

**FRANKLIN TOWNSHIP
ZONING BOARD OF ADJUSTMENT
RESOLUTION NO. ZB 23-07**

WHEREAS, DARREN BOSCO has applied to the Zoning Board of Adjustment of the Township of Franklin for a variance to construct a private garage located in the side yard where it is required by ordinance to be in the rear yard, and for the garage to be located closer to the front and side yard lines than permitted by ordinance; and

WHEREAS, the property in question is located on Malaga Lake Boulevard and known as Lot 12, Block 4515, on the tax map of Franklin Township, said property being in an RA (Residential Agricultural Zone); and

WHEREAS, the Zoning Board of Adjustment, after carefully considering the evidence presented has made the following factual findings and statements of reason:

1. All notices of the public meeting were properly served in compliance with New Jersey State Statute and the Franklin Township Land Use Ordinance and the application was deemed complete.

2. The applicant is the owner and resident of a .34-acre lot improved with a single family dwelling. The applicant is seeking permission to construct a 24 x 40 foot detached private garage located in the side yard of the property and to have a front yard set-back of 46 feet where 75 feet is required and a side yard set-back of 10 feet where 20 feet is required. The applicant testified that the garage will be for his personal use only to house his vehicles and lawn equipment. There will be no plumbing and the garage will not exceed the maximum permitted height of 15 feet. The applicant indicated that he is unable to meet the ordinance requirements due to the size of his lot and the location of his septic system. No one from the public appeared to comment on the application. The Board considered the review letter of August 31, 2023 prepared by Zoning Board Engineer and Planner, David S. Scheidegg.

3. Because of the nature and configuration of the applicant's land, failure to grant the variance will work a peculiar and exceptional practical difficulty on the applicant.

NOW, THEREFORE, BE IT RESOLVED, by the Zoning Board of Adjustment of the Township of Franklin this 5th day of December, 2023, confirming action heretofore taken, that the application of Darren Bosco for a variance to construct a private garage located in the side yard where it is required by ordinance to be in the rear yard, and for the garage to be located closer to the front and side yard lines than permitted by ordinance is hereby granted, subject to the following conditions:

1. The applicant shall obtain all other necessary governmental approvals from State, County, Federal and Municipal governmental agencies or bodies. If the applicant fails to obtain and execute a zoning permit within six months of this approval, then this approval shall be null and void and no permit shall be issued.

2. The applicant shall satisfy all outstanding fees and escrows prior to the granting of construction permits or issuance of a Certificate of Occupancy.

4. The garage shall be for the personal use of the applicant only and shall not be utilized for any business or commercial use.

5. The applicant shall be responsible for the payment of any and all Affordable Housing Development Fees due pursuant to Franklin Township Ordinance, Chapter 138 within the time required by the Ordinance.

5. A portion of the existing shed will be removed as shown on the plan submitted with the application.

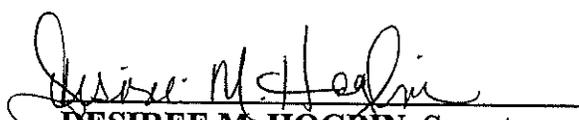
6. Any run-off created by construction of the garage will remain on the applicant's property and shall not flow onto any adjoining property.

7. Any lights which are installed on the building shall not shine onto the neighbor's property.

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JOHN GRAVENOR, Chairman

ATTEST:


DESIREE M. HOGGIN, Secretary