

**FRANKLIN TOWNSHIP
ZONING BOARD OF ADJUSTMENT
RESOLUTION NO. ZB 25-10**

WHEREAS, Jeremy J. and Alyssa P. Leitmeyer have applied to the Zoning Board of Adjustment of the Township of Franklin for a use variance to permit a second mother-in-law apartment attached to a single family dwelling, as well as variances for lot size, lot density, lot frontage and front yard set-back; and

WHEREAS, the property in question is located on Reed Avenue and known as Lot 5, Block 3002, on the tax map of Franklin Township, said property being in a Residential Agricultural (RA) 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. Nathan Van Embden, Esquire, appeared on behalf of the applicants. The applicant is a contract purchaser of a parcel of property with an area of .69 acres and frontage of 120 feet improved with a single family dwelling with 2 mother-in-law apartments. The primary home has 3 bedrooms and a fourth room labeled as a study, as well as a kitchen and 2 bathrooms. The first in-law suite has 1 bedroom, 1 bathroom and a kitchen. The second in-law suite includes a bedroom, bathroom and kitchen. The first in-law suite on the second floor was approved by the Zoning Board by way of Resolution ZB11-97 adopted on May 6, 1997. It allowed construction of one in-law suite with the following condition,

“The in-law suite to be constructed shall be for the exclusive use of the in-laws of the owners of the property. At no time in the future shall this property be utilized as an apartment or a 2-family dwelling. The mother-in-law suite shall always be occupied by a member of the family of the person occupying the main part of the residence.”

The second in-law suite on the ground floor attached to the main house was constructed without approvals. This application is for approval of the second in-law suite.

3. The applicant proposes a more liberal condition permitting occupancy by “family members”. The applicant proposes the restrictions on occupancy to be part of a deed restriction attached to the property by the applicant and future owners.

4. The Board considered the review letter of August 28, 2025 prepared by Zoning Board Engineer and Planner, David S. Scheidegg. No one from the public appeared to comment on the application.

5. 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.

6. The Board has determined that the relief requested by the applicant can be granted without substantial detriment to the public good and without substantially impairing the intent and purpose of the Master Plan and Zoning Ordinance of the Township of Franklin. The applicant has shown the special reasons necessary to grant the variance.

NOW, THEREFORE, BE IT RESOLVED, by the Zoning Board of Adjustment of the Township of Franklin this 5th day of November, 2025, confirming action heretofore taken, that the application of Jeremy J. and Alyssa P. Leitmeyer for a use variance to permit a second mother-in-law apartment attached to a single family dwelling, as well as variances for lot size, lot density, lot frontage and front 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.

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

3. The conditions set forth in Resolution ZB11-97 adopted on May 6, 1997 shall remain in effect for the original in-law suite on the second level.

4. Counsel for the applicant and Zoning Board shall consult and attempt to reach an agreement regarding conditions attached to the second in-law suite which is the subject of this application.

5. The applicant shall prepare a deed setting forth the restrictions for both in-law suites, making reference to both Zoning Board Resolutions, subject to review and approval by the Board or its professionals prior to recording.

6. The applicant shall immediately apply for and obtain construction permits and all necessary inspections for the in-law suite constructed without approvals. The applicant shall also obtain septic system approval from the County.

**FRANKLIN TOWNSHIP
ZONING BOARD OF ADJUSTMENT**



JOHN GRAVENOR, Chairman

ATTEST:



CHRISTINA MULFORD, Secretary