

**BOARD OF ADJUSTMENT OF WHITE TOWNSHIP
RESOLUTION OF APPROVAL
Case #451**

In the Matter of the Application of Bart Schott, Block 66 Lot 30.

WHEREAS, an Application to the White Township Board of Adjustment has been made for Variances pursuant to N.J.S.A. 40:55D-70(c) so as to permit the Applicant to construct an accessory structure for storage; and

WHEREAS, a Public Hearing on this matter was held on May 19, 2011, a quorum of the Board being present and the Applicant representing himself; and

WHEREAS, public notice was given wherein the Board had jurisdiction to hear the within matter; and

WHEREAS, at the Public Hearing, the Applicant was the sole person to testify.

Now Therefore, Be It Resolved on this 16th Day of June 2011 that as a result of the Application submitted and the Public Hearing, the Board makes the following findings of fact and conclusions of law:

1. Applicant is the owner of the subject property.
2. Applicant desires to construct on his property a 24-foot high accessory building with a footprint of 52 feet x 40 feet to store: a camper; tractors; and, lawn equipment.
3. The Applicant represented that the proposed accessory building would not be utilized for commercial purposes or to store equipment that would be utilized for commercial purposes.
4. A-1 was introduced into evidence, which is a 3-sheet rendering to the proposed structure, detailing front, rear, and side views.
5. Applicant seeks no Variances for setbacks.
6. Applicant testified that he has a number of storage sheds on his property that are in need of replacement and desires all of his outdoor storage to be consolidated "under one roof".

7. The three Variances requested by Applicant are:
 - A. White Township Ordinance 160-92(A)(1), which does not permit the ground floor area of an accessory structure to be greater than the principal building. The proposed accessory building will be 2,080 square feet and the residence is 1,215 square feet.
 - B. White Township Ordinance 160-92(A)(2), which limits the height of an accessory structure to 16 feet. Applicant seeks a height of 24 feet.
 - C. White Township Ordinance 160-128B(3), which limits a private garage to 1,500 square feet.
8. Applicant testified that his proposed building had 960 square feet consisting of “lean tos” on both sides of the structure for additional “covered” storage space. This “lean to” space contributes to the structure exceeding Ordinance requirements.
9. No member of the public offered any testimony either in support or opposition to this matter.
10. The Board finds that the Applicant by consolidating his outdoor storage into one attractive building will promote a desirable visual environment, an express purpose of the Municipal Land Use Law (MLUL). Accordingly, the Board finds that the purposes of the Municipal Land Use Law would be advanced by a deviation from the Ordinance requirements and the benefits of the deviation would substantially outweigh any detriment. The Board further finds that the requested relief 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.

Now Therefore, Be It Resolved on this 16th Day of June 2011 that Applicant's request to construct a 52-foot x 40-foot x 24-foot high accessory structure to be utilized in conjunction with a residential use of the property is Granted subject to the following conditions:

1. Applicant must obtain a construction permit and comply with all other applicable laws.
2. Applicant must timely pay all required and requested Escrow fees. The Board reserves the right to rescind any and all approvals should Applicant fail to timely pay Escrow fees.
3. Applicant must comply with all applicable storm water management requirements in connection with the construction of the approved accessory structure.

A copy of this Resolution shall be sent by the Board of Adjustment Secretary to: the applicant by Certified Mail No. _____, Return Receipt Requested; the White Township Clerk; the zoning officer; and, the building inspector within ten (10) days of the date hereof.

JOSEPH MAGNINI, Chairman
White Township Board of Adjustment

I hereby certify the above to be a true copy of the Resolution adopted by the White Township Board of Adjustment at its regular meeting on June 16, 2011, and further certify that same is a true memorialization of the Official Action taken by the said Board at its regular meeting on May 19, 2011.

ALFIA SCHEMM, Secretary
White Township Board of Adjustment