

**RESOLUTION OF THE SEA BRIGHT PLANNING/ZONING BOARD
GRANTING SITE PLAN AND BULK VARIANCE APPROVAL**

**RE: William Dixon
360 Ocean Avenue
Block 30 Lot 37
Sea Bright, New Jersey**

WHEREAS, William Dixon (the "Applicant") made application to the Planning/Zoning Board of Sea Bright (the "Board") for property known as Block 30, Lot 37 on the Tax Map of the Borough of Sea Bright, also known as 360 Ocean Avenue for site plan and bulk variances to construct a new detached garage to replace one that was destroyed in Superstorm Sandy; and

WHEREAS, the Applicant seeks bulk variances for accessory structure located in front yard; height where 15' is permitted and 18' is proposed; and

WHEREAS, Applicant has provided due notice to the public and all surrounding property owners as required by law, has caused notice to be published in the official newspaper in accordance with N.J.S.A. 40:55D-1 et seq. and, therefore, this Board has accepted jurisdiction of the application and has conducted public hearing on the matter at its meeting on January 8, 2019, at which time all persons having an interest in said application were given an opportunity to be heard; and

WHEREAS, the Applicant appeared and marked into evidence certain documents including the following:

A-1 Jurisdictional packet

A-2 Survey dated 11-13-15 prepared by Robert Vallee

A-3 Plot Plan for Variance prepared by Matthew Hockenbury dated 8-13-18

A-4 Plans prepared by Matthew Hockenbury dated 8-13-18

A-5 Photographs of existing property

WHEREAS, the Board considered the testimony and evidence presented and the Board makes the following findings of fact and conclusions of law:

1. The Applicant wishes to replace a detached garage that was destroyed in Superstorm Sandy. The proposed garage will be in essentially the same location but will be a bit wider and higher to accommodate storage.

2. The Applicant seeks bulk variances for accessory structure located in front yard and height where 15' is permitted and 18' is proposed

3. The Board found that the height was reasonable and necessary to keep the architectural lines to match the home and will provide storage above.

4. At the request of the Board, Applicant **STIPULATED** that the garage would not be habitable. The only plumbing would be limited to hose bibs/spigots/wash sinks, if any. The intended purpose of the garage is to accommodate 2 vehicles and provide storage above.

5. The Board noted that the configuration of the lot and the existing structures led to the garage location in the front yard.

6. The Applicant **STIPULATED** that the width of the garage would not exceed 25' and that the structure would be set back at least 5' from the property line.

7. The Board found the proposed garage located in the front yard and exceeding the height for an accessory structure would have no detrimental impact to the neighborhood or the zone plan. The height will allow for a better architectural configuration that will complement the existing home.

8. The Board noted that the lot is configured in such a fashion to require the layout of the garage as proposed.

9. The Board found that the variances could be granted without any negative impact on the zoning ordinance or zone plan. The proposal is not obtrusive, and will provide a more aesthetic structure and layout of the property.

10. The Board found that the granting of the variances will have no substantial detrimental impact on the surrounding neighborhood.

11. After evaluating all of the evidence and testimony the Board found that the granting of bulk variances would have no impact and could be granted with no negative impact.

NOW, THEREFORE, BE IT RESOLVED by the Planning/Zoning Board of the Borough of Sea Bright that the Application for site plan with the bulk variances as set forth above is approved in accordance with the plans submitted and marked into evidence, subject to the following conditions:

GENERAL CONDITIONS

1. The applicant shall submit proof of payment of all real estate taxes applicable to the property and payment of all outstanding and future fees and escrow charges, posting of all performance guarantees, if any, in connection with the review of this application prior to and subsequent to the approval of this application.

2. The applicant must obtain the approval of all necessary and appropriate governmental agencies and compliance with all governmental regulations, including but not limited to CAFRA, except those specifically waived or modified in this Resolution.

3. The applicant shall comply with all building, FEMA and fire codes including but not limited to, entrances and exits.

4. The accuracy and completeness of the submission statements, exhibits and other testimony filed with or offered to the Board in connection with this application, all of which are incorporated herein by reference and specifically relied by the Board in granting this approval. This condition shall be a continuing condition, which shall be deemed satisfied unless and until the Board determines (on Notice to the applicant) that a breach thereof.

5. All stipulations agreed to on the record, by the applicant.

6. In the event that any documents require execution in connection with the within approval, such documents shall not be released until all of the conditions of the approval have been satisfied unless otherwise expressly noted.

7. The Applicant shall pay to the municipality any and all sums outstanding for fees incurred by the municipality for services rendered by the municipality's professionals for review of the application for development, review and preparation of documents, inspections of improvements and other purposes authorized by the MLUL.

8. The Applicant shall furnish such Performance Guarantees and/or Maintenance Guarantee as may be required pursuant to the MLUL and the Sea Bright Ordinances.

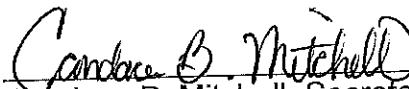
9. No site work shall be commenced or plans signed or released or any work performed with respect to this approval until such time as all conditions of the approval have been satisfied or otherwise waived by the Board.

BE IT FURTHER RESOLVED that this Resolution memorializes the action taken by the Planning/Zoning Board at its meeting of January 8, 2019; and

BE IT FURTHER RESOLVED that the Chairman and Board Secretary are hereby authorized to sign any and all documents necessary to effectuate the purpose of this Resolution; and

BE IT FURTHER RESOLVED that the Board Secretary is hereby authorized and directed to cause a certified copy of this Resolution to be sent to the Applicant, the Borough Clerk, the engineer and the zoning officer and to make same available to all other interested parties and to cause notice of this Resolution to be published in the official newspaper at the Applicant's expense.

I certify the foregoing to be a true copy of a Resolution by the Sea Bright Planning/Zoning Board memorialized on January 22, 2019.


Candace B. Mitchell, Secretary
Sea Bright Planning/Zoning Board

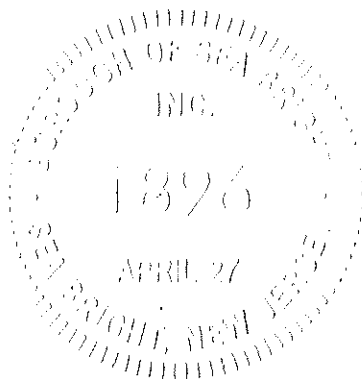
Adopted on a roll call on a motion by Councilman Leckstein
And Seconded by Stephen Smith

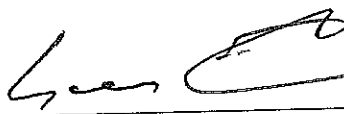
Vote: Cashmore Absent Cunningham Yes DeGiulio Abstain

DeSio Absent Duffy Yes Leckstein Yes

Long Yes Nott Abstain Smith Yes

McGinley Abstain Bills Absent Wray Yes




Lance Cunningham, Chairman
Sea Bright Planning/Zoning Board