

**Howard D. Melnicove, Esq.**

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**From:** "Howard D. Melnicove, Esq." <hdmlawyer@comcast.net>  
**Date:** Wednesday, September 2, 2020 3:39 PM  
**Subject:** Tonetta & Bays | Millville Variance Application | 2035 Carmel Road, Block 24, Lot 4, Millville, Cumberland County, NJ

Ms. Kristine Klawitter  
Zoning Board of Adjustment Secretary  
City of Millville  
Planning/Zoning Department  
P.O. Box 609  
Millville, NJ 08332

RE: Applicants: Christine Tonetta and Terry Bays  
Accessory Structure Height Variance  
Property Location: 2035 Carmel Road, Block 24, Lot 4, Millville, Cumberland County, NJ

Dear Ms. Klawitter:

I am the attorney for applicants, Christine Tonetta and Terry Bays, in regard to the above referenced height (C-2) bulk variance for a proposed development of a garage/storage building structure which will be accessory to the existing single family dwelling on the above referenced lot. A height variance (C-2) will be required for the proposed development in that the structure will be approximately 25 ft. high, when a maximum height of 15 ft. is permitted for accessory structures in the agricultural/conservation district wherein the property is located.

I will be hand-delivering to you (and I am attaching a copy to this email) the following:

1. One (1) original and fifteen (15) copies of the Development Application form.
2. Sixteen (16) copies of survey (attached hereto as a PDF as well), prepared by Reale Associates, LLC, dated 8/25/2008.
3. Sixteen (16) copies of variance plans showing the location of the proposed accessory structure on the Reale Associates, LLC survey.
4. Sixteen (16) copies of four elevation illustrations of the proposed accessory structure.
5. Sixteen (16) copies of elevation views of the proposed structure showing the total building height measurement (24' 6").
6. Sixteen (16) copies of the floor plan details.
7. Sixteen (16) copies of photographs of four views from the property.
8. Sixteen (16) copies of the current deed to the property, demonstrating the applicant's ownership.
9. One (1) copy of request for list of property owners within 200 ft., the original of which is being delivered to the tax assessor's office, along with my check in the amount of \$10.00.

The applicant will present evidence and argument to the Zoning Board of Adjustment to justify the proposed height variance in accordance with N.J.S.A. 40:55D-70(C-2) of the New Jersey Municipal Land Use Law. The applicant will present evidence that the proposed structure is in common with the structures in the neighborhood where the property is located, that it can be developed without substantial detriment to the public good, and that it will not substantially impair the intent and purpose of the zone plan and zoning ordinance of the municipality. Furthermore, the proposed development will support the general purposes of zoning and will result in benefit to the community.

At this time, I am requesting that this application be reviewed for completeness. I am also requesting that, after a

review of this application, the Board secretary advise me of the amount of the filing fee that will be required, based upon the nature of this application. I am requesting that this matter be placed on the Board's agenda for its regularly scheduled meeting on October 1, 2020 for both a finding of completeness and a hearing on the merits of the application. Prior to the meeting, I will be providing you, as Board Secretary, proof of publication and notice to all persons within 200 ft. of the property.

I thank you for your attention to this matter and I await your response.

Very truly,

HOWARD D. MELNICOVE, ESQ.

36 FRANKLIN STREET

BRIDGETON, NJ 08302

(856)453-0009 Office

(856)451-7322 Fax

hdmlawyer@comcast.net

Please contact my office at (856)453-0009 if your matter is time sensitive. Emails are not always able to be answered on the same day in which they are received.

Date Application Received: 9/3/20 Application # \_\_\_\_\_  
Fee Paid: \_\_\_\_\_

**CITY OF MILLVILLE  
ZONING BOARD OF ADJUSTMENT**

**APPLICATION FORM**

**Please type or print all information**

1. Application Information

Name: Christine Tonetta and Terry Bays

Address: 2035 Carmel Road

City Millville State NJ Zip 08332

Phone (856)207-8050

2. Applicant's Attorney Information

Name Howard D. Melnicove, Esq.

Address 36 Franklin Street

City Bridgeton State NJ Zip 08302

Phone (856)453-0009 Fax (856)451-7322

3. Property Information

Street Address 2035 Carmel Road

Block 4 Lot 21 Zone Ag/Conservation

Lot Area 5.05 acres Frontage 220 ft. Depth 1,000+/- ft.

4. The appropriate Plan has been filed with the Secretary of the Zoning Board of Adjustment of the City of Millville which may be examined at the Office of the Secretary on the 5th floor of City Hall 12 S. High Street, Millville, New Jersey between the hours of 8:30 AM and 4:30 PM Monday through Friday. The map or sketch indicates the existing locations of boundary lines and structures and the changes requested to be granted herein by this Application.

5) The present use of the land is single family dwelling

6) Description of proposed use or change to the property addition of an accessory detached pole barn/garage

7) The changes requested  (are not) (circle one) permitted in this zone by the Development Regulations of the City of Millville. If permitted, set forth the Section of the Regulation by which such use is permitted.

Such use is permitted: permitted accessory use

8) Type of Variance requested:

A    B     C    D    (Circle appropriate variance type)

9) Set forth reasons why the Zoning Board of Adjustment should grant your application. Specify in detail all facts and reasons you intend to rely upon in support of the request.

The applicant proposes to construct a 30' by 60' post frame structure to be used as an accessory to the existing dwelling

for vehicles and storage. The height of the proposed structure is 25' high when 15' are permitted in the zone.

The applicant will demonstrate facts to support a height variance in accordance with N.J.S.A. 40:55D-70(c)(2).

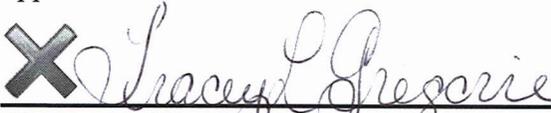
10) Date(s) and result(s) of any previous applications(s) to this Board for the above described property.

A. \_\_\_\_\_ B. \_\_\_\_\_ C. \_\_\_\_\_

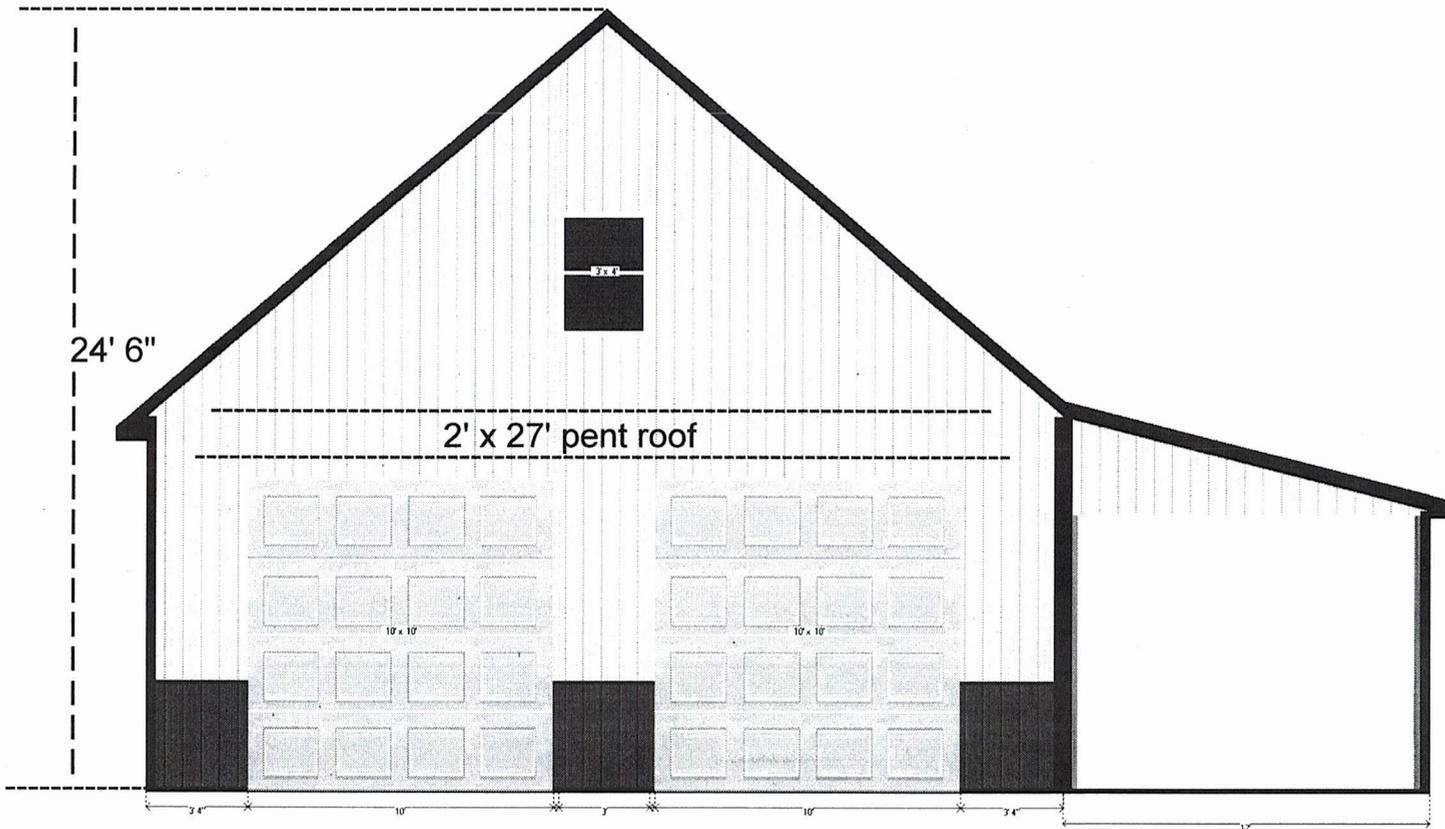
11) A hearing on this Application will take place at 6:30 PM on October 1, 2020 in the 4<sup>th</sup> floor Richard C. McCarthy Commission Chambers in Millville City Hall, 12 S. High Street, Millville, New Jersey.

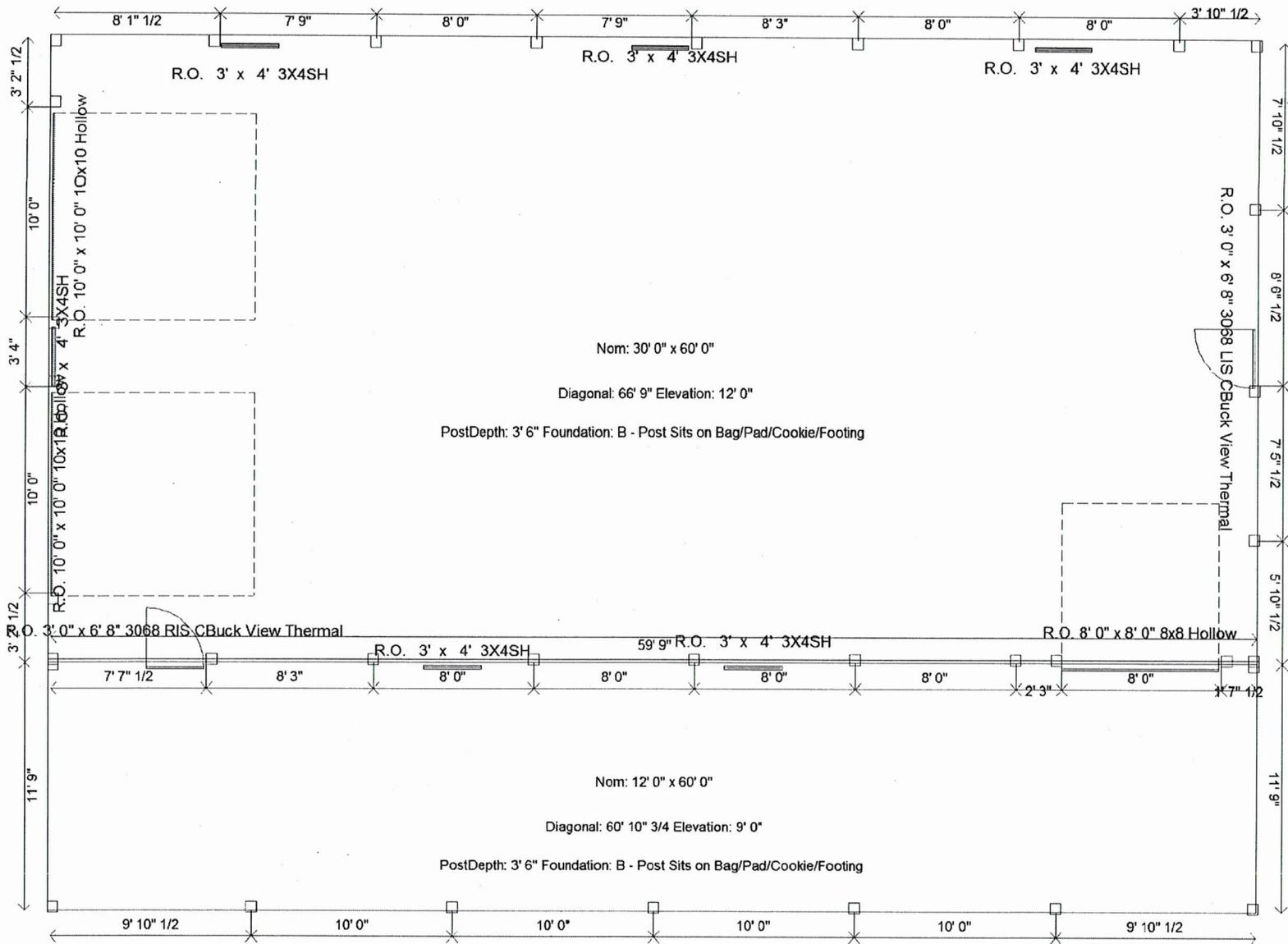
 9/3/2020  
Signature of Applicant(s) Date

THIS IS TO CERTIFY THAT NO TAXES OR ASSESSMENTS FOR LOCAL IMPROVEMENTS ARE DUE OR DELINQUENT ON THE PROPERTY IN QUESTIONS – if applicable.

 9-3-2020  
Signature of Tax Collector Date

ELEVATION PLAN (BY DIRECTION, ALL WINGS) -- West







Neighbors to West (none)



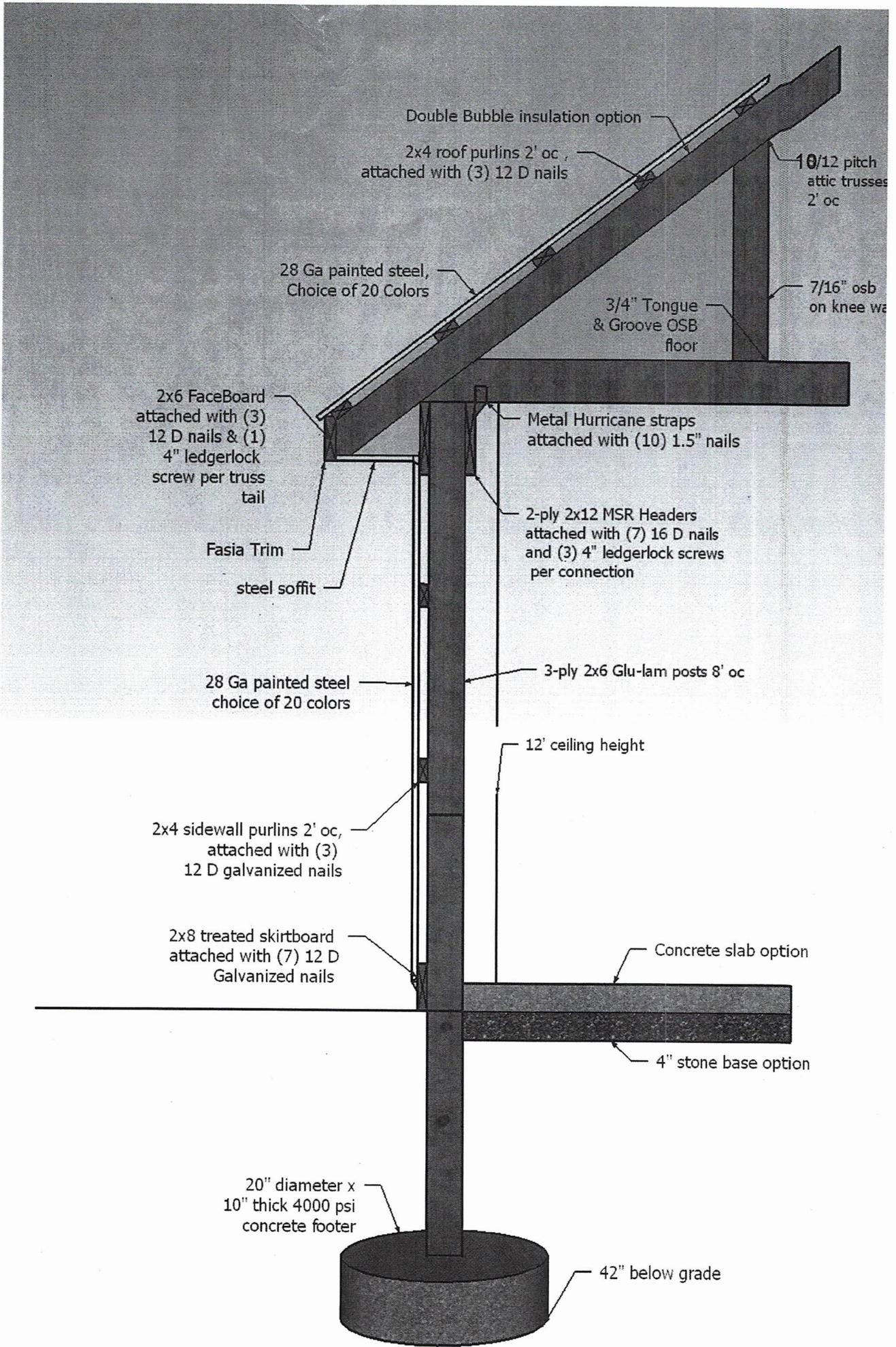
From buildings to street



Building Location



Neighbor to East



Double Bubble insulation option

2x4 roof purlins 2' oc ,  
attached with (3) 12 D nails

10/12 pitch  
attic trusses  
2' oc

28 Ga painted steel,  
Choice of 20 Colors

3/4" Tongue  
& Groove OSB  
floor

7/16" osb  
on knee wa

2x6 FaceBoard  
attached with (3)  
12 D nails & (1)  
4" ledgerlock  
screw per truss  
tail

Metal Hurricane straps  
attached with (10) 1.5" nails

Fasia Trim  
steel soffit

2-ply 2x12 MSR Headers  
attached with (7) 16 D nails  
and (3) 4" ledgerlock screws  
per connection

28 Ga painted steel  
choice of 20 colors

3-ply 2x6 Glu-lam posts 8' oc

12' ceiling height

2x4 sidewall purlins 2' oc,  
attached with (3)  
12 D galvanized nails

2x8 treated skirtboard  
attached with (7) 12 D  
Galvanized nails

Concrete slab option

4" stone base option

20" diameter x  
10" thick 4000 psi  
concrete footer

42" below grade