

REC-0017

RECEIVED



ZONING BOARD OF ADJUSTMENT
TOWNSHIP OF ELK

JUN 23 2025

TOWNSHIP OF ELK
PLANNING BOARD

NOTICE OF APPEAL
(BULK VARIANCE APPLICATION FORM)

APPEAL NO.: 213-25-02

DATE: 7/23/2025

Appeal is hereby made by the undersigned (check applicable item or items):

For a variance or special exception from the terms of the Zoning Ordinance of the Township of Elk

From the action or decision of the Zoning Administrative Officer

Appellant: Michael D'Orazio

Address: 110 Pond View Ct

Monroeville, NJ 08343

Appellant's Signature: Michael D'Orazio

Phone Number: _____ email: _____

Interest of appellant, if not the owner (agent, lessee, etc.): _____

Property Owner's Name: Michael D'Orazio

Address: 110 Pond View Ct

Monroeville, NJ 08343

Property Owner's Signature: Michael D

Property Owner's Signature: _____

Phone Number: _____ email: _____

All titled owners of the property must sign the application evidencing their consent to the application.
Please attach a separate sheet for signatures, if necessary, and provide a copy of the current deed of ownership.

Owner's Name: N/A

Address: _____

Phone Number: _____ Fax: _____ email: _____

Application relates to (check applicable item or items):

- Use
- Existing Building
- Lot Area
- Proposed Building
- Yards
- Other Bulk Variance
- Height

Brief description of real estate affected:

Block 36 Lot 1.06 Lot size 1.06 Acreage Street Address 110 PondView Ct

Present use: Residence

Proposed use: _____

Present zoning classification: RE

Present improvements upon land: _____

If this is an appeal from action of the Zoning Administrative Officer, complete the following:

Date of determination made: _____

Your statement of alleged error: _____

Specify which Township Ordinance section(s) relief is requested: Current 596-66M(6)(a) / 596-72 ^{5' setback when development was created}

What are the EXCEPTIONAL conditions of property preventing the applicant from complying with the Zoning Ordinance(s)? Position of driveway within setback which modify the location with cause significant hardship and cost

Action desired by appellant: Variance to leave driveway as is without any modifications

Reasons appellant believes Board should approve desired action: Driveway remains fully within my property line and closely aligns w/ original development conditions approved. It is a minor deviation and doesn't impact adjacent property or public safety. Strict enforcement w/ create unnecessary hardship w/out providing any material zoning benefit. Would create hardship financially to change, and negatively impact my family of 7 by limiting safe on-street parking, forcing cars into street create safety hazards for residents & emergency vehicles

Has there been a previous appeal, request, or application to this or any other Township Boards or the Construction Official involving these premises?: Yes No

If "yes," state the nature, date and the disposition of said matter and attach copies of all prior resolutions of this or any other Land Development Board.

N/A





September 3, 2025

Elk Township Planning/Zoning Board
680 Whig Lane
Monroeville, NJ 08343

Attn: Ann Marie Weitzel, Board Secretary

Re: Michael D'Orazio
110 Pondview
Block 36 Lot 1.06
Bulk Variance
RE Rural Environmental Residential District
Elk Township Application ZB-25-02
Bach Associates Proj. No. ETPB2025-5

Dear Chairman Afflerbach and Members of the Board:

Our office has received the following items submitted for the above referenced project:

1. Notice of Appeal (Bulk Variance Application Form) and attachments.
2. Survey entitled "Final Plam [sic] of Survey, 110 Pond View Court, Lot 1.06, Block 36, Township of Elk, County of Gloucester, State of New Jersey", prepared by Bryson & Yates Consulting Engineers, LLC, dated 7-09-25, no revision.

PROJECT SUMMARY/HISTORY:

The application is for a bulk variance to permit an approximately 2,615 sf driveway at a property located on the easterly side of Pondview Court. The property currently contains a 2-story frame dwelling, in-ground swimming pool, the asphalt driveway in question, and associated site improvements. The property is located within the RE Rural Environmental Residential zoning district and is surrounded by other properties also in the Rural Environmental Residential zoning district. The driveway will require a variance as listed below.

COMPLETENESS:

The application is complete. The application can be scheduled for the next available hearing.

Michael D’Orazio
 110 Pondview
 Block 36 Lot 1.06
 Bulk Variance
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ZONING

The property is within the RE Rural Environmental Zoning District which permits agricultural uses, single-family dwellings, public parks and playgrounds, and accessory uses that are customarily incidental and subordinate to the primary use on site.

The following table indicates the bulk standards for the lot based on the current RE standards for cluster development. The zoning standards are provided below.

Section	Required	Existing	Proposed	Compliance
§96-71D(2) Min Lot Size	40,000 sf	46,264	46,264	Complies
§96-71D(3) Min Front Yard Setback	50 ft	73.5	73.5	Complies
§96-71D(4) Min Rear Yard Setback	40 ft	155.6	155.6	Complies
§96-71D.(5) Min Side Yard Setback	20 ft	31	31	Complies
§96-71D.(5) Min Side Yard Setback (aggregate)	50 ft	82.7	82.7	Complies
§96-71D.(6)(a) Min Width at Building Line	100 ft	>100	>100	Complies
§96-71D.(7) Min Lot Depth	200 ft	288.14	288.14	Complies
§96-71D.(9)(a) Min Lot Frontage	80 ft	>80	>80	Complies
§96-71D.(10) Max Height	35 ft	<35	<35	Complies
§96-71D.(11) Maximum Building Coverage	20%	6	6	Complies
§96-71D.(12) Max Impervious	25%	20	20	Complies

VARIANCES:

1. Driveway Location §96-66M.(6)(a) – The applicant is proposing a driveway 0 feet from the property line where no driveway shall be within 10 feet of any property line unless such driveway is shared by the adjacent house. **A variance is required.**

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Standard of Proof for "C" Variances

The applicant must provide testimony to justify the requested variances. For a C(1) variance, the applicant must demonstrate that the strict application of the zoning regulations to the property create a hardship or result in exceptional practical difficulties by reason of the exceptional shape of the property or the exceptional topographic conditions uniquely affecting the property, or the structures lawfully existing upon the property.

For a C(2) variance the applicant must show that the proposed variance advances the purposes of municipal land use law and that the benefits of the deviation would substantially outweigh any detriments. The applicant should address whether the proposed variance will substantially impair the intent of the Master Plan or zoning plan and whether there are any potential impacts to the public good.

We reserve the option to make additional comments as more information becomes available.

Should there be any questions or if additional information is required, please contact the undersigned at (856) 546-8611.

Very truly yours,
BACH ASSOCIATES, PC



Steven M. Bach, PE, RA, PP, CME
President



Candace Kanaplue, PP, AICP
Associate

Cc: Brandon E. DeJesus, Esq., Board Solicitor
Michael D'Orazio, Applicant/Owner
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