



COMMUNITY DEVELOPMENT DEPARTMENT
TOWNSHIP OF FRANKLIN

1571 DELSEA DRIVE
FRANKLINVILLE, NJ 08322-0300

Telephone (856) 694-1234
Fax (856) 694-2823
www.franklintownshipnj.org

PLANNING BOARD
ZONING BOARD
HOUSING ENFORCEMENT
ZONING ENFORCEMENT

Memo

To: Zoning Board of Adjustment
From: Planning & Zoning
RE: Derrick A. Moore Block: 5602 Lot: 17
"C" Bulk Variance - 40 x 60 = 2400 sq. ft. garage vs. 1200 sq. ft. total garage space permitted
Zone is (R-A) Residential-Agricultural
Application # ZB20-03
Date: 3/17/2020 Meeting: 7/8/2020 Wednesday

Background An application has been submitted on behalf of Derrick A. Moore for "C" Bulk Variance. The applicant is requesting a 'c' (2)' variance for the above referenced parcel located on 976 Dutch Mill Road. A 'c' (2)' variance is requested for a 40' x 60' private garage (2400 sq. ft.) vs. 1200 sq. ft. total garage space allowed. Plan shows an existing dwelling and 2 sheds and an above ground pool.

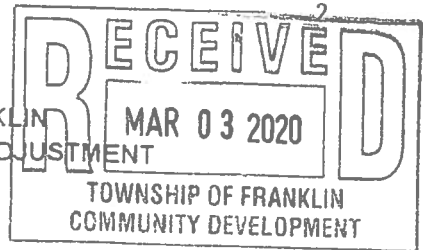
Variance Evaluation Criteria Under the provisions of the MLUL, in order for the Zoning Board to approve a 'c (2)' variance, the applicant must show that the application relates to a specific piece of property; that the purposes of the Municipal Land Use Law would be advanced by a deviation from the zoning ordinance requirement; that the variance can be granted without substantial detriment to the public good; that the benefits of the deviation would substantially outweigh any detriment and; that the variance will not substantially impair the intent and purpose of the zone plan and zoning ordinance.

Burden of Proof The applicant bears the burden of proving both the positive and negative criteria. For a 'c (2)' variance, the applicant must address the conditions described in N.J.S 40:55D-70 c (2) as noted in paragraph one above.

The negative criteria relates to the impact of the variance on the zone plan and the zoning ordinance. Relief cannot be granted unless it can be granted without substantial detriment to the public good and unless it will not substantially impact the intent and purpose of the zone plan and zoning ordinance.

Recommendation The applicant shall address the issues identified in this memo to the satisfaction of the Zoning Board of Adjustment prior to acting on application # ZB20-03.

cc B. Michael Borelli, Esq.
Applicant



In the Matter of the Appeal of:)

TOWNSHIP OF FRANKLIN
ZONING BOARD OF ADJUSTMENT

Name Derrick A. Moore

Mailing Address 976 Dutch Mill Road

Newfield, NJ 08344

PETITION and NOTICE
OF HEARING

ZB20-03

(Attorney)
Phone Number _____

TO: The Zoning Board of Adjustment of the Township of Franklin

(Strike inapplicable terms and insert all required information)

1. This application concerns Block(s) 5602, Lot(s) 17 on the Tax Map of the Township of Franklin and the following street address 976 Dutch Mill Road. The premises are owned by Derrick A. Moore. Applicant's interest in property if other than owner is _____

2. The land has frontage on Dutch Mill Road street of 171' feet and a depth of 712' feet.

3. I have filed a map (plot plan) or sketch of the premises with the Planning and Zoning Administrative Officer which may be examined at the Department of Planning and Zoning, Township Municipal Building, South Delsea Drive, Franklinville, New Jersey, on which map or sketch I have indicated existing location of boundary lines and structures and changes requested to be granted herein.

4. The land is in R-A zone, and the present use of the land is:

Residential Single-family dwelling

5. I desire to make the following changes: (insert how the existing use will be changed or modified)

I would like to build a forty (40') x sixty (60') building-Garage for personal use

6. An appeal is hereby made for a variance from or an exception according to the terms of the Zoning Ordinance, whereas, Section 253-106C5c permitted use of garage for not more than three vehicles, provided that such garage is located at the rear of the lot or is directly connected to the dwelling.

7. I desire the Zoning Board of Adjustment to grant a

Check one or more

| | | | |
|----------|---|------------------|------------------------|
| TYPE | "A" () | Sub-Division () | Site Plan Approval () |
| VARIANCE | "B" () | Conditional | Other () |
| | "C" <input checked="" type="checkbox"/> | Use Permit () | _____ |
| | "D" () | Temporary | _____ |
| | | Use Permit () | |

NOTE: No site plan approval can be approved without a formal application made to the Planning Board and proper fee is paid.

8. Set forth, in detail including all facts which you wish to rely on at the hearing, why the Zoning Board of Adjustment should grant your application. (Attach as many additional sheets as needed.) Applications may be decided on reasons herein stated in the event that one desires to be heard on the application.

The setbacks will be maintained on the side and rear of the property.

The building will be setback about 120' behind house.

40' x 60' building

Personal use only - not commercial use, no side business.

Color of building will be the same as existing building and house

Building-garage will store camper, pick-up, car, boat, lawn mower, and will keep equipment out of the weather and out of sight.

The building will be minimally visible from the road and the lot is 2.73 acres

9. State name, address and telephone number of attorney representing applicant, (if any).

Name N/A
Address _____

Phone number () _____ Facsimile # _____

E-Mail _____

10. Set forth any previous applications made to this Board for the above described property, indicating date and results.

NO APPLICATIONS

11. TAKE NOTICE that a hearing on the above application will be held at Township of Franklin Municipal Building, South Delsea Drive, Franklinville, New Jersey on July 8, 2020 at 7:00 p.m., at which time you may appear, individually or by counsel and express your opinions for or against the application.

DATED: 3/3/2020

X Derrick A Moore
Applicant or Attorney
Derrick A. Moore
(Attorney) Phone Number _____

DISCLOSURE STATEMENT PURSUANT TO L. 1977, C-336

- A. Is this application to subdivide a parcel or parcels of land into six or more lots?
YES ___ NO
- B. Is this application for a variance to construct a multiple dwelling of 25 or more family units?
YES ___ NO
- C. Is this application for approval of a site or sites to be used for commercial purposes?
YES ___ NO

IF ANY OF THE ABOVE ANSWERS WERE YES PROCEED TO "D"

- D. Is the applicant a corporation or partnership?

YES ___ NO

IF YES:

1. List the names and addresses of all stockholders or individual partners owning at least 10% of its stock of any class or at least 10% of the interest in the partnership, as the case may be. (Use extra sheets if necessary.)

N/A

2. Does a corporation or partnership own 10% or more of the stock of this corporation or partnership?

YES ___ NO

If Yes:

List the names and addresses of the stockholders of that corporation holding 10% or more of the stock or of 10% or greater interest in that partnership, as the case may be. This requirement is to be followed by every corporate stockholder or partner in a partnership, until the names and addresses of the noncorporate stockholders and individual partners exceeding 10% ownership criterion established in L. 1977, C. 336 have been listed (use extra sheets if necessary.)

N/A

DATE 3/3/2020

APPLICANT SIGNATURE X

Derrick Moore
Derrick Moore

Floor Plan

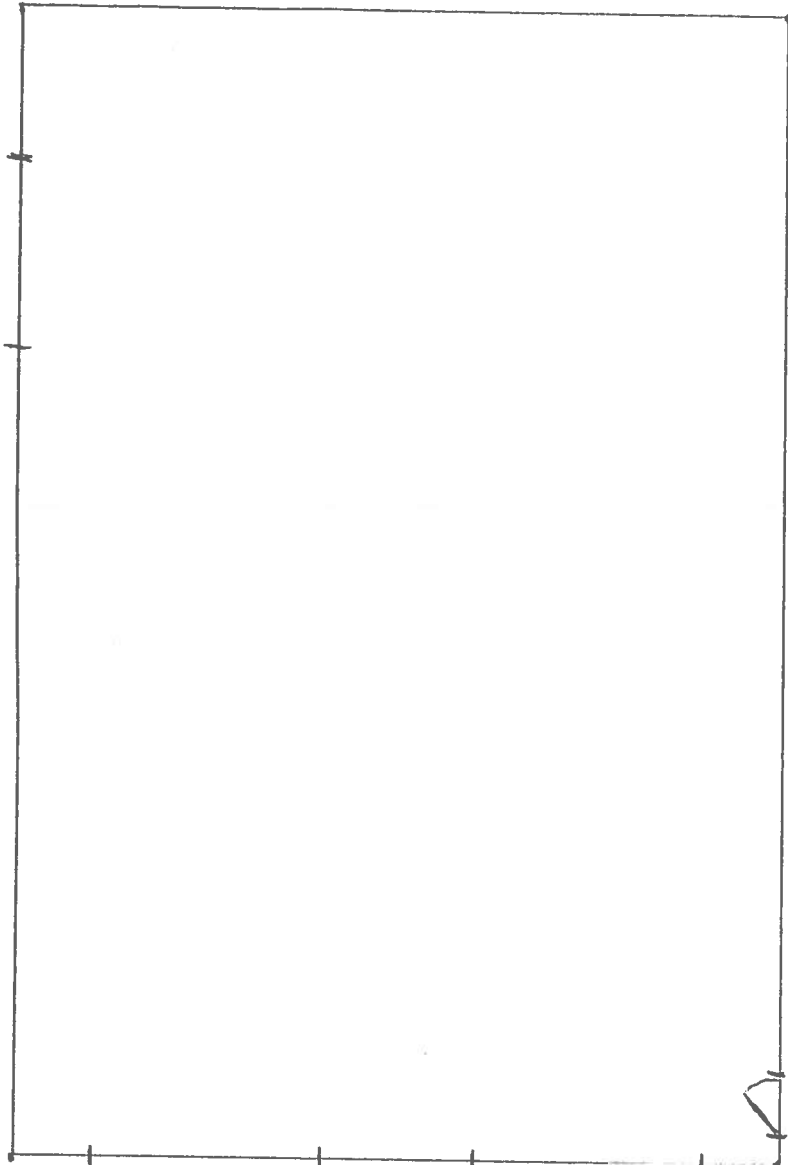
← 40 →

10x12
overhead
door

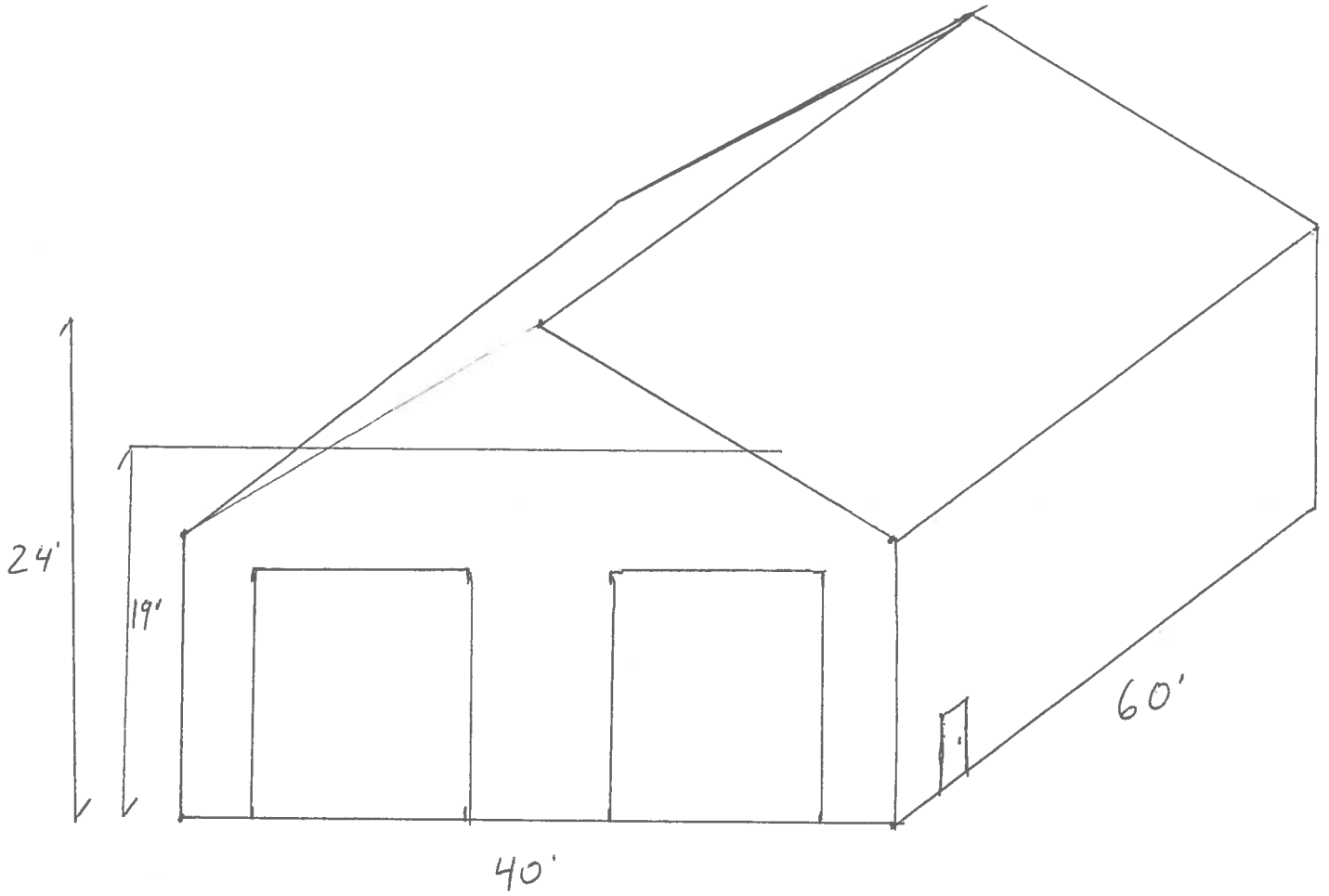
↑
60
↓

36" wide
Man door

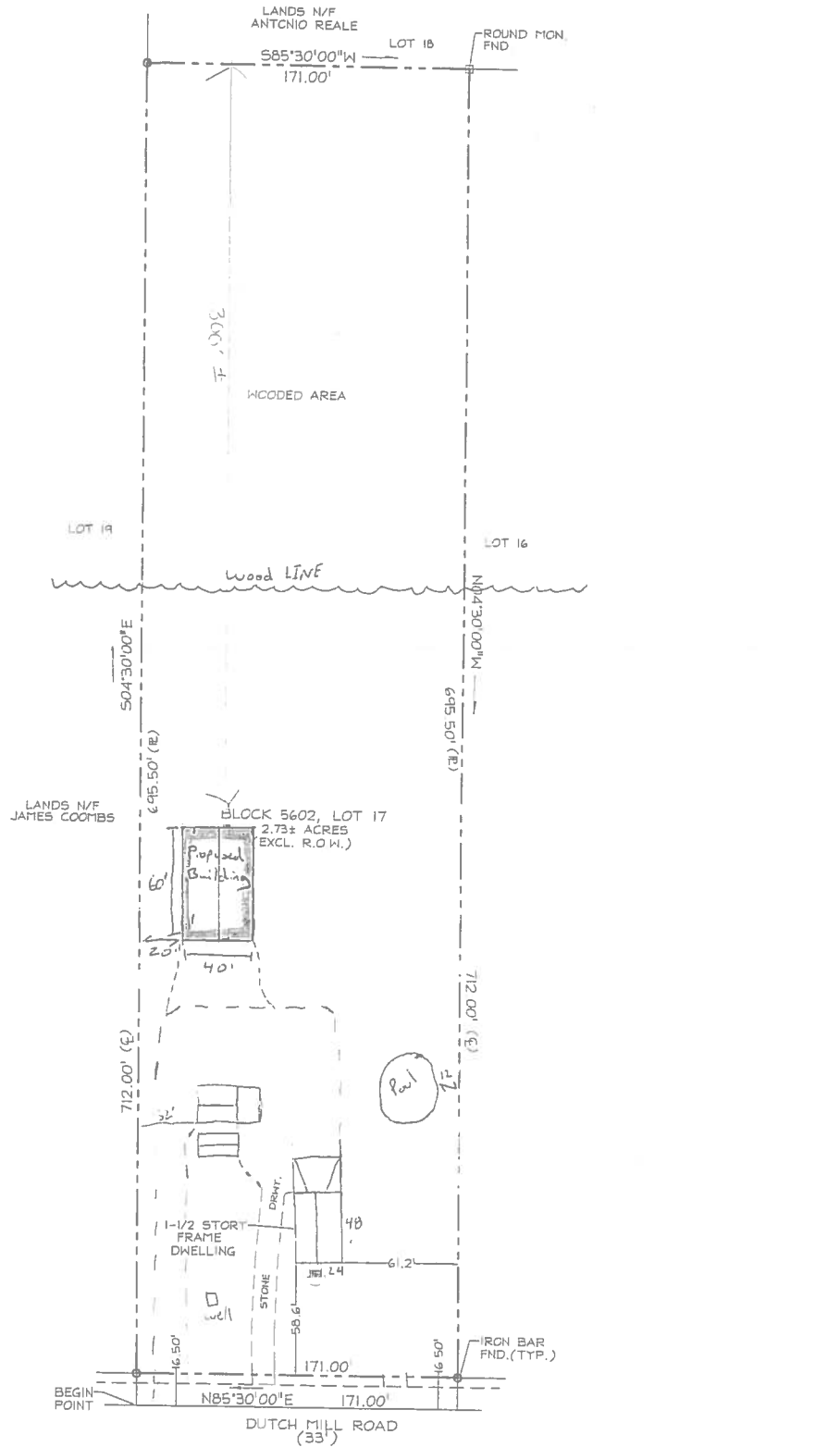
12x16
overhead
door



Elevation



BK 2B-14, PG 235



| | | |
|---|---|---|
| <p>LEGEND</p> <p>IRON BAR FND... (C)</p> <p>IRON BAR SET... (O)</p> <p>CONC MON. FND... (D)</p> <p>(D)...DEED</p> <p>(S)...SURVEY</p> | <p>NOTES:</p> <p>NO FRESHWATER WETLANDS, AS DEFINED BY THE NEW JERSEY "FRESHWATER WETLANDS PROTECTION ACT" (NJSA 13-9B-1) ARE INTENDED TO BE SHOWN OR DELINEATED AS PART OF THIS PLAN.</p> <p>THIS PLAT HAS BEEN PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT.</p> | <p>ONLY COPIES FROM THE ORIGINAL OF THIS MAP, CLEARLY MARKED WITH THE ENGINEER'S EMBOSSED SEAL SHALL BE CONSIDERED VALID COPIES.</p> <p>THIS PLAT DOES NOT SHOW ANY NON-RECORDED EASEMENTS OR RIGHT OF WAYS.</p> |
| <p>TO: DERRICK A. MOORE, LANDIS TITLE CORPORATION, LANDIS TITLE INSURANCE CORPORATION, WOODSTOWN NATIONAL BANK, ITS SUCCESSORS AND/OR ASSIGNS.</p> <p>IN CONSIDERATION OF THE FEE PAID FOR MAKING THIS SURVEY, I DECLARE THAT THIS PLAN IS BASED ON AN ACTUAL FIELD SURVEY MADE ON 2-18-02 BY ME OR UNDER MY IMMEDIATE SUPERVISION, AND TO THE BEST OF MY PROFESSIONAL KNOWLEDGE, INFORMATION, AND BELIEF, CORRECTLY REPRESENTS THE CONDITIONS FOUND AS OF THE DATE OF THE FIELD SURVEY, EXCEPT SUCH EASEMENTS AND STRUCTURES, IF ANY, BELOW THE SURFACE OF THE LANDS AND NOT VISIBLE. THIS DECLARATION IS GIVEN SOLELY TO THE ABOVE NAMED PARTIES FOR THIS TRANSACTION ONLY AND IS NOT TRANSFERABLE, EXCEPT AS PROVIDED HEREIN.</p> <p><i>Henry V. Engel, III</i></p> <p>HENRY V. ENGEL, III PROFESSIONAL LAND SURVEYOR</p> | | <p align="center">PLAN OF SURVEY</p> <p align="center">SITUATE IN TOWNSHIP OF FRANKLIN GLOUCESTER CO, NEW JERSEY BLOCK 5602, LOT 17</p> <p>SCALE: 1" = 60' DATE: 6-19-2002</p> <p>DRN BY: J. PANKOK PROJ. NO.: 10554</p> <p align="center">J & B/ENGEL ENGINEERING AND LAND SURVEYING 1162 ROUTE 40, DR. 5000, ...</p> |

**REFUSAL OF ZONING PERMIT
OFFICE OF THE ZONING ENFORCEMENT OFFICER
OF
TOWNSHIP OF FRANKLIN**

Date: 01/10/2020
Re:Application#: 4834

To:
MOORE, DERRICK A
976 DUTCH MILL RD
NEWFIELD NJ 08344

| |
|---------------------------|
| Voucher/Receipt# |
| Check #: |
| Amount collected \$ 20.00 |

Your application for a permit to:

CONSTRUCT 40 X 60X16' HIGH POLE BARN GARAGE FOR PERSONAL USE: STORAGE OF CAMPER, P/UP, TRACTOR, BOAT, LAWN EQUIPMENT & NO EQUIPMENT

on the property at 976 DUTCH MILL RD Franklin Block : 5602 Lot : 17
has been denied for noncompliance with provisions of Article (s) : Sections : of the Municipal Zoning Ordinance for the following reasons:

CONSTRUCT 40 X60=2400 SQ. FT GARAGE ALONG WITH EXISTING GARAGE SPACE OF 560 SQ. FT TOTALS 2960 SQ. FT. OVERSIZE GARAGE SPACE VS, 1200 SQ. FT. PERMITTED.

Information on procedures for an appeal of this decision to the Board of Adjustment can be obtained from the Secretary of the Board of Adjustment. It should be noted that under State Statute, notice of appeal of this decision must be filed with this office not later than (20) days from the date of this notice. You can also file for a variance to the board of Adjustment and can obtain from the Secretary of the Board of Adjustment the required forms .

The permit which you submitted has been placed in the inactive files in the Community Development Department. Please contact this office to reactivate this permit.

Denied by:


Zoning Official

CC: Secretary, Board of Adjustment
Permit
Letter
, Zoning Official