

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

RESOLUTION NO. 18-2020

WHEREAS, Eastside Investments, LLC of 7117 Millville Mays Landing, Road, Milmay, New Jersey has applied to the City of Millville Zoning Board of Adjustment for “D” Variance Approval for property located at Block 265 Lot 7 on the Municipal Tax Map of the City of Millville and more commonly known as 1001 Coombs Road, Millville, New Jersey. The applicant proposes to demolish the existing home and construct a 48’ by 26’; three- bedroom, single family home; located in an I-1 Zone with lot area of 1910 sq. ft., frontage of 145.18’ along Coombs Road and a frontage of 150’ along 10th Street; 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 Zoom; and

WHEREAS, the applicant is seeking “D” Variance approval for demolition of the existing home and construction of a three bedroom, single family home where the property currently houses a residential use; the zone does not permit residential uses.

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 November 16, 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) Hand-drawn sketch of lot attached to Application; 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. Lynn Perryman, member of the applicant, Eastside Investments, LLC , was sworn and testified before the Board and described the nature of the application.
2. The existing residence and separate garage are located on the parcel amid other residential uses in this industrial zoned area. The applicant seeks to demolish an older home and replace it with a new code compliant modular home set further back from the road. The applicant asserted this betterment would improve traffic visualization and road safety as well as introduce a safer, modern residence which is compliant with current codes.
3. The applicant further asked to retain the free standing brick garage to be an accessory to the new residence once completed.
4. The property is served by city water and sewer. Demolition is proposed to start in the spring and construction completed within 12 months.
5. The meeting was opened to the public with no one speaking 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. The proposed change requires a “D” Variance since the area is located in a I-1 zone. The immediate neighborhood is developed as a residential neighborhood and the current residential use is a preexisting non-conforming use.
2. The propose demolition and construction is consistent with the neighborhood and will enhance safety and visual enrichment.

3. Such variance does not cause impairment to the zone as developed.

4. The applicant asserts the positive criteria would be met by improving traffic sight lines on two roads, improving the aesthetics of the parcel with a new home, and improving functionality and safety by introducing a home with modern systems.

5. Applicant has met the positive and negative criteria for approval.

6. The applicant agreed to comply with all recommendations contained in the city of Millville Planning and Engineering Report dated December 1, 2020.

WHEREAS, the City of Millville Zoning Board of Adjustment, on a motion for approval, granted “D” 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; and

NOW, THEREFORE, BE IT RESOLVED, by the City of Millville Zoning Board of Adjustment on this 7th day of January 2021 that the application Eastside Investments, LLC for “D” 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 demolish the existing home and construct a 48’ by 26; three- bedroom, single family home and shall complete their construction within 12 months. The applicant shall be permitted to retain the accessory garage building to be ultimately paired with the new modular residence to be erected within 12 months.
2. The applicant shall comply with the terms and conditions of the Engineering Review Report dated December 1, 2020 and its 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: Timothy Carty
 Seconded: Brian McGahhey

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