

LOWER TOWNSHIP ZONING BOARD OF ADJUSTMENT

APPLICATION FOR DEVELOPMENT

Applicant/Appellant's Name: SUSAN KENNEDY BURGOS Phone: 609-884-0153

Mailing Address: PO BOX 2227, CAPE MAY, NJ 08204

Owner's Name/Address: SAME

Subject Property: - Street Address 773 STIMPSON LANE

Block/Lot Numbers BLOCK 752.01, LOT 26.02

1. Specify which power(s) of the Zoning Board of Adjustment you are requesting:
- | | |
|---|--|
| <input type="checkbox"/> 40:55D-70a. Appeal | <input type="checkbox"/> 34 Permit to build in street bed |
| <input type="checkbox"/> 70b. Interpretation | <input type="checkbox"/> 35 Permit to build where lot does not abut a street |
| <input checked="" type="checkbox"/> 70c.1 Hardship Variance | <input type="checkbox"/> 76 Planning Board powers, where appropriate - eg. subdivision, site plan, conditional use |
| <input checked="" type="checkbox"/> 70c.2 Variance | |
| <input type="checkbox"/> 70d Use/Density | |
| <input type="checkbox"/> 40:55D-68 Certificate of Non-Conforming Use. | |
| <input type="checkbox"/> Other (Specify): _____ | |

2. Request is hereby made for permission to BUILDING COVERAGE VARIANCE
SEE ATTACHED NARRATIVE

contrary to the requirements of Section(s) 400-14 of the Zoning Ordinance.

2a. LIST by description, not number, all variance sought: PRINCIPAL BUILDING COVERAGE

Said property measures 89 x 136 and contains approximately 11,533 SF
square feet

ZONING DISTRICT R-1 Off-site sewer X On-site septic _____

3. Size of building after (and including) construction/addition(s)
1,897 square feet (1st floor) Height <35' Stories 1

4. Setbacks of Principal Building will be:
Front Yard 29.1'; Front Yard _____:(corner lots have 2 front yards)
Side Yard 6.4'; Side Yard 25.6'; Rear Yard 56'; Lot Coverage 16.3 %

5. Setbacks of Accessory Building/Use will be:

Front N/A ; Rear >4 ; Side >4 ; Side >4 ; Lot Coverage 5 %

* Distance to nearest building: 1'6' Height 10' # of Stories 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 Zoning Ordinance:

SEE ATTACHED NARRATIVE

7. What is the question sought to be interpreted? (If 70b.)

N/A

8. What are the EXCEPTIONAL CONDITIONS OF THE PROPERTY supporting the granting of variance? (If 70c)

SEE ATTACHED NARRATIVE.

9. What are the special reasons for granting this variance? (If 70d)

SEE ATTACHED NARRATIVE.

10. All applicants must attached the following to this application:

Proof of payment of all taxes due on the property.

Survey of subject property, with all existing structures drawn to scale by a NJ licensed surveyor with dimensions and setbacks marked.

Signed, notarized affidavit attesting to the fact that said sealed survey is accurate as to the current conditions.

Twenty copies of said survey, showing proposed additions with dimensions and setbacks marked.

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

Susan Burgos
Susan Burgos (Apr 15, 2021 19:57 EDT)

(Signature)

Apr 15, 2021

Supply name, address, phone of attorney representing applicant.

SKBURGOS@GMAIL.COM

(Applicant E-mail address)

Gillin Schwartz Law

Christopher Gillin-Schwartz, Esq.

cgs@cgsesq.com
609-884-0153

April 16, 2021

Gillin-Schwartz Law, LLC
1252 NJ Route 109
Cape May, New Jersey 08204
609-884-0153 Main
www.cgsesq.com

Zoning Board of Adjustment
Township of Lower
2600 Bayshore Road
Villas, NJ 08251

Re: APPLICATION NARRATIVE
BURGOS - 773 STIMPSON LANE
BLOCK 752.01 LOT 26.02

The applicant Susan K. Burgos purchased 773 Stimpson Lane in October of 2018. The property contains a single-family home with an attached deck and an accessory shed. The property has a lot area of approximately 11,533 SF. The structures situate on the property were existing at the time of her purchase and have remained unchanged since that time.

Ms. Burgos is applying to the Board for relief to make an addition to the home which will include the area currently occupied by the deck. The addition will extend slightly further into the rear yard but remain more than compliant under the code for side and rear setbacks pertaining to the area of the proposed addition.

The need for relief arises from principal building coverage requirements, which pursuant to Section 400-14 of the Lower Township Code requires 10%. At the time of the purchase, the property contained 15% principal building coverage. Ms. Burgos did not cause or create any conditions that led to building over the coverage limit - what exists currently is what she purchased.

The property has an accessory building that occupies 5% where 10% is permitted. In other words, the property is not necessarily "maxed out" in all areas. Instead, there are significant side and rear yard setbacks that will be maintained and will compliment any increase requested herein.

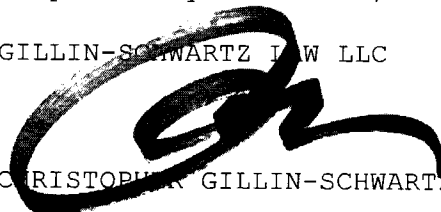
Ms. Burgos is seeking relief to essentially cover the area currently occupied by an open deck to provide a more optimal year-round use of the property and protection from the elements. This year-round use is consistent with the character of the Stimpson Lane neighborhood which is a close nit community. The proposed development will continue to preserve light, air, and open space, and will offer

an aesthetic improvement to the site and without causing any
detriments to the surrounding area or the zone plan.

For those reasons, the applicant respectfully requests the Board
find that the application meets both the positive and negative
criteria pursuant to the Municipal Land Use Law, and grant the relief
requested herein.

Respectfully submitted,

GILLIN-SCHWARTZ LAW LLC



CHRISTOPHER GILLIN-SCHWARTZ





