

Adopted: 4-15-14

**RESOLUTION  
of the  
Absecon Zoning Board of Adjustment**

**RESOLUTION #3-2014**

**RESOLUTION OF MEMORIALIZATION OF THE  
ABSECON ZONING BOARD OF ADJUSTMENT  
GRANTING BULK VARIANCE RELIEF TO LUKE  
IRELAND FOR PROPERTY LOCATED AT 952  
MARLBOROUGH AVENUE AND OTHERWISE KNOWN  
AS BLOCK 113, LOTS 11 AND 12 AS SHOWN ON THE  
TAX MAP OF THE CITY OF ABSECON**

**WHEREAS**, an application was filed by **Luke Ireland** seeking bulk variance relief so as to permit the construction of an addition to his single family residence; and

**WHEREAS**, said premises are located in the Moderate Density Residential District (R-2); and

**WHEREAS**, the said application sought “bulk variance” relief pursuant to N.J.S.A. 40:55D-70(c)(1) & (2); and

**WHEREAS**, the application consisted of the form application with attachments as filed, which attachments included a survey depicting the proposed improvements to the premises as prepared by James R. Boney dated August 23, 2013; and

**WHEREAS**, the Applicant Luke Ireland appeared *pro se* before the Absecon Zoning Board of Adjustment on March 18, 2014; and

**WHEREAS**, the Applicant presented the testimony of his design architect, Michael Kolchins, R.A.; and

**WHEREAS**, the Absecon Zoning Board of Adjustment having duly considered the evidence

presented reached the following factual conclusions:

1. Proper jurisdiction before the Absecon Zoning Board of Adjustment was established with respect to the relief being requested and the statutory powers granted to the Board by the New Jersey Legislature and as embodied at N.J.S.A. 40:55D-70(c)(1) and (2).

2. The Applicant has properly notified surrounding property owners of his application and has satisfactorily published notice of the application and the Board's meeting to consider the same in an edition of the Atlantic City Press as required by N.J.S.A. 40:55D-12.

3. The Applicant is the owner of the premises which premises are presently improved with a single family residence. The premises, Block 113, Lots 11 and 12 on the Absecon Tax Map, are located at 952 Marborough Avenue, Absecon, New Jersey in the R-2 Zone.

4. The premises are presently improved with a single family residence. Because of the pre-existing lot dimensions, the premises have many existing non-conformities. The existing residence is approximately 90 years old and the Applicant proposes to expand the existing residence to better accommodate the needs of his growing family.

5. The Applicant requires the following bulk variance relief:

- a. Front yard setback of 20.88' to the porch where 25' is required.
- b. Front yard setback of 13.55' to the steps where 25' is required.

The balance of the property's existing non-conformities are unaffected by the proposed addition and accordingly require no additional relief.

6. Mr. Kolchins testified as to the structural elements of the existing residence. In doing so he explained the minor nature of the variance relief requested to accommodate the new porch bump-out and replacement front steps.

7. After hearing the testimony of the Applicant the Board considered the testimony of its Engineer, Edward E. Dennis, Jr., P.E. who delivered his report of March 11, 2014. Mr. Dennis expressed no concerns with relation to the requested relief.

8. Thereafter the meeting was opened to the public, at which time no member of the public spoke for or against the application.

9. The Board concluded that the variance relief requested and identified at Paragraph 5 above could be granted because the benefits of granting the requested relief outweigh any detriments and because the relief could be granted without substantial detriment to the general welfare, zone plan or master plan. The variances themselves were justifiable as a result of the pre-existing development condition of the site.

**ON MOTION** by Lawler, second by Corkhill, it was moved to grant the Applicant the rear and side yard setback variance relief requested. The motion was thereafter adopted by a vote of six (6) in favor and none (0) opposed.

Dated: April 15, 2014.

BY:   
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JAMES BONEK, CHAIRMAN

**Luke Ireland**

**652 Marlborough Avenue, Block 113, Lot 11 & 12**

**DECISION AND RESOLUTION**

**Meeting Date: March 18, 2014**

**Motion to Grant Bulk Variance Relief**

<b><u>ROLL CALL VOTE:</u></b>	<b>Motion</b>	<b><u>YES</u></b>	<b><u>NO</u></b>
<b><u>Present</u></b> JAMES BONEK, Chairman		X	
<b><u>Absent</u></b> PATRICK MALIA, Vice Chairman			
<b><u>Present</u></b> STEVE BALTERA		X	
<b><u>Present</u></b> ALEX CORKHILL	2nd	X	
<b><u>Present</u></b> WILLIAM FRITZ		X	
<b><u>Present</u></b> MATTHEW LAWLER	M	X	
<b><u>Absent</u></b> JOSEPH POLISANO			
<b><u>Present</u></b> JEFF ROSWELL (1 <sup>st</sup> Alternate)		X	
<b><u>Vacant</u></b> (2 <sup>nd</sup> Alternate)			