

RESOLUTION NO. 2019-7

Applicant: William Peters

Property: 261 Mt. Vernon Avenue
Block 901 Lot 17

Zone: R1- Single Family Detached Residential Zone

Application to construct a 36 feet X 56 feet X 23(+/-) feet high Pole Barn

RESOLUTION OF THE BERLIN TOWNSHIP PLANNING/ZONING BOARD
DENYING APPLICATION FOR A VARIANCE TO PERMIT A 36X56 POLE BARN

WHEREAS. On December 18th 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 36X56X23 feet high Pole Barn in the R1 Zone where a 12X20 accessory building is permitted, and

WHEREAS. The site is located in the R1-Single Family Detached residential Zone, and

WHEREAS. The Board received the variance application dated October 11th 2018, prepared by applicant and containing the following;

1. Map of Survey prepared by Donovan Surveyors.
2. drawings of building elevations, floor plan and details.

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 November 5th 2018 and Revised December 5th 2018.

The applicant appeared before the Board on December 18th 2018;

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 variances;

A. to permit a 36 X 56 X 23 feet high accessory building -where a 12 X 20 X 15 feet high assessor structure is permitted. Being 8.4 times larger than permitted.

B. to permit an accessory building height to 23 feet where a 15 feet height is permitted. Being eight feet higher than permitted.

C. to permit a floor area of the accessory structure to exceed 20% of the footprint of the principal building.

D. to permit a side yard set back at 13 (+/-) feet where 15 feet side yard is permitted.

WHEREAS. The applicant presented testimony that the intended use for the pole barn was primarily for storage of a recreational boat, and possible parking of personal trucks and possible commercial trucks used in his business, 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. The applicant failed to provide testimony to support his need or hardship for the proposed variances. The applicant was not prepared to bring the size in conformity with the Zoning regulations. The applicant also provided testimony that he intended to install electrical and possible other utilities to the proposed building, and


WHEREAS. The application was not prepared to provide testimony related to storm water run-off, grading, buffering or adjustments to the requested side yard set-back, all possible issues raised in the Board's Engineer report, and

WHEREAS. The Board determined that the extreme size of the proposed 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 *January 29, 2019*


KELLEY SHENDOCK, Secretary