



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: James Falisi Block: 4203 Lot: 20
"C" Bulk Variance - 30 x 40 = 1200 sq. ft. garage proposed in addition to an existing 728 sq. ft. attached garage space totaling 1928 sq. ft. vs. 1200 sq. ft. total garage space permitted
Zone is (R-A) Residential-Agricultural
Application # ZB20-04
Date: 5/15/2020 Meeting: 7/8/2020 Wednesday

Background An application has been submitted on behalf of James Falisi for "C" Bulk Variance. The applicant is requesting a 'c' (2) variance for the above referenced parcel located on 215 Leonard Cake Road. A 'c' (2) variance is requested for a 30' x 40' pole-barn garage (1200 sq. ft.) in addition to 728 sq. ft. garage totaling 1928 sq. ft. vs. 1200 sq. ft. total garage space allowed. Plan shows an existing dwelling with attached breezeway that is attached to garage with a pool with deck.

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 # ZB20-04.

cc B. Michael Borelli, Esq.
Applicant

In the Matter of the Appeal of:

TOWNSHIP OF FRANKLIN
ZONING BOARD OF ADJUSTMENT

Name James Falisi

ZB20-04

Mailing Address 215 Leonard Cake Road
Franklinville, NJ 08322

PETITION and NOTICE
OF HEARING



(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) 4203, Lot(s) 20 on the Tax Map of the Township of Franklin and the following street address 215 Leonard Cake Road. The premises are owned by James and Lynda Falisi. Applicant's interest in property if other than owner is _____
2. The land has frontage on Leonard Cake Road street of 125' feet and a depth of 650' 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 Private 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 increase my usable onsite storage area with the construction of a 1200 sq. ft. pole barn style detached garage. I am seeking relief of an additional 728 sq. ft that is less than 1 % of total lot area and will increase my garage area to 1928 sq. ft. in total for a four-car garage.
6. An appeal is hereby made for a variance from or an exception according to the terms of Section 253-105C5c of the Zoning Ordinance, whereas, permitted use of garage for not more than three vehicles totaling 1200 sq. ft. The garage will setback 175' behind house for personal use only. Storage of vehicles, boat, tractor and lawn equipment and restoring 1979 Trans Am.

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. I am respectfully requesting the Zoning Board to consider my request to exceed the 1,200 Sq.Ft. ordinance of garage size for a residential single-family dwelling. I currently have a 728 Sq.Ft. garage and I am seeking relief of an additional 728 Sq.Ft. The additional storage space is desperately needed for the multiple RV vehicles, Kubota tractor, lawn equipment, 23' fishing boat with trailer and a 1979 Trans Am I am currently restoring. I have four personal vehicles tagged and insured with only a two car garage currently. My property and all my neighbors to the right and left of me back up to the old Franklin Township landfill, so there will be no chance of any future development behind me. The proposed pole barn will be aesthetically pleasing and will match my house. The proposed location will be nestled back in the woods 530' from the north edge of Leonard Cake Rd. behind my house. It will have natural woodlands on all three sides giving my neighbors a natural screen to block their view. There will be no negative impact on traffic, activity, noise or disturbances of any kind to anyone in the area. This will not be used for commercial purposes and will give me the extra space I so desperately need. In addition to the increased storage I will now be able to install solar panels for electricity and reduce my carbon footprint for the environment.

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.

N/A

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. Hearing will be held VIRTUALLY with ZOOM, Contact Secretary.

DATED: 5/13/2020

James Falisi
 Applicant or Attorney James Falisi
 (Attorney) Phone Number _____

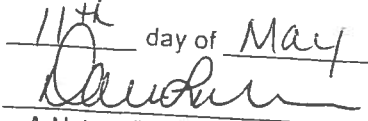
AFFIDAVIT OF APPLICANT

STATE OF NEW JERSEY)
 COUNTY OF) ss.

JAMES FALISI of full age, being duly sworn according to law, on oath deposes and says that all of the above statements and the statements contained in the papers submitted herewith are true.

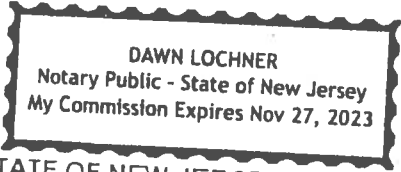
Sworn and subscribed to before me this

11th day of May, 2020



A Notary Public of the State of New Jersey

X James Falisi
 Applicant James Falisi



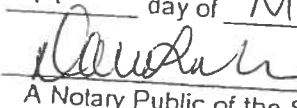
AFFIDAVIT OF OWNERSHIP

STATE OF NEW JERSEY)
 COUNTY OF) ss.

JAMES FALISI of full age, being duly sworn according to law, on oath deposes and says, that deponent resides at 215 LEONARD CAKE RD. in Franklinville, NJ, Township of Franklin, in the County of Gloucester and State of New Jersey, that JAMES FALISI is the owner in fee of all that certain lot, piece or parcel of land situated, lying and being in the Municipality of Franklin Township aforesaid and known and designated as Number BLK 4203 Lot 20

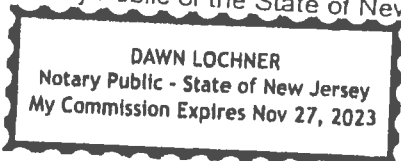
Sworn and subscribed to before me this

11th day of May, 2020



A Notary Public of the State of New Jersey

X James Falisi
 Owner to Sign Here James Falisi



AUTHORIZATION - FOR CONTRACT PURCHASER

If Contract Purchaser is making this application, the following authorization must be executed)

to the Board of Adjustment:

_____ is hereby authorized to make the within application.

dated: _____ X James Falisi
 Owner to Sign Here

Note: Contract Purchaser must produce a signed copy of the contract for the Board of Adjustment at the hearing.)

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 5/13/2020

APPLICANT SIGNATURE

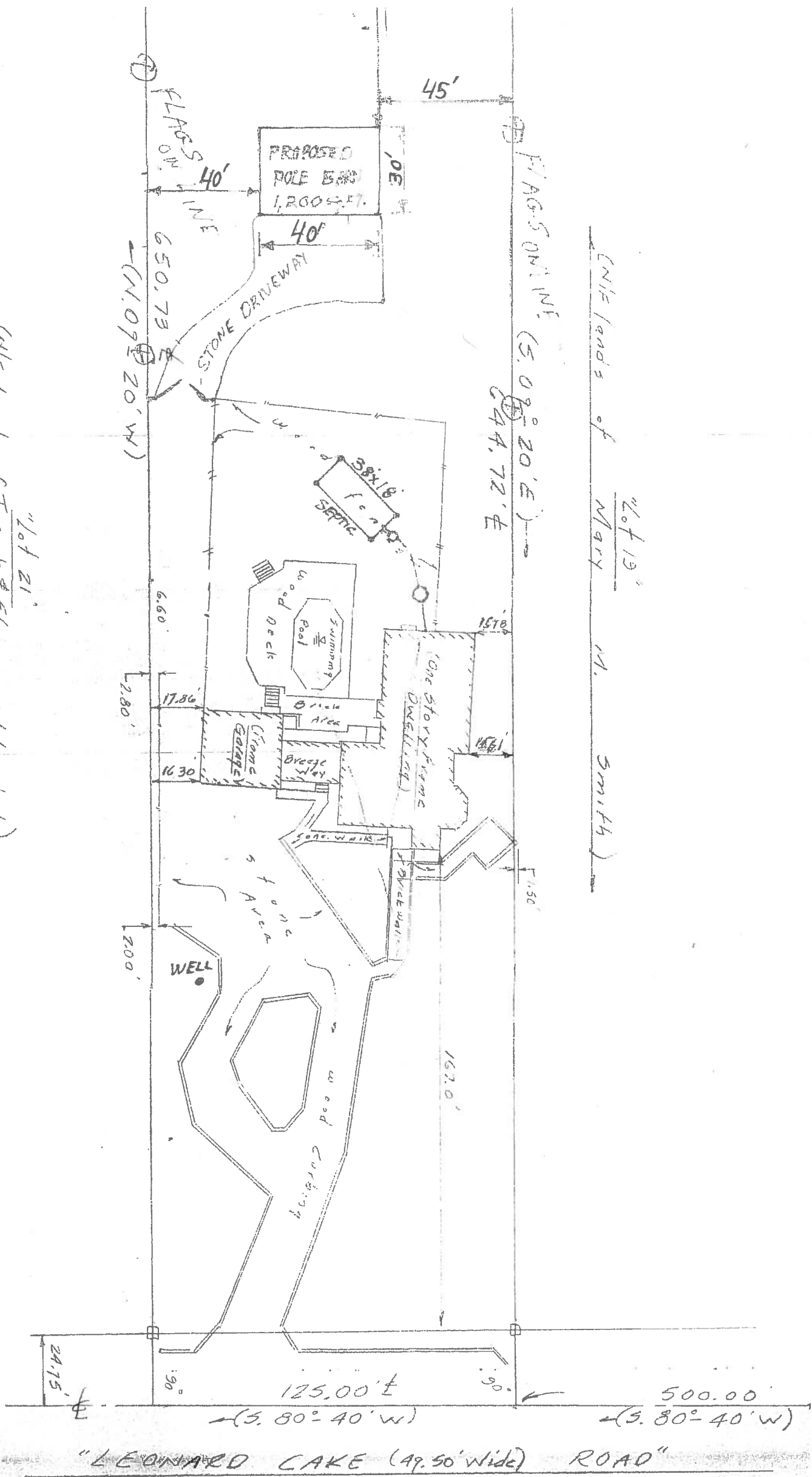
James Falisi
James Falisi

his survey, I
 ment, if any,
 nds or on the
 ducement for
 e lands and
 miled to the
 having "read"

(1/4 lands of Joseph & Eleanor Wellischek)

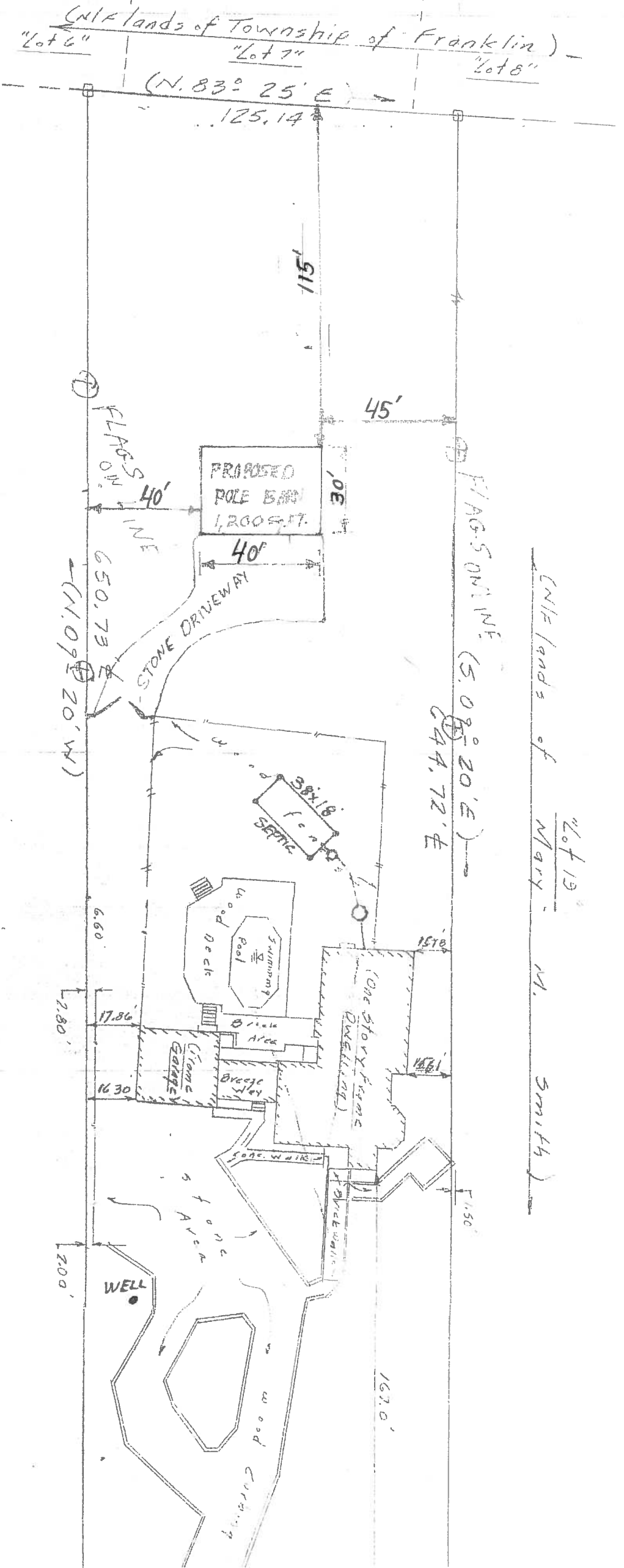
"Lot 21"

Plate A2



(1/4 lands of Mary M. Smith)

SURVEY OF PREMISES
 SITUATED IN
 N/W 1/4 line of LEONARD CAKE RD.



CERTIFIED TO:
 James J. & Lynda O. Fallisi

Wife lands of Joseph & Eleanor Welischek
 "Lot 21"

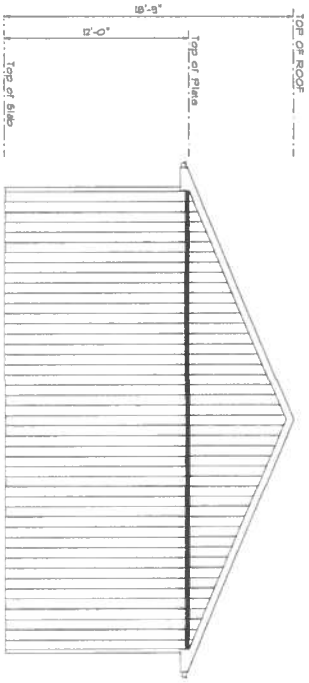
Wife lands of Mary M. Smith
 "Lot 19"

"In consideration of the fee paid for making this survey, I hereby certify to its accuracy (except such easement, if any, that may be located below the surface of the lands or on the surface of the lands and not visible) as an inducement for any insurer of title to insure the title to the lands and premises shown hereon. The responsibility limited to the current matter and initial use for which it is being used."

THIS IS TO CERTIFY THAT ON August 28, 1990 I MADE A SURVEY OF THE LANDS AND PREMISES SHOWN HEREON, AND THAT THIS PLAT IS IN ACCORDANCE WITH THE FIELD NOTES OF SAID SURVEY.

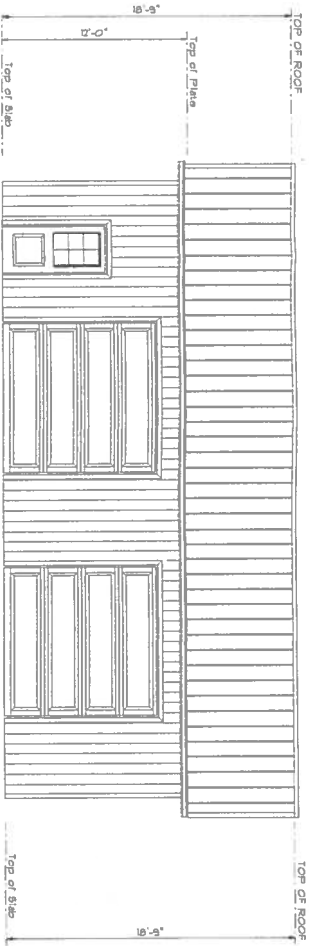
Lot Nos refer to Block 4203 on Plate 42
 16th Township of Franklin Tax Maps

SL
 N/ly line of
 TOWNSHIP,
 COUNTY,



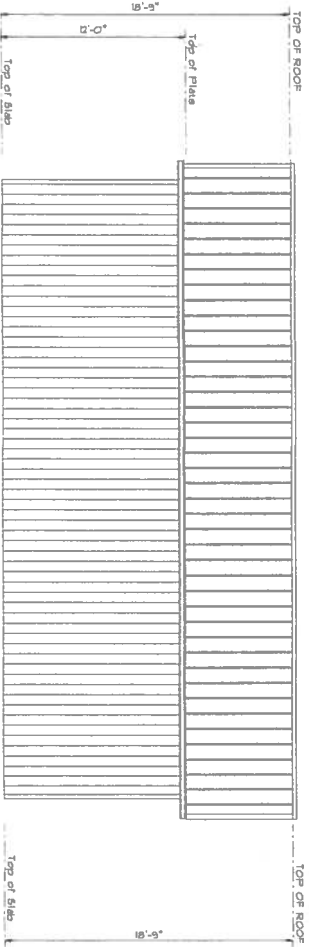
LEFT ELEVATION

SCALE: 1/8" = 1'-0"



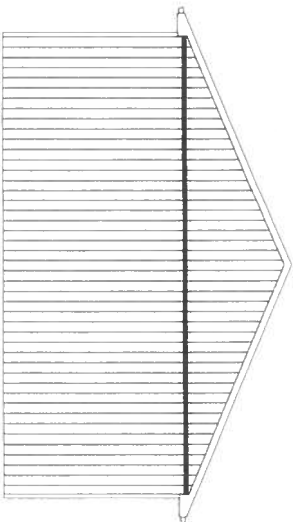
FRONT ELEVATION

SCALE: 1/8" = 1'-0"



REAR ELEVATION

SCALE: 1/8" = 1'-0"



RIGHT ELEVATION

SCALE: 1/8" = 1'-0"

Proposed Pole Barn For:
 James Falisi
 215 Leonard Cake Rd.
 Franklinville, NJ 08322

Job Site
 Block 4203
 Lot 20

James Falisi Building Contractor Inc.
 215 Leonard Cake Rd.
 Franklinville, NJ 08322
 856-694-0880
 N.J. Lic. No. 019061
 N.J. Lic. No. 13VH04020700

DATE
 9/12/05
 DRAWN BY
 Noted
 JOB NAME
 DRAWING NO.

A-1

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

Date: 04/29/2020
Re: Application#: 4918

To:
FALISI, JAMES J & LYNDA D
215 LEONARD CAKE RD
FRANKLINVILLE NJ 08322

Voucher/Receipt#	
Check #:	20410
Amount collected	\$ 20.00

Your application for a permit to:
CONSTRUCT 30' X 40' X 15' HIGH (MEAN HT) POLE BARN GARAGE

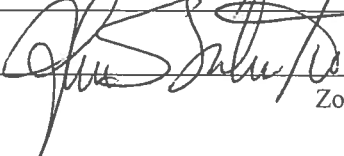
on the property at 215 LEONARD CAKE RD Franklin Block : 4203 Lot : 20
has been denied for noncompliance with provisions of Article (s) : **XIII-RA** Sections :**253-106** of the Municipal Zoning Ordinance for
the following reasons:

**OVERSIZED GARAGE 1200 SQ. FT. WITH EXISTING 728 SQ. FT GARAGE WHEREAS, 1200 SQ. FT. IS TOTAL AMOUNT OF
GARAGE SPACE 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