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Egg Harbor Township New Jersey 08234  
Main: 609 916 0559



March 10, 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 4901, Lot 29  
490 Huber Avenue  
Zone: FD-10, Forest Residential District 10  
Applicant: Frank Andruzzi  
Application No. 21-10  
Colliers Engineering & Design Project No. MMZ-087

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 for the construction of a 25' x 30' (750 s.f.), 16 foot high, detached garage on his residential property for use of personal and vehicle storage. A zoning permit was previously issued in August of 2016.

**1.2 Existing Conditions**

The 2.78± acre parcel fronts on Huber Avenue and contains a 2,400 square foot single family dwelling with stone driveway and associated improvements. The property is zoned FD-10, Forest Residential District 10 and is served by onsite water and sewer disposal.

**1.3 Surrounding Land Uses**

The area is rural residential in character with several nearby single-family detached homes. All of the adjacent parcels contain residential uses. The surrounding area is also zoned FD-10 Forest Residential District 10.

**2.0 Materials Reviewed**

We have reviewed the referenced submission, encoded by the Zoning Board as #21-10, received via email February 26, 2021, consisting of the following:

<i>Sheet</i>	<i>Title</i>	<i>Date</i>
---	Application	---
---	Sketch Elevations of Detached Garage	---

---	Correspondence from Monroe Township Zoning Officer	January 19, 2021
---	Zoning Permit	August 20, 2016
---	Lot Grading Waiver recommendation issued by ARH	August 25, 2016
1 of 1	Site Plan for Individual Sewage Disposal System	July 22, 2014
---	B&W site photos (4)	---

The site plan is signed by Sandford S. Mersky, PE of South Jersey Engineers.

### 3.0 Zoning Requirements

#### 3.1 Use

1. In accordance with § 175-158 (Attachment 1), accessory uses are permitted in the FD-10 Forest Area zoning district.
2. In accordance with § 175-158F(3), all accessory buildings shall comply with the standards of § 175-89, Accessory buildings.
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 § 175-89B and G(3), accessory structures are not permitted in the front yard or in the front of the home.

As proposed, the application does not conform to these requirements, proposing an accessory building in the front yard and in front of the home. As such, a use variance is required.

#### 3.2 Bulk Requirements – Accessory Structures (FD-10)

1. **Setbacks From All Property Lines:** The minimum required setback from all property lines is 10 feet. The plan appears to conform to this requirement, although setbacks to the garage have not been specifically provided on the plan.

### 4.0 Design and Performance Standards

1. In accordance with § 175-89C, no business, service or industry shall be conducted within a private garage, except for lawfully permitted home occupations in accordance with § 175-111. Testimony regarding compliance to be provided.
2. 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.
3. In accordance with § 175-89E(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. The garage conforms with these requirements.

4. 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.
5. 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.
6. In accordance with § 175-89G(4), all living units are prohibited over or attached to garages except those garages attached to residential dwellings. Testimony regarding compliance shall be provided.

#### 5.0 Master Plan Consistency

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

#### 6.0 General Comments / Recommendations

- 1 In accordance with the New Jersey Municipal Land Use Law (N.J.S.A. 40:55D-76b), the applicant may elect to submit an application requesting approval of the use variance and a subsequent application for the approval of a site plan, if required, provided that the approval of the variance is conditioned upon the applicant obtaining all required subsequent approvals from the Zoning Board. No such subsequent approval shall be granted unless such approval can be granted without substantial detriment to the public good and without substantial impairment of the intent and purpose of the zone plan and zoning ordinance.  
Consequently, any variance granted permitting the proposed use must be conditioned upon the applicant obtaining the necessary site plan approval, if deemed required, from the Zoning Board.
- 2 The applicant must demonstrate sufficient “special reasons” why the proposed use 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 use 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.
3. The application packet included two sets of elevation views. One with an overhead door on the front and one without. The photos indicate the front elevation without an overhead door was constructed. The applicant should provide testimony as to how this structure is used and how vehicles enter/exit the structure without an overhead door.

Sincerely,

Colliers Engineering & Design



Pamela Pellegrini, PE, PP, CME  
Senior Project Manager

cc: Richard P. Coe, Esquire

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