

**Resolution
of the
City of Millville Zoning Board
of Adjustment
Cumberland County
New Jersey**

RESOLUTION NO. 17-2020

WHEREAS, Hutton Millville St, LLC of 736 Cherry Street, Chattanooga, Tennessee has applied to the City of Millville Zoning Board of Adjustment for Bulk “C” Variance Approval for property located at Block 233 Lot 10 on the Municipal Tax Map of the City of Millville and more commonly known as 2007 N. 2nd Street, Millville, New Jersey. The applicant proposes a sign package which includes a building sign mounted above the roof line and three building mounted signs which do not face the roadway, said property being located in a B-4 Zone with lot area of 3.84 acres, frontage of 120’ on Route 47 and a depth of 200’ ; and

WHEREAS, this application was heard by the City of Millville Zoning Board of Adjustment at its regular meeting date of December 3,2020 via GoToMeeting; and

WHEREAS, the applicant is seeking Bulk “C” Variance approval to permit the signs which include three signs which face East, North, and South but not toward the road frontage and signage which extends above the roof line; and

WHEREAS, the Board is in receipt of the following documents which were incorporated as fact:

- (a) City of Millville Zoning Board of Adjustment Application Form dated October 29, 2020;
- (b) City of Millville Engineering Report dated December 1, 2020;

Prepared by:

Nathan Van Embden, Esquire
21 E. Main Street, PO Box 428
Millville, NJ 08332

(c) Four pages of 3D building models with proposed signage locations;

(d) One construction photo dated October 28, 2020;

(e) Site Plan prepared by Hutton, Real Estate, Development, Construction;

(f) Depiction of the east entrance labeled “ Entry (East) Elevation prepared by Hutton, Real Estate, Development, Construction;

(g) Depiction of parking lot elevation labeled “ Parking Lot Elevation” Hutton, Real Estate, Development, Construction;

(h) Depiction of tunnel elevation labeled “ Wash Tunnel Elevation” Hutton, Real Estate, Development, Construction;

(i) Depiction of exit elevation labeled “ Exit (West) Elevation Hutton, Real Estate, Development, Construction;

(j) Three depictions of proposed signage labeled “ LED Channel Letter- Direct Mounted,” Pylon Sign,” and “Directional Signage” Hutton, Real Estate, Development, Construction;

(k) Layout Plan prepared by Tylin International dated June 8, 2020; and

WHEREAS, the Board, at that meeting, carefully considered the application submitted as well as the testimony of the applicant and evidence presented as follows:

1. Laura D’ Allesandro, Esquire, attorney for the applicant, presented the application.
2. Ben Carroll of Chattanooga, Tennessee, property manager for the applicant, Hutton Millville ST, LLC, was sworn and testified before the Board and described the nature of relief sought.

Mr. Carroll advised that the car wash project was just granted temporary Certificate of Occupancy and would open for business shortly.

3. He described the sign package as “prototypical” of signage utilized and to be utilized by “Mod Wash,” a one year old company building at five sites in the area.

4. The sign package describes internally illuminated signage on the rear of the building facing east as well as internally illuminated signage mounted on both sides of a “fin” facing North and South at an elevation above the roof line.

5. Variances are sought to allow signage to extend above the roofline and to allow side and rear facing signage where the zoning ordinance permits only front facing signs installed below the roof line.

6. The applicant addresses the City of Millville Engineering Report letter of December 1, 2020 by confirming that the pylon sign setback conforms with the NJ DOT official standards.

7. The meeting was opened to the public with no one appearing to speak for or against the application.

WHEREAS, the Board, after hearing the testimony and reviewing the application and evidence submitted, made the following findings of facts and conclusions of law:

1. Hutton Millville ST, LLC is the owner of a car wash facility branded “Mod Wash” located at 2007 N. 2nd Street(Route 47), Block 233 Lot 10, Millville, New Jersey.

2. The applicants seeks to install a sign package which it intends to utilize as an identifier of its chain of car washes in this and other installations.

3. The sign package deviates from the City of Millville signage ordinances in that it proposes signage which extends above the roof line and signage which does not face the street.

4. The proposed sign package is appropriate to the property size and provides for way finding to travelers on the Route 47 highway corridor.

5. The proposed deviations from the ordinance are not significant and are consistent with neighboring and adjacent development.

WHEREAS, the City of Millville Zoning Board of Adjustment, on a motion for approval, granted Bulk “C” Variance Approval to the applicant, by a unanimous vote in favor of the application; and

WHEREAS, this Resolution is intended to memorialize the foregoing decision of the city of Millville Zoning Board of Adjustment of January 7, 2021;

NOW, THEREFORE, BE IT RESOLVED, by the City of Millville Zoning Board of Adjustment on this 7th day of January 2021 that the application of Hutton Millville St, LLC for Bulk “C” Variance Approval, as applied for by the applicant, is hereby granted, subject to the following terms and conditions:

1. The applicant shall be permitted to install its proposed prototypical sign package as delineated in its application for the site at 2007 N. 2nd Street, Millville, New Jersey. The relief afforded the applicant includes variances to have signs facing East, North, and South which do not face the roadway and also permitting the two signs mounted on the North and South face of the architectural “fin” to be located above the roof line.
2. The applicant shall comply with the terms and conditions of the Engineering Review Report dated December 1, 2020 as a condition of such approval.
3. The applicant must obtain and comply with any and all necessary state, county, federal, municipal and other governmental approvals and regulations prior to renovation including, but not limited to, the Cumberland County Planning Board, if applicable.
4. Pursuant to city ordinance requirements, any variance granted shall expire and become null and void after one year following the granting of the variance unless the applicant obtains a permit or otherwise avails himself of this approval.

5. The permit shall reflect the approval of the Zoning Board by attaching a copy of this Resolution and making it a part of the permit and all of the above findings and representations of the applicant are incorporated into this approval as if set forth at length herein.

6. Agreement by the applicant to specific items not contained within the Resolution, which are otherwise set forth in the application or which are contained within the record of the hearing of the application, are adopted even though not set forth herein at length.

ROLL CALL

Motion to Approve: Vice-Chairman Connor
 Seconded: Ms. Chainey

MEMBER	YEA	NAY	ABSENT	ABSTAIN	EXCUSED
John Worthington, Chairman	x				
Robert Conner, Vice-Chairman	x				
Steve LaTore			x		
Brian McGahhey	x				
Pauline Velez	x				
Timothy Carty	x				
Veronica Chainey	x				
Sheila Roselle, Alt. I	x				
Sharleen Johnson, Alt. II					
Vacant, Alt III					
Vacant, Alt. IV					

AND BE IT FURTHER RESOLVED that a copy of this Resolution be forwarded to the applicant and to all who request a copy for a reasonable fee. In addition, a copy of this Resolution shall be filed in the Office of the Clerk of the City of Millville.

By: _____ By: _____
 Kristine Klawitter, Board Secretary John Worthington, Chairman

Dated:

CERTIFICATION

The foregoing is a true copy of a Resolution adopted by the Zoning Board of Adjustment of the City of Millville at a meeting of January 7, 2021 memorializing action taken by the Board at its regular meeting held on December 3, 2020.

By: _____
Kristine Klawitter, Board Secretary