



COMMUNITY DEVELOPMENT DEPARTMENT
TOWNSHIP OF FRANKLIN

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FRANKLINVILLE, NJ 08322-0300
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PLANNING BOARD
ZONING BOARD
HOUSING ENFORCEMENT
ZONING ENFORCEMENT

Memo

To: Zoning Board of Adjustment

From: Planning & Zoning

RE: Christian Cole Block: 402 Lot: 37.01

“C” Bulk Variance - 30 x 40 = 1200 sq. ft. garage proposed in addition to an existing garage space of 250 sq. ft which totals 1450 sq. ft. vs. 1200 sq. ft. total garage space permitted

Zone is (R-A) Residential-Agricultural

Application # ZB20-05

Date: 6/15/2020

Meeting: 7/8/2020 Wednesday

Background An application has been submitted on behalf of Christian Cole for “C” Bulk Variance. The applicant is requesting a ‘c (2)’ variance for the above referenced parcel located on 110 Fergeson Avenue. A ‘c’ (2)’ variance is requested for a 30’ x 40’ pole-barn garage (1200 sq. ft.) in addition to existing 250 sq. ft. garage space totaling 1450 sq. ft. vs. 1200 sq. ft. total garage space allowed. Plan shows an existing dwelling with stoned driveway.

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 # ZB20-05.

cc B. Michael Borelli, Esq.
Applicant

In the Matter of the Appeal of: _____)

TOWNSHIP OF FRANKLIN
ZONING BOARD OF ADJUSTMENT

Name Christian Cole & Scardino D (Cole)

ZB20-05

Mailing 110 Ferguson Avenue)
Address _____

PETITION and NOTICE
OF HEARING

Franklinville, NJ 08322

(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) 402, Lot(s) 37.01 on the Tax Map of the Township of Franklin and the following street address 110 Ferguson Avenue. The premises are owned by Christian Cole & Scardino D (Cole). Applicant's interest in property if other than owner is _____

2. The land has frontage on Ferguson Avenue street of 158' feet and a depth of 664.24 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 construct a 30' x 40' x 15' high pole barn garage to be used for personal storage. The garage will be in back yard with no clearing needed.

6. An appeal is hereby made for a variance from or an exception according to the terms of Section 253-106C56 of the Zoning Ordinance, whereas, 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.

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.

I would like to construct a pole building to be used solely for personal storage and not for business use. My existing garage is too small to keep all of my belongings inside. Once the building is constructed everything will be inside and nothing will be left outside. The building will be in the back of my house and sit far enough off the road not to be seen. It will also be blocked by a row of pine trees. The building will be 20' off of my one neighbors property line and 100' off of my other neighbors property line. This building will not impact any of my neighbors or the environment. The color scheme will be the same as my house.

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

Name N/A

Address _____

Phone number () _____

Facsimile # _____

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.

DATED: 6/15/2020

Chris D. Cole
Applicant or Attorney

(Attorney) Phone Number _____

AFFIDAVIT OF APPLICANT

STATE OF NEW JERSEY)
)
 COUNTY OF) ss.

Christian Cole 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

15th day of June, 2020

Rebecca E Sheppard
A Notary Public of the State of New Jersey

REBECCA E SHEPPARD

ID # 50017837

NOTARY PUBLIC

STATE OF NEW JERSEY

My Commission Expires June 16, 2020

X Christian Cole
Applicant

AFFIDAVIT OF OWNERSHIP

STATE OF NEW JERSEY)
)
 COUNTY OF) ss.

Christian Cole of full age, being duly sworn according to law, on oath deposes and says, that deponent resides at 110 Ferguson Ave. In Franklinville, NJ, Township of Franklin, in the County of Gloucester and State of New Jersey, that Christian Cole 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 _____

Sworn and subscribed to before me this

15th day of June, 2020

Rebecca E Sheppard
A Notary Public of the State of New Jersey

REBECCA E SHEPPARD

ID # 50017837

NOTARY PUBLIC

STATE OF NEW JERSEY

My Commission Expires June 16, 2020

X Christian Cole
Owner to Sign Here

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 Christian Cole
Owner to Sign Here

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

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 6/15/2020 APPLICANT SIGNATURE *Christa Dale*

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

Date: 05/18/2020
Re:Application#: 4938

To:
COLE, CHRISTIAN & SCARDINO D (COLE)
110 FERGUSON AVE
FRANKLINVILLE NJ 08322

Voucher/Receipt#
Check #:
Amount collected

Your application for a permit to:
TO CONSTRUCT 30' X 40' X 15' HIGH POLE BARN GARAGE

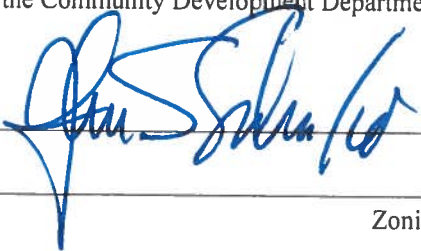
on the property at 110 FERGESON AVE Franklin Block : 402 Lot : 37.01
has been denied for noncompliance with provisions of Article (s) : **XIII-RA** Sections :**253-106** of the Municipal Zoning Ordinance for
the following reasons:

**PROPOSED 1200 SQ. FT. GARAGE IN ADDITION TO EXISTING GARAGE SPACE OF 250 SQ. FT. TOTALS 1450 SQ. FT WHICH
IS NOT 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