

**RESOLUTION OF THE COMBINED LAND USE BOARD OF BELLMAWR
GRANTING BULK VARIANCE APPROVAL FOR
CHRISTOPHER FIELDS, 230 SALEM AVENUE, BLOCK 43, LOT 14
RESOLUTION NO. 07-2022**

WHEREAS, on June 6, 2022 consideration was given to the application in the above-captioned application for various items of relief during public hearings conducted in person; and

WHEREAS, the relief sought was for a bulk variance approval together with any other required relief.

WHEREAS, the applicant Christopher Fields appeared and testified on behalf of the application. No public appeared and testified. Steven Bach testified as Board Planner/Engineer regarding the contents of his report.

1. The applicant sought relief by way of variance for front yard setback.
2. The Board had before it the following items:
 - 1) Joint Land Use Board Agreement to Pay Professional Fees.
 - 2) Borough of Bellmawr Land Development Checklists.
 - 3) Joint Land Use Board Land Development Application.
 - 4) Survey of Ewing Associates Land Surveyors.
 - 5) Photographs with descriptions
 - 6) Public Notice
 - 7) 200' Property List from the Borough of Bellmawr Assistant Tax Assessor
 - 8) Notice to Property Owner/Resident
 - 9) Request for List of Owners Within 200 foot Radius
 - 10) Request for tax collected clearance.
 - 11) Report of Bach Associates dated May 24, 2022
3. A variance was identified and requested in the application for front setback which is existing at 24.77 feet but will be reduced to 20.77 foot.

4. The variance is pursuant to Section 260-15.A.

5. The purpose is to establish a 12-square-foot enclosure of the existing front concrete landing of the existing one and a half story frame.

6. The applicant's testimony was credible and established that the enclosure of the existing concrete pad was consistent with the pattern of development in the neighborhood.

7. Additionally, the impact on the zoning would be de minimus since the pad is itself already in place, hence the footprint is already noncompliant and not being exacerbated.

8. The frontage to the pad is 20.77 feet and the variance is arising only because of the enclosure of the pad.

9. The Board finds that the applicant has satisfied the negative criteria with these two facts.

10. It was established that the enclosure of the front door and a vestibule structure promotes energy conservation by providing a chamber that would help to prevent the loss of heat or cooling upon the opening of the front door. Additionally, the vestibule would promote safety because a homeowner can receive visitors without actually letting them fully into the home. No public appeared and testified. The Board is satisfied that the application satisfied the positive and negative criteria.

NOW, THEREFORE BE IT RESOLVED considering the foregoing facts, the Board concludes the application for use variance has substantial merit and shall be approved subject however to the following conditions:

1. The applicant must contact the Combined Land Use Board office to settle any outstanding review escrow accounts prior to the issuance of building permits.
2. Approval of all appropriate reviewing agencies including without limitation, the MUA, County Planning Board, Traffic Commander, Fire Marshall, Soil Conservation District, Department of Transportation and Police Department, Water and Sewer Department. (If required).
3. Compliance with all Borough, County, State and Federal rules, regulations and ordinances.
4. Compliance with the Board Engineer's report and comments at the public hearing.
5. Compliance with all representations made by the applicant at all public hearings.
6. Compliance with all terms and conditions of all prior approvals except as is specifically modified herein.
7. Provision of a compliance plan depicting all original improvements with subsequent amendments identified by date of approval.
8. Posting of any required additional performance and maintenance bonding.

The Board further concludes that the request for C-Variances is appropriate based upon the testimony aforesaid. Accordingly, the applicant has satisfied the positive criteria of N.J.S.A. 40:55D-70(c) with respect to variances and further there is no evidence whatsoever in the record that would indicate a substantial detriment to the public good or substantial impairment of the intent and purpose of the zoning plan or zoning ordinance. Hence, the Board concludes that the applicant has satisfied the negative criteria of N.J.S.A. 40:55D-70(c).

Those Eligible to Vote

Those in Favor Those Opposed
9 0

Secretary Staszak
John Scarborough
Vice Chairman Murray
Mark DeBerardinis
Josh Haas
Harry Corcoran
Councilman Wilhelm
Mayor Sauter
Zoning Official Chris Mecca

ATTEST:


RAY STASZAK, SECRETARY

BOROUGH OF BELLMAWR
COMBINED LAND USE BOARD:


DANIEL DiRENZO, CHAIRMAN

CERTIFICATION

I HEREBY CERTIFY that the foregoing is a true and correct copy of a Resolution adopted by the Borough of Bellmawr Combined Land Use Board at a meeting held on the day of August 01, 2022


RAY STASZAK, SECRETARY