

RESOLUTION NO. 2024 –16

**RESOLUTION OF THE PLANNING/ZONING BOARD OF THE
TOWNSHIP OF ELK, COUNTY OF GLOUCESTER, STATE OF
NEW JERSEY, GRANTING BULK VARIANCE RELIEF TO
HARRY HOLMES AND SERENA HOLMES FOR 930 AURA
ROAD, MONROEVILLE, NEW JERSEY, BLOCK 54, LOT 26.03**

Application No.: ZB-24-03

Approval

C Variance

Applicants: Harry Holmes and Serena Holmes

December 18, 2024

BE IT RESOLVED, by the Planning/Zoning Board of the Township of Elk, County of Gloucester, State of New Jersey (“the Board”) that:

WHEREAS, the Applicants Harry Holmes and Serena Holmes (“the Applicants”) filed an Application to the Board for the property known as 930 Aura Road, Glassboro, New Jersey otherwise known as Block 54, Lot 26.03 on the Tax Map of the Township of Elk Township (the “Property”); and

WHEREAS, the Applicants provided the required public notice of this Application; and

WHEREAS, the Application was subject to a public hearing on December 18, 2024; and

WHEREAS, the Applicant was represented by David A. Thatcher, Esq.; and

WHEREAS, the Applicant introduced the following exhibits:

- **A-1** Revised Survey of Premises, dated September 27, 2023, prepared by Ewing Associates.

WHEREAS, the Applicants seek approval to permit construction of a single-family dwelling, driveway, septic field, well, and associated site improvements at a

property located on the west side of Richwood-Aura Road, south of the intersection with Whig Lane Road; and

WHEREAS, the following bulk variance relief was requested:

<u>Type</u>	<u>Required</u>	<u>Existing</u>	<u>Proposed</u>
Lot Size	80,000 Sq. Ft.	60,414 Sq. Ft.	60,414 Sq. Ft.
Minimum Width at Building Line	150 Ft.	N/A	148.58 Ft.

WHEREAS, the Board Planner testified that the Property is situated in the RE Zone and Applicants previously came before the Board and received Minor Subdivision and Bulk Variance approval per Board Resolution #2011-18. The Property is a result of said subdivision. Board Resolution #2011-18 further granted bulk variances for lot width and lot area but stipulated that variances will expire if not acted upon within two years of the date the variance was granted.

WHEREAS, Applicants testified in support of the Application that they are seeking to renew the variance approvals granted pursuant to Board Resolution #2011-18. Applicants seek to build a home for themselves on the Property or sell the Property as a buildable lot. The lot size is an existing nonconformance previously approved by the Board, and the lot width at the building line requires *de minimis* variance relief of approximately one and a half feet.

As a condition of approval, the Applicants will follow all recommendations contained in the October 30, 2024 review letter from Bach & Associates.

WHEREAS, the Application was opened to public comment and no members of the public testified.

WHEREAS, the Board finds that the benefits in granting the proposed variances substantially outweigh any detriments in accordance with N.J.S.A. 40:55D-70(c) and find that the granting of the variance will not be a detriment to the public good or substantially impair the intent of the zone plan and zoning ordinances; and

WHEREAS, after considering all the evidence and testimony presented on behalf of the Application, the Board made the following findings of fact:

1. The subject property is located in the RE Zone and the Application seeks to renew now-expired variance approvals the Board previously granted pursuant to Board Resolution #2011-18.

2. The Board finds the benefits in granting the proposed variances substantially outweigh any detriments in accordance with N.J.S.A. 40:55D-70(c). The Board further finds that the variance can be granted without a substantial detriment to the public good and will not be detrimental to the zone plan or zoning ordinance.

3. The Board further finds that the granting of variance relief will further the purposes of zoning and the Municipal Land Use Law. The improvement will benefit the subject property by providing better use of the available space at the property. The improvements promote the general welfare and promote a desirable visual environment.

WHEREAS, the Board finds the Applicants have met their burden in order to grant the C Variance relief requested.

NOW THEREFORE BE IT RESOLVED that the Board specifically adopts the preamble of this Resolution as its findings of fact, and conclusions of law, and has relied upon these findings in the decision rendered by the Board; and

BE IT THEREFORE FURTHER RESOLVED by the Planning/Zoning Board of the Township of Elk on this **18th day of December, 2024**, that the Board hereby grants

the Application of Harry Holmes and Serena Holmes for variance relief pursuant to N.J.S.A. 40:55D-70(c) subject to the following conditions:

1. The Applicant shall comply with the recommendations of the Board Planner and/or Board Engineer contained in the October 30, 2024 review letter of Bach & Associates to the extent that the reports do not conflict with any other conditions contained herein, and shall submit revised plans, if necessary, in accordance with reports.

2. The Applicant shall comply with all representations made by or on behalf of the Applicants during the public hearing.

3. The Applicant shall pay all taxes, fees and required escrows deposits which may be due and owing.

4. The Applicant shall secure any and all other approvals, licenses and permits required by any of the Board, Agency, or entity having jurisdiction over the subject application or over the subject property.

BE IT FURTHER RESOLVED that all representations, commitments and agreements made by the Applicant or its representatives at the hearing in this matter or contained in any document, plat, sketch or submission delivered to the Board at any time prior to this approval, including notes contained in the original or revised submissions will be considered as conditions of approval of this Application for the development and are hereby incorporated into this resolution by reference.

As to the C Variance

Moved by: Mr. Hughes, seconded by Mr. Wolf, and so ordered by the following roll call vote:

In favor of Approval: Mr. Goetsch, Mr. Hughes, Mr. Lucas, Mr. McKeever, Mrs. Nicholson, Mr. Richardson, Mr. Wolf, Mr. Swanson, Mr. Afflerbach

Opposed to Approval: None

The following resolution was memorialized on January 15, 2025, by the following vote:

Moved by: Mr. Hughes


Seconded by: Mr. Goetsch

In favor of approval of adoption of resolution: Mr. Goetsch, Mr. Hughes, Mr. Lucas, Mr. McKeever, Mr. Richardson, Mr. Wolf, Mr. Swanson and Mr. Afflerbach

Opposed to approval: None

Abstained: None

I certify that the foregoing is a true copy of a Resolution approved by the Zoning Board of Adjustment of the Township of Elk on December 18, 2024, and memorialized on January 15, 2025.



Matthew Afflerbach, Chairman



ANN MARIE WEITZEL
SECRETARY OF THE PLANNING/ZONING BOARD OF THE
TOWNSHIP OF ELK