rd</sup> 2017.

The applicant appeared before the Board and was represented by the law office of Mark A. Rinaldi Esq.,

WHEREAS. The Board determined the application was properly before the Board, having met all jurisdiction requirement. All parties present to testify were sworn-in by the attorney for the Board, and

WHEREAS. The Board determined the applicant was seeking the following a variances;

- A. to permit a 24X36 feet accessory building -where a 12X20 is permitted. Being 3.6 times larger than permitted.
- B. to permit an accessory building height to 16.16 where a 15 feet height is permitted. Being 9% higher than permitted.
- C. to permit a floor area of the accessory structure to exceed 20% of the footprint of the principal building.

WHEREAS. The applicant presented testimony that the intended use for the pole barn was parking and storage of a mobile home type vehicle. The mobile home type vehicle was not currently owned by the applicant. The applicant testified that he intended to purchase the mobile home if the application for the pole barn was approved, and

WHEREAS. The applicant also testified that he did not currently reside in the home. He testified that he might lease the home in the future, and

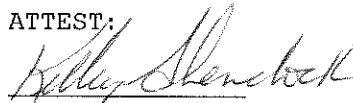
WHEREAS. The meeting was opened to the public. No public was present to participate in the hearing, and

WHEREAS. There was much discussion by the Board concerning the extreme size of the pole barn and the visibility of the size from the street area. The applicant was not prepared to bring the size in conformity with the Zoning regulations. The Board determined that the extreme size of the accessory building would be a detriment to the community and a substantial deviation from the intent and purpose of zoning.

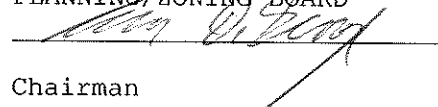
NOW THEREFORE, after considering the applicant's testimony and documents presented, it is herein RESOLVED that the application be and is hereby DENIED.

The application was denied by unanimous vote of the Board Members present and voting.

ATTEST:

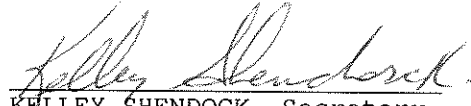
  
KELLEY SHENDOCK  
Secretary

BERLIN TOWNSHIP  
PLANNING/ZONING BOARD

  
Chairman

CERTIFICATION

I HEREBY CERTIFY that the foregoing is a true and correct copy of a Resolution adopted by the Berlin Township Planning/Zoning Board at a meeting held on February 27<sup>th</sup> 2018.

  
KELLEY SHENDOCK, Secretary