

**ZONING BOARD OF ADJUSTMENT  
TOWNSHIP OF MONROE**

**ANNUAL REPORT FOR 2019**

**A. STATUTORY REQUIREMENT**

The Zoning Board of Adjustment (ZBA) is required to review its actions on an annual basis pursuant to the New Jersey Municipal Land Use Law (MLUL), N.J.S.A. 40:55D 70.1, which provides:

**40:55D 70.1: Report on variance applications, amendment recommendations.**

The board of adjustment shall, at least once a year review its decisions on applications and appeals for variances and prepare and adopt by resolution a report on its findings on zoning ordinance provisions which were the subject of variance requests and its recommendations for zoning ordinance amendment or revision, if any. The board of adjustment shall send copies of the report and resolution to the governing body and planning board.

This report provides information on all applications that proceeded to decision and memorialization by resolution by the ZBA in 2019.

**B. DISCUSSION OF APPLICATIONS**

1. RESOLUTION #10-2019  
DON AND ALICIA HEVERLY  
268 RUSHFOIL DRIVE

The Applicants sought approval for 7.5' rear yard setback where a 10' setback is required for the installation of a 16' x 32' in-ground swimming pool, on the basis of safety. The Applicants needed the pool to be set further from the house so there would be no blind spot for the pool and the whole pool could be seen from the inside of the house.

Decision: The ZBA approved the requested variance for safety and hardship reasons on the condition that the Applicants obtain lot drainage approval from the Township Engineer.

2. RESOLUTION #12-2019  
SEAN MURTHA  
1901 HERBERT BOULEVARD

The Applicant sought a front yard setback variance of 3' where a 35' setback is required for the installation of an above ground swimming pool. The Applicant received the used pool as a gift, the contractor hired to install it did so without a permit, and it was unlikely that the pool could survive another move. Testimony revealed that the pool was located too close to Prosser