

assessor

PRELIMINARY \_\_\_\_\_  
FINAL \_\_\_\_\_  
REVISED \_\_\_\_\_

TOWNSHIP OF LOWER

APPLICATION FOR SITE PLAN REVIEW

1. Applicant's Name: Proots, LLC  
Mailing Address: 963 Mummytown Rd. Cape May NJ Zip Code 08204  
Phone Number: (609) 425-6412
2. Owner of Record: Proots LLC  
Address: 583 Mummytown Rd Cape May NJ Zip Code 08204
3. Site Planner's Name: Engineering Design Associates P.A.  
Mailing Address: 5 Cambridge Dr. Ocean View NJ Zip Code 08230
4. Proposed Development Name: N/A  
Block: 630 Lot(s): 1 & 2  
Street: 3824 and 3826 Bayshore Road Tax Map Sheet: 6.01  
Zoning District: GB-1 General Business
5. Sewered  Unsewered

SPECIFIC Use of Proposed Development (Not existing): (Parking, Type of Shop or Facility)

Ice Cream Parlor

6. Number of Units in Development: 1
7. Land Area: Acreage: .4 Square Footage: 17,454
8. Building Area: Square Footage: 1,250 Percent Lot Coverage: 60.66%
9. Parking: Number Spaces Required: 17 Number Provided: 18  
Parking Space Width: 9ft Parking Space Length: 18ft  
Drive Aisle: minimum 41.5ft
10. Date of Documents: 3/31/2021 Date of Revisions: \_\_\_\_\_

SIGNATURE OF APPLICANT: \_\_\_\_\_ DATE: \_\_\_\_\_  
or AGENT: Brian D. Mann, Esq DATE: 4/5/21

SIGNATURE OF TAX COLLECTOR, \_\_\_\_\_  
Certifying Taxes Paid to Date: \_\_\_\_\_ DATE: \_\_\_\_\_

APPLICANT E-MAIL ADDRESS: Brian@HennLawOffice.com

ALL POINTS ABOVE MUST BE ADDRESS. FEES ARE BASED ON ANSWERS TO #6 & #7.

DEVELOPERS IN DIAMOND BEACH MUST SUPPLY COPY OF APPLICATION AND PLAN TO:

WILDWOOD WATER UTILITY, 3100 New Jersey Avenue, Wildwood, NJ 08260.

LOWER TOWNSHIP PLANNING BOARD  
APPLICATION FOR DEVELOPMENT (FORM #1)

Applicant's Name: ELIZABETH O'HARA Phone 609-425-6412

Address: 563 NUMMYTOWN ROAD Zip 08204  
CAPE MAY, NJ

Owner's Name: SAME AS APPLICANT

Owner's Address: SAME AS APPLICANT

Subject Property - Street Address: 3826 + 3824 DAYSHORE ROAD

Subject Property - Block & Lot Numbers BLOCK 630, LOTS 1+2

1. Specify which power(s) the Planning Board is requested to exercise:

- 70c.1 Hardship Variance
- 70c.2 Variance
- 67 Conditional Use
- 34 Building Permit in street bed, public drain area, etc.
- 35 Building Permit where lot does not abut street
- Other (Specify)

2. Request is hereby made for permission to PERMIT A 10' WIDE  
LANDSCAPE BUFFER BETWEEN A COMMERCIAL USE  
AND RESIDENTIAL ZONE OR USE WHERE AS  
A 20' WIDE LANDSCAPE BUFFER IS REQUIRED,  
contrary to requirements of Section (s) 400-59B of the Development Ordinance.

2a. List all variances sought: 400-59B - TO PERMIT A 10' WIDE  
LANDSCAPE BUFFER

Said property measures 104.75' x 167' and contains approximately 17,454 SF / 0.40 ACRES  
square feet, and is located in the GB-1 Zoning District.  
with  without \_\_\_\_\_ sewer.

3. The size of the proposed building is SEE x PLAN; Height 235';  
stories 1; square feet 1,250 (existing), 1,334 (proposed) TOTAL

4. The setbacks of the principal building will be: Front 17.5'; Front 29.6';  
Rear 76 1/2'; Side 97.4'; Side 42.5'; Percent of lot coverage 60.66%.

5. Setbacks of accessory building will be: (if applicable)  
Front 52.88'; Rear 81.6'; Side 6'; Side N/A; Percent of lot coverage 0.35%

\* Distance to nearest building: 20.8' Height <15' # of Storics 1

6. Supply a statement of facts showing why relief can be granted without substantial detriment to the public good, and will not substantially impair the intent and purpose of the Zone Plan and Development Ordinance.

SEE ATTACHED.

7. What are the EXCEPTIONAL conditions of the property supporting the granting of the variance?

I, ELIZABETH O'HARA, do hereby certify that the information presented in this application is true and accurate, to the best of my knowledge.

Elizabeth O'Hara  
Signature

4-22-21  
Date

bootsypancakes@yahoo.com  
Applicant E-mail address

NAME, ADDRESS AND PHONE OF ATTORNEY,  
IF APPLICANT WILL BE REPRESENTED:

BRIAN D. HEUN, ESQUIRE  
P.O. BOX 299 - LINWOOD, NJ 08221  
609-380-4485

Either the applicant, or an attorney, must be present at

Lower Township Planning Board – Application for Development (Form #1) Variance Application

Applicant: Elizabeth O’Hara

Property: Block 630, Lots 1 & 2

*Statement of facts (item #6)*

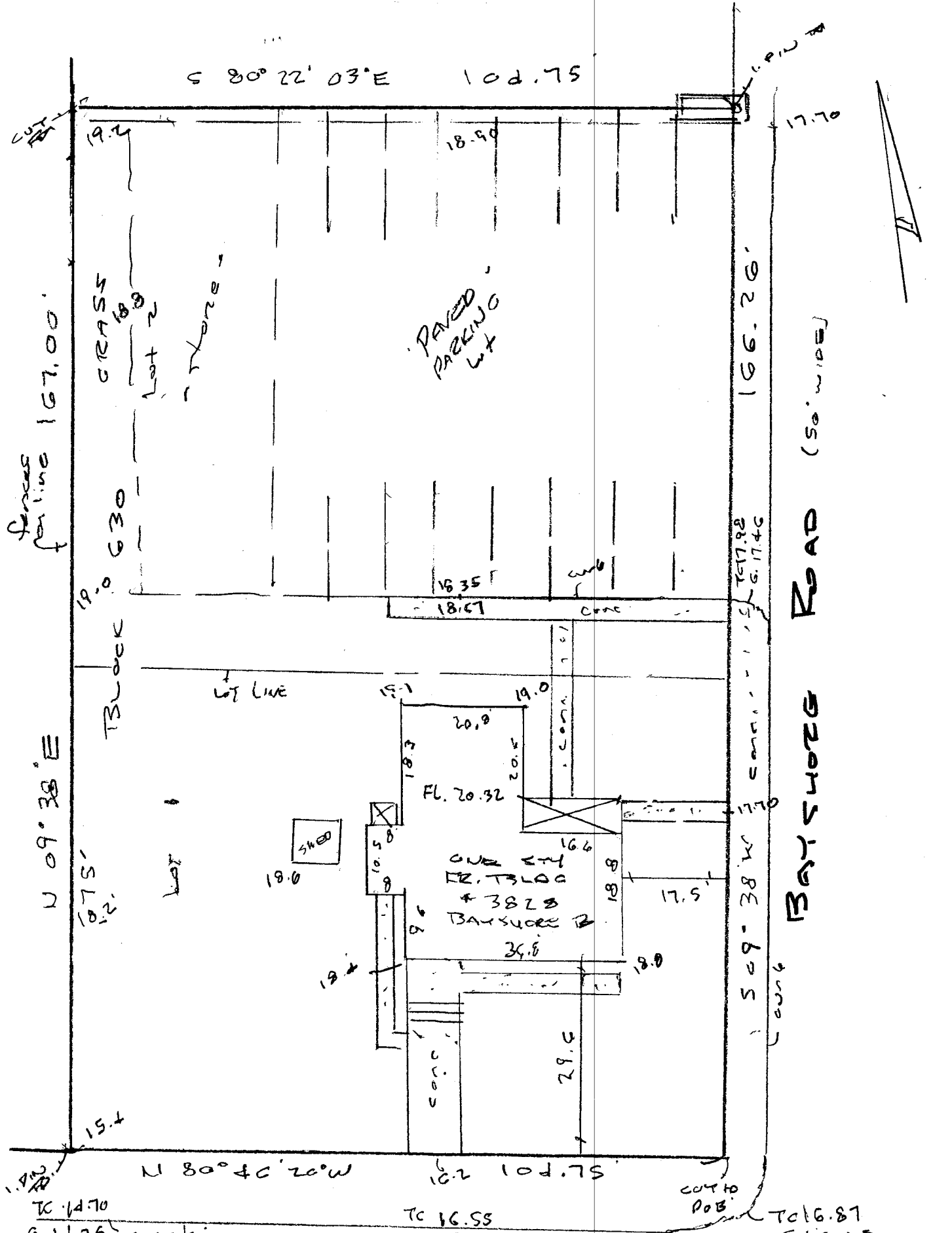
The applicant is seeking a “C” variance relief for a reduced landscape buffer, which can be approved without substantial detriment to the public good, with benefits that outweigh any detriment, and will not substantially impair the intent of the purpose of the Zone Plan and Development Ordinance for the use in this zone.

The purposes of the Municipal Land Use law would be advanced by a deviation from the zoning ordinance requirements, for reasons indicated in:

1. **(g.) providing sufficient space in appropriate locations for a variety of agricultural, residential, recreational, commercial, and industrial uses and open space.** The proposed use of an Ice Cream Parlor fits within the Zone Plan and Development Ordinance. The site improvements and deviation are minor.
2. **(i.) to promote a desirable visual environment through creative development techniques and good civic design and arrangement.** The applicant is providing a landscape enhancement to the buffer by incorporating a mix of evergreen trees, shrubs and flowering perennials along the existing 6’ high wood fence that abuts the existing residential zone/use.

The Variance relief can be granted without substantial detriment to the public good by which:

1. The applicant is proposing to improve the existing conditions at the site. The proposed use will also be aesthetically enhanced by the proposed improvements.
2. Granting the requested variance will not significantly impact any of the surrounding properties and instead provide visual enhancement and screening of glare.
3. The proposed development satisfies 2 of the purposes of zoning (special criteria) and the requested variance will substantially outweigh any potential negative impacts that the proposed development might have on the surrounding community.



**HOLMES AVENUE (60' WIDE)**

Elevations are in  
NAVD 1988 Datum.

Certified as correct to;  
BOOTS, LLC

*W. P. Sweeney*  
William P. Sweeney  
Lic. Land Surveyor  
N.J. Lic. # 15881

PLAN OF SURVEY  
BLOCK 630, LOTS 1 AND 2  
TOWNSHIP OF LOWER  
CAPE MAY CO., N.J.

Prepared by  
WILLIAM P. SWEENEY  
LIC. LAND SURVEYOR  
3410 BAYSHORE ROAD  
NORTH CAPE MAY, N.J.?

Date; 02-23-21  
Scale - 1" = 20'  
Survey No. S-6515