

RESOLUTION NO. 2021-8

**Applicant:** William Westerby

**Property:** 185 Haddon Avenue  
Block 601, Lot 13

**Zone:** CBD-Central Business Zoning District

**Application:** Minor Subdivision, Use Variance, Bulk Variance and Waivers

**Whereas:** the Applicant, William Westerly, with the consent of the owner Pantelis Giovetsis, III, is the intended purchaser of the lands and premises situate at 185 Haddon Avenue, Block 601, Lot 13, which property is located in the CBD-Central Business Zoning District. The Applicant proposes to subdivide Block 601, Lot 13 to create a lot fronting Bishop Avenue, which shall be known as Lot 13.01, and a lot fronting Haddon Avenue, which shall be known as Lot 13. The Applicant also requests a use variance for proposed Lot 13.01, to permit the construction of a single family residence, with a variance to permit a total lot area of 7,500 square feet, where the Ordinance requires a minimum lot area of 10,000 square feet. The Applicant is also requesting certain waivers from Sections 340-129.A and 340-131.D of the Zoning Ordinance; and

**Whereas:** the Applicant has submitted a Minor Subdivision Plan, dated November 5, 2020, prepared by Robert Scott Smith, P.L.S. P.P., of Key Engineers, Inc. in support of the Application and the Applicant and his Professional Planner have given testimony in support of the Application; and

**Whereas:** the Applicant has withdrawn his request for a use variance for proposed Lot

13, to permit the construction of a single family home on such lot; and

**Whereas:** the Board has considered that certain Review Letter dated November 17, 2020, prepared by Charles J. Riebel, Jr., P.E., P.L.S., P.P., C.M.E., Township Engineer for Berlin Township; and

**Whereas:** the Board has given careful consideration to the application and testimony of the Applicant and the Applicant's expert, and has reviewed and considered the Review Letter dated November 17, 2020, prepared by the Township Engineer, and finding that the granting of a Minor Subdivision, which will create two (2) from the lands situate at 185 Haddon Avenue, Block 601, Lot 13, with a use variance for proposed Lot 13.01, and a bulk variance for proposed Lot 13.01 to permit a lot area size of 7,500.00 square feet, will not be a detriment to the existing zoning ordinance or the public good, and it further appearing that the public was given an opportunity to question the Applicant, and no member of the public objected to the relief requested by the Applicant.

**NOW THEREFORE, BE IT RESOLVED,** by the Planning/Zoning Board of the Township of Berlin as follows:

1. The Applicant is granted a Minor Subdivision Approval regarding the lands situate at 185 Haddon Avenue, Block 601, Lot 13, in accordance with the Minor Subdivision Plan dated November 5, 2020, prepared by Robert Scott Smith, P.L.S. P.P., of Key Engineers, Inc., subject to the revisions required and set forth in that Review Letter dated November 17, 2020, prepared by Charles J. Riebel, Jr., P.E., P.L.S., P.P., C.M.E., Township Engineer for Berlin Township.

2. The Applicant is granted a use variance for proposed Lot 13.01, with a bulk so as to permit the construction of a single family residential home on proposed Lot 13.01, together with bulk variances to permit proposed Lot 13.01 to have a lot size of 7,500 square feet, and a side yard set-back of 5 feet on both side yards, conditioned on the following requirements:

A. Any residential home constructed on proposed Lot 13.01 shall conform with the front yard set-back of the existing residential home on Block 601, Lot 4.

B. The Applicant or subsequent owner shall replace the concrete curb and sidewalk along proposed Lot 13.01 (Bishop Avenue).

C. The Applicant shall grant a five (5) foot shade tree easement to the Township of Berlin along the front property line of proposed Lot 13.01 (Bishop Avenue).

3. The Applicant is granted the following waivers:

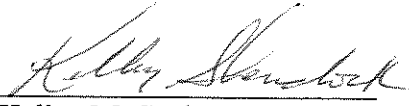
A. A waiver from Section 340-129.A of the Zoning Ordinance to permit the parking for the proposed dwelling to be within the front yard.

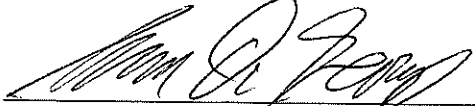
B. A variance from Section 340-131.D of the Zoning Ordinance to allow air conditioning units, exhaust pipes and telecommunication devises associated with the residential dwelling to be constructed, to be unscreened from view.

4. This Minor Subdivision Plan Approval, with use variance, bulk variances and waivers are further conditioned upon the Applicant obtaining any and all other approvals which may be required from any and all other State, County or Local governmental agencies.

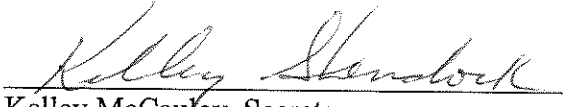
Attest:

Township of Berlin Planning/Zoning Board

  
Kelley McCauley  
Secretary

  
Craig DeGeorge  
Chairman

The undersigned, Secretary of the Township of Berlin Planning/Zoning Board, hereby certifies that the above is a true copy of a resolution adopted by the Board on the 12 day of January, 2021.

  
Kelley McCauley, Secretary  
Township of Berlin Planning/Zoning Board