

RESOLUTION No. 2024-21

Applicant: Peter Kania

Property: Block 1814 Lot 14
324 Hazel Avenue

APPLICATION FOR A VARIANCE TO PERMIT THE CONSTRUCTION OF A NEW TWO STORY RESIDENTIAL DWELLING ON AN EXISTING UNDERSIZED LOT - with variance

TOWNSHIP OF BERLIN
MEMORIALIZING RESOLUTION
OF
PLANNING/ZONING BOARD GRANTING THE CONSTRUCTION
OF A NEW TWO STORY DWELLING ON AN EXISTING UNDERSIZED LOT

WHEREAS. On August 27th 2024, the Planning/Zoning Board of the Township of Berlin, Camden County, New Jersey, considered the above application to permit the construction of a new two story dwelling on an existing undersized lot, and

WHEREAS. The Board determined that the applicant was properly before the Board with appropriate notice and proof of publication being submitted. Appearing was the applicant Peter Kania, and

WHEREAS. The applicant submitted a Boundary and Topographic Survey prepared by William A. Stevens PE, PP of Professional Design Services LLC The survey Plan is dated January 5th 2024. and the use intended by the applicant is a permitted use. The applicant was represented by John J. Jackson III Esq. The plans having been reviewed by Gregory B. Fusco PE., PP, CME. he Certified Municipal Engineer for the Board. The report of the Board's Engineer is dated July 30th 2024 and is made a part of this approval. The property is located in a R-2 Residential Zoning District, and the use intended by the applicant is a permitted use.

WHEREAS. All intended witnesses were sworn-in by the Board Solicitor,

WHEREAS. The applicant purchased the property from the Township of Berlin at a Public Land Sale. The applicant intends to construct a new residential two story dwelling.

WHEREAS. Following a review of the application, and the receipt of testimony, the Board determined;

The lot is a pre-existing 50X100 lot (5,000 sq. ft.). The Township zoning ordinance requires a lot size of 10,000 sq.ft. The lot has a pre-existing frontage at 50 feet where the ordinance requires frontage at 85 feet. The applicant is proposing a lot front yard set back at 15 feet where the ordinance requires 30 feet, and the applicant is proposing a side yard set back at 10 feet where the ordinance requires 14 feet.

WHEREAS. There was much discussion on side yard set back proposed. The applicant agreed to work with the Board engineer and to adjust the proposed street side yard set back to 15 feet with the resulting set back on the neighboring home to be 13 feet.

WHEREAS. There was discussion on the need for two car off-street parking. The applicant is proposing a garage driveway to provide for off street parking.

WHEREAS. The applicant provided testimony that there was no objection to the comments provided by the Board Professional, report dated July 20th 2024.

WHEREAS. The application was open to the public for comment. There was objection presented by the public concerning the lot being undersized as compared to other lots in the neighborhood, and that development of the lot could have a negative impact on other homes in the neighborhood. There was also voice concern over storm water run off to other adjoining properties.

WHEREAS. From the testimony presented the Following the public portion, the Board determined that granting the variance request will not be a substantial deviation from the intent and purpose of zoning for the area and will not cause a substantial detriment to the community.

NOW THEREFORE, after considering the foregoing, it is herein RESOLVED that the above application to construct a two story residential home on a 5,000 sq.ft. s hereby GRANTED.


BE IT FURTHER RESOLVED, the following variances are hereby GRANTED

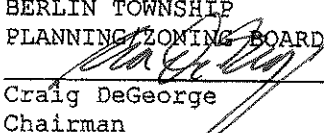
- a. Front yard set back to 15.00 feet is hereby granted
- b. A side yard set back to 15 feet on neighboring home side and a 13 feet set on street side is hereby GRANTED
- c. The pre-existing lot width at 50X100 feet is confirmed and granted.
- d. The pre-existing lot area to 5,000 sq.ft is confirmed and granted.

BE IT FURTHER resolved that as a condition of this approval the applicant shall

- a. Provide for 2 off street parking.
- b. Provide sidewalk along the frontage of the property at both Hazel Avenue and Division Street
- c. The storm water run-off from the dwelling roof must be stored and infiltrated on the lot.
- d. Any trees removed from the lot must be replaced in accordance with the Township Tree Ordinance and existing tree with a breast height diameter of 10 feet or greater must be shown on the grading plan.

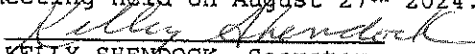
ATTEST:


KELLY SHENDOCK
Secretary

BERLIN TOWNSHIP
PLANNING/ZONING BOARD

Craig DeGeorge
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 August 27th 2024.


KELLY SHENDOCK, Secretary
Memorialized 9-24-2024, 2024