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Egg Harbor Township, New Jersey 08234
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March 29, 2021

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

Use Variance (1st Review)
Block 3901, Lot 22
2310 Corkery Lane
Zone: RG-RA, Regional Growth-Residential Age-Restricted District
Applicant: James Costa
Application No. 21-16
Colliers Engineering & Design Project No. MMZ-093

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 40' x 60' (2,400 s.f.), 20 foot high, accessory garage on his residential property for use of his personal storage of classic cars, motorcycles, boat and other individual items. The structure also is proposed to have a 60' long apron with stone driveway/area in front of the garage.

1.2 Existing Conditions

The 1.00± acre parcel fronts on Corkery Lane and contains a 1,708 square foot single family, one-story masonry dwelling with stone driveway, walkway, rear deck and associated improvements. The property is zoned RG-RA, Regional Growth Residential Age-Restricted District and is served by public water and sewer.

1.3 Surrounding Land Uses

The area surrounding the site is predominantly rural residential, agricultural and undeveloped land. An expansion of the existing "Summerfields West" age-restricted manufactured homes development is planned for Lot 20 which sits adjacent to the property in question, both along its western and northern property lines. An existing single-family residence is adjacent to the south and across Corkery Lane to the east are residences and undeveloped lands.

2.0 Materials Reviewed

We have reviewed the referenced submission, encoded by the Zoning Board as #21-16, received via email March 18 26, 2021, consisting of the following:

Sheet	Title	Date
---	Application	March 2, 2021
---	Ownership Disclosure from Closing	February 5, 2021
---	Zoning Permit Application	February 23, 2021
---	Referral Form to the Zoning Board	February 26, 2021
1 of 1	Reduced Size Plan of Survey	January 16, 2021
---	Property Sketches (2)	---
---	Site Photos (4)	---
---	Proposed Garage Picture	---
---	Pictures of Items to be Stored	---

The survey is signed by Robert J. Monson, PLS.

3.0 Zoning Requirements

3.1 Use

- A. In accordance with § 175-161.1, single-family detached dwellings are permitted as part of an age-restricted development. The existing dwelling was constructed in 1978 and most likely predates the current zoning. As such, the existing dwelling would be a pre-existing, non-conforming use. In accordance with § 175-161.1C(3)(b), private garages (attached) are a permitted accessory use in the RG-RA, Regional Growth-Residential Age-Restricted District. However, accessory structures are prohibited. As proposed, a use variance may be required.

It is assumed that the existing residence was constructed in accordance with Pinelands and Township regulations for a single-family detached structure at the time of its construction.

- B. 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 building is larger in size than the existing principal structure and as such does not meet the definition of an accessory structure or use. As proposed, a use variance is required.

In addition, per § 175-11, a structure is accessory if it contributes primarily to the comfort, convenience or necessity of the occupants, business or industry of its principal structure, building or use served. Testimony shall be provided to determine compliance.

- C. In accordance with § 175-89F(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 plan does not conform to these requirements proposing a pole barn garage of 2400 s.f. and a height of 20'. As proposed, variances are required.

3.2 Bulk Requirements – (RG-RA)

1. **Front Yard Setback:** The minimum required front yard setback is 20 feet. The plan conforms to this requirement.
2. **Side Yard Setback:** The minimum required side yard setback is 5 feet for one side, 15 feet total. The plan conforms to this requirement.
3. **Rear Yard Setback:** The minimum required rear yard setback is 20 feet. The plan conforms to this requirement.
4. **Lot Coverage:** The maximum permitted lot coverage is 55 percent. Lot coverage has not been provided. Conformance to be determined/testimony to be provided.

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 § 175-89G(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. 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. 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 specifically 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 plan does not show any proposed accessway/driveway to the proposed garage. Testimony should be provided as to the applicant's intended accessway to this structure which is proposed to store vehicles.

Sincerely,

Colliers Engineering & Design



Pamela Pellegrini, PE,PP,CME
Senior Project Manager

cc: Richard P. Coe, Esquire