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February 26, 2021

Dawn M. Farrell, Administrative Clerk
Township of Monroe Zoning Board
125 Virginia Avenue, Suite 5A
Williamstown, NJ 08094-1768

Use Variance (1st Review)
Block 22.0303, Lot 35.02
480 Radix Road
Zone: R-2, Suburban Residential Option District
Applicant: Thomas R. Fox Jr.
Application № 21-05
Colliers Engineering & Design Project No. MMZ-083

Dear Ms. Farrell,

The above referenced application is a request for a use variance application review.

1.0 Project Description

1.1 Proposal

The applicant seeks use variance approval to construct a 1,760 s.f. (40' x 44'), 20.8' high pole barn accessory structure with an 8' x 44' overhang to store personal RV and classic cars on their single-family residential property. The existing carport in the rear of the property is proposed to be removed.

1.2 Existing Conditions

The .997± acre parcel fronts on Radix Road and the property contains an 1800 square foot, 1-story frame, single-family dwelling with concrete drive and carport, rear deck, inground pool with canopy and shed as well as a 2nd carport in the rear of the property that is proposed to be removed. The application notes that the property is served by public water and sewer, however, a well is also shown on the plan. The PIQ is zoned R-2, Suburban Residential Option District.

It is noted that the shed as well as a portion of the fenced backyard is located on adjacent lot 35.03. Testimony should be provided regarding these encroachments.

1.3 Surrounding Land Uses

The area is residential in character with several nearby single-family detached homes. All of the adjacent parcels appear to contain residential uses. The surrounding area is zoned R-2, Suburban Residential Option District.

2.0 Materials Reviewed

We have reviewed the referenced submission, encoded by the Zoning Board as #21-05, received February 12, 2021, consisting of the following:

Sheet	Title	Date
---	Application	February 1, 2021
---	Plan of Survey (reduced size)	October 1, 2020
---	Floor Plan of the Pole Barn	---
---	B&W Photos (4)	February 14, 2019

The survey was prepared by Robert J. Monson, PLS.

3.0 Zoning Requirements

3.1 Use

1. In accordance with § 175-162C(1)(c), utility sheds and/or accessory buildings are a permitted accessory use in the R-2, Suburban Residential Option District, subject to the requirements of § 175-89.
2. In accordance with § 175-11, an accessory building, structure or use must be subordinate in area, extent and purpose to a principal structure, building or use. The proposed pole barn is 1,760 s.f., exclusive of the overhang, which is less than the size of the existing principal residential structure cited as being 1800 s.f. As such, the pole barn appears to meet the definition of an accessory structure or use.
3. In accordance with § 175-11(C), an accessory building is defined as a building, structure or use which contributes primarily to the comfort, convenience or necessity of the occupants, business or industry of its principal structure, building or use served.
4. In accordance with § 175-89, an accessory building is permitted in any zone but must adhere to the following requirements:
 - F. A maximum of two accessory buildings consisting of one shed and one garage is permitted except on qualified farmland.
 - (1) One garage is permitted with a maximum size floor area ratio of 900 square feet and a maximum height of 18 feet from the ground level to the peak.

As proposed, the application does not conform to these requirements, proposing a pole barn of 1760 square feet plus a 352 s.f. overhang and a height of 20.8'. As such, a d'4' variance and height variance are required.

It is noted that although the number of accessory structures exceed two (2), having four (4) existing, the total will remain at four (4) as the proposed pole barn is replacing one of the existing accessory structures.

3.2 Bulk Requirements – Accessory Structures (R-2, single-family detached)

Per § 175-162E(3), the yard requirements for accessory uses to residential uses may be reduced by up to 50% of the requirement for principal uses within the specific district.

1. **Side Yard Setback:** The minimum required side yard setback is 25 feet. The pole barn, as an accessory structure, may have a setback of 50% (25') = 12.5'. The proposed setback to the side property line is greater than 12.5'. The plan conforms to this requirement.
2. **Rear Yard Setback:** The minimum required rear yard setback is 75 feet. The garage, as an accessory structure, may have a setback of 50% (75') = 37.5'. The proposed setback to the rear property line is greater than 37.5'. The plan conforms to this requirement.
3. **Garage Height:** Per § 175-89, the maximum permitted garage building height is 18 feet from the ground level to the peak. The plan does not conform to this requirement, proposing 20.8 feet in height. As proposed, a variance is required.

4.0 Design and Performance Standards

- 4.1 In accordance with § 175-89E, accessory buildings or structures shall not be located in any required buffer areas, easements or drainageways. Testimony regarding compliance shall be provided.
- 4.2 In accordance with § 175-89G(1), the roof shape of a garage or shed shall be visually compatible with building and/or structures to which it is visually related. Testimony regarding compliance to be provided.
- 4.3 In accordance with § 175-89G(2), the relationship of materials, textures and color of the façade and roof of a garage or shed should be visually compatible with the materials and structures to which it is visually related. Testimony regarding compliance shall be provided.

5.0 Master Plan Consistency

The proposed use is not consistent with the goals and objectives of the Master Plan. Should the d'4' variance be granted, site improvements and physical impacts of the variance need to be addressed and mitigated.

6.0 Fees, Contributions, and Obligations

6.1 COAH Requirement

The applicant is required to contribute a development fee of 1½% of the increase in the equalized assessed value of the residential construction into a Housing Trust Fund established by Monroe Township Council. A condition of receiving a building permit is the payment of this fee prior to receiving a certificate of occupancy.

6.2 Escrow

The applicant must contact the Township's Finance Office to settle any outstanding review escrow accounts prior to any approval taking effect.

7.0 General Comments / Recommendations

7.1 The applicant must demonstrate sufficient "special reasons" why the proposed variance carries out a purpose of zoning, or how the refusal to allow the project would impose on the applicant an undue hardship. In addition, the applicant must demonstrate that the requested d'4' variance 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.

7.2 The plan does not reference any driveway or improvement areas leading to the proposed structure. The applicant should provide testimony regarding the intended access to the proposed accessory building.

The above comments and/or recommendations are submitted for your review and consideration. Should you have any questions with regard to this matter or require additional information, please do not hesitate to contact our office at (609) 910-4068.

Sincerely,

Colliers Engineering & Design



Pamela Pellegrini, PE, PP, CME
Senior Project Manager

cc: Richard P. Coe, Esquire