



October 31, 2025

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

Attn: Ann Marie Weitzel, Board Secretary

Re: John R. Staub, Jr.  
841 Clems Run Road  
Block 32 Lot 11  
Bulk Variance  
RE Rural Environmental Residential District  
Elk Township Application ZB-25-03  
Bach Associates Proj. No. ETPB2025-9

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. Land Development Checklist.
3. Photographs of the property.
4. Plan entitled "Bulk Variance Plan for John R. Staub Jr. & Victoria M. Staub, 841 Clems Run, Elk Township, Gloucester County, N.J.", prepared by Datz Engineering & Land Surveying, dated 6-10-25, no revision.

**PROJECT SUMMARY:**

The application is for a bulk variance to permit the construction of a 1,750 square foot addition to an existing 1-story dwelling as well as a 480 square foot lean-to addition to an existing pole barn. The property is located on the northeasterly side of Clems Run Road (CR 623) between Hardingville Road (CR 609) and Whig Lane (CR 619) and contains an existing 1-story brick dwelling with attached garage and rear deck, a 900 square foot pole barn, a 252 square foot shed, two concrete driveways, 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.

**COMPLETENESS:**

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

**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	80,000 sf	59,600 sf*	59,600 sf*	Preexisting Nonconformity
§96-71D(3) Min Front Yard Setback	50 ft	34.24 ft*	40.19 ft**	<b>Variance</b>
§96-71D(4) Min Rear Yard Setback	40 ft	±142 ft	93.74 ft	Complies
§96-71D.(5) Min Side Yard Setback	20 ft	15.84* ft	15.84* ft	Preexisting Nonconformity
§96-71D.(5) Min Side Yard Setback (aggregate)	50 ft	N/A	N/A	N/A
§96-71D.(6)(a) Min Width at Building Line	150 ft	±380 ft	±380 ft	Complies
§96-71D.(7) Min Lot Depth	200 ft	150.9* ft	150.9* ft	Preexisting Nonconformity
§96-71D.(9)(a) Min Lot Frontage	135 ft	430.20 ft	430.20 ft	Complies
§96-71D.(10) Max Height	35 ft	<35 ft	<35 ft	Complies
§96-71D.(11) Maximum Building Coverage	15%	4.5%	8.3%	Complies
§96-71D.(12) Max Impervious	20%	18%	<b>21%**</b>	<b>Variance</b>
§96-80.A.(2) Max Garage Size (25,000 sf to 3 acres)	900 sf	900 sf	<b>1,380** sf</b>	<b>Variance</b>
§96-80.A.(6) Min Garage Side Yard Setback	20 ft	19.08* ft	<b>19.08** ft</b>	<b>Variance</b>
§96-80.A.(6) Min Garage Rear Yard Setback	40 ft	44.13 ft	44.13 ft	Complies
§96-80.A.(12) Max Garage Height	25 ft	<25 ft	<25 ft	Complies
§96-80.A(4) Additional Accessory Structure/Shed Max Size	200 ft	252* ft	252* ft	Preexisting Nonconformity

Section	Required	Existing	Proposed	Compliance
§96-80.A.(6) Additional Accessory Structure/Shed Min Side Yard Setback	20 ft	28 ft	28 ft	Complies
§96-80.A.(6) Additional Accessory Structure/Shed Min Rear Yard Setback	40 ft	29.36 ft	29.36 ft	Preexisting Nonconformity

\*Indicates preexisting nonconformance

\*\*Indicated variance requires

**VARIANCES:**

1. Minimum Lot Size §96-71.D(2) – The applicant has provided a lot size of 59,600 square feet where the minimum required lot size is 80,000 square feet. *It shall be noted that this is a preexisting nonconformance.*
2. Minimum Front Yard Setback §96-71.D(3) – The applicant is proposing a front yard setback of 40.19 feet where the minimum required front yard setback is 50 feet. *It shall be noted that the existing front yard setback of 34.24 feet is a preexisting nonconformance. **A variance is required.***
3. Minimum Side Yard Setback §96-71.D(5) – The applicant has provided a side yard setback of 15.84 feet where the minimum required side yard setback is 20 feet. *It shall be noted that this is a preexisting nonconformance.*
4. Minimum Lot Depth §96-71.D(7) – The applicant has provided a side lot depth of 150.9 feet where the minimum required lot depth is 20 feet. *It shall be noted that this is a preexisting nonconformance.*
5. Impervious Lot Coverage §96-71.D(12) – The applicant is proposing an impervious lot coverage of 21% where the maximum permitted impervious lot coverage is 20%. **A variance is required.**
6. Maximum Garage Size §96-80.A(3) – The applicant is proposing a garage area of 1,380 sf where the maximum permitted garage size for lots 25,000 sf to three (3) acres is 900 sf. **A variance is required.**
7. Minimum Garage Side Yard Setback §96-80.A(5) – The applicant has provided a garage side yard setback of 19.08 feet where the minimum permitted side yard setback for garages between 200 square feet and 2,399 square feet is 20 feet. *It shall be noted that this is an expansion of a preexisting nonconformance. **A variance is required.***

8. Additional Accessory Structure Size §96-80.A(4) – The property contains an additional accessory structure totaling approximately 252 square feet where each residential property may only have one additional accessory structure/shed not to exceed 200 square feet. *It shall be noted that this is an existing nonconformance.*
9. Additional Accessory Structure Rear Yard Setback §96-80.A(4) – The applicant has provided an additional accessory structure rear yard setback of 29.36 feet where the minimum required side yard setback for accessory structures between 200 square feet and 2,399 square feet is 40 feet. *It shall be noted that this is an existing nonconformance.*

### **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.

### **REVIEW COMMENT(S):**

1. Our calculations indicate the existing lot coverage to be 18% and the proposed lot coverage as 21%. The zoning chart on the submitted plan shall be revised.
2. The lot coverage calculation considers the deck to be pervious according to recent NJDEP guidance. The applicant shall confirm that the deck has conventional spacing between deck boards and no hard or impervious surfaces are under the deck.
3. The applicant shall provide testimony regarding the proposed height of house addition and lean-to garage addition.
4. It shall be noted that in accordance with §96-80.A(10) that “Accessory structures shall not be used for living quarters or to conduct business unless a variance is specifically approved by the Zoning Board”, and that sanitary sewer shall not be extended to the garage. The applicant shall provide testimony regarding the use of the existing/proposed garage.

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5. **Grading.** Per §96-66.M., as the proposed disturbance will be in excess of 600 square feet, the applicant shall not be issued a building permit until a grading plan application is submitted and approved.

Any and all approvals shall be conditioned upon the applicant addressing the above comments and any and all concerns of the Planning Board contained in the approving resolution.

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  
John R. Staub, Jr., Applicant/Owner  
Victorian Maria Staub, Owner  
Thomas J. Tedesco, Jr., PE, Applicant's Professional

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