

**FRANKLIN TOWNSHIP  
ZONING BOARD OF ADJUSTMENT  
RESOLUTION NO. ZB 24-01**

**WHEREAS**, John Pinaro has applied to the Zoning Board of Adjustment of the Township of Franklin for a variance to construct a detached private garage which exceeds the maximum amount of garage space permitted by ordinance, along with variances for minimum lot area, front yard set-back and rear yard set-back; and

**WHEREAS**, the property in question is located on Kessel Avenue and known as Block 205, Lots 3 and 4 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 appeared before the Board and presented the testimony of Kyle A. Denny, Professional Engineer and Professional Land Surveyor. The applicant is the owner of adjacent lots 3 and 4. Lot 4 includes the applicant's single family home, along with a detached garage. Adjacent Lot 3 has an abandoned building. The applicant intends upon demolishing the abandoned building and removing the well and septic on Lot 3. He then intends to consolidate the two lots and construct an additional detached private garage with dimensions of 24 x 40 feet. The existing garage of 370 square feet and the proposed garage of 960 square feet will exceed the total amount of private garage space permitted by ordinance. The combined lots will be approximately one-half acre where a minimum of 1.5 acres is permitted. The applicant will also require variance relief from front yard and rear yard set-backs.

3. The applicant testified that the existing detached garage, as well as the proposed additional detached garage will be utilized for personal use only for vehicles, personal tools and yard equipment. The applicant verified that the proposed garage will not exceed 15 feet in height and, therefore, a variance is not required. The Board reviewed the letter of January 29, 2024 prepared by Zoning Board Engineer, David S. Scheidegg. The applicant agreed to remove the driveway on Lot 3 and to reduce the size of the paving in front of the proposed garage. No one from the public appeared to comment on the application.

4. The Board determined that the applicant's proposal satisfies both the

positive and negative criteria. The removal of the abandoned building will be an improvement and the consolidation of the two lots which will now contain only one single family dwelling and one well and septic system is an improvement as well.

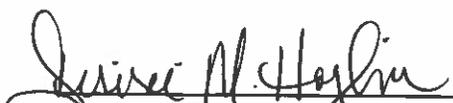
**NOW, THEREFORE, BE IT RESOLVED**, by the Zoning Board of Adjustment of the Township of Franklin this 2<sup>nd</sup> day of April, 2024, confirming action heretofore taken, that the application of John Pinardo for a variance to construct a detached private garage which exceeds the maximum amount of garage space permitted by ordinance, along with variances for minimum lot area, front yard set-back and rear yard set-back 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.
3. The garage shall be for the personal use of the applicant only and shall not be utilized for any business or commercial use.
4. A Deed of Consolidation shall be provided to the Zoning Board Solicitor and Zoning Board Engineer for review prior to recording. The abandoned building, as well as the well and septic on Lot 3 shall be demolished and removed with the proper permits.
5. The applicant shall submit a revised plan showing the changes to impervious cover.

**FRANKLIN TOWNSHIP  
ZONING BOARD OF ADJUSTMENT**

  
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**JOHN GRAVENOR, Chairman**

**ATTEST:**

  
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**DESIREE M. HOGGBIN, Secretary**