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**ZONING BOARD OF ADJUSTMENT
AGENDA FOR MARCH 28, 2024
6:45 P.M. CAUCUS, 7:00 P.M. MEETING**

CALL TO ORDER & FLAG SALUTE

NOTICE:

The Zoning Board of Adjustment reserves the right to change the order of the published agenda. All changes to the agenda will be announced at the beginning of each meeting.

It is the intent of the board (and at the discretion of the Chairman) to not begin a new application after 10:00 P.M. and to adjourn the meeting by 11:00 P.M.

It is a further policy of the Board that members of the public will be limited to five minutes when speaking on an application. When a person is representing a group of people, he or she may speak for ten minutes.

Thank you for your cooperation.

This Board is a quasi-judicial Board therefore this meeting shall be conducted in a similar manner to a judicial proceeding. Decorum appropriate to a judicial hearing must be maintained at all times and any questions or comments must be limited to issues that are relevant to what the Board may legally consider in reaching a decision.

OPEN PUBLIC MEETINGS ACT STATEMENT

This meeting is being held in compliance with the requirements of the 'Open Public Meetings Act' and has been duly noticed and published as required by law.

ROLL CALL

RESOLUTIONS FOR APPROVAL

Resolution 24-15 ZC2024-003 – 700 Berlin Road | Block 160, Lot 1
Five Below, Inc.

SWEARING IN OF BOARD PROFESSIONALS

NEW BUSINESS

CEDAR LAKE NURSURIES

MB

Case #ZC2023-029

351 Route 73, Block: 222, Lot: 27

The applicant is seeking minor site plan approval, use and bulk (c) variance relief from the following sections:

- A. **Section §152-175.C**, where cannabis retail businesses shall not be located within 500 feet of the RR district and the subject property is 430 feet from the RR district along Kresson Gibbsboro Road; and
- B. **Section §152-175.C**, where cannabis retail businesses shall not be located within 500 feet of a house of worship and the subject property is 450 feet from the Mt. Zion AME church on Route 73; and
- C. **Section §152-102.A**, where the minimum required lot area is 2 acres is required for retail use in the MB Major Business Zone and where the subject property is 0.82 acres; and
- D. **Section §152-102.A**, where the minimum required front yard setback is 50 feet and the existing building is setback 29 feet from Route 73; and
- E. **Section §152-102.A**, where the minimum required rear yard setback is 100 feet and the existing building is setback 37 feet from the rear property line; and
- F. **Section §152-102.A**, where the maximum impervious coverage for lots not connected to the sewer is 30% and the property has 32% impervious coverage; and
- G. **Section §152-102.E**, where parking is required to be setback at least 20 feet from any side or rear lot line and the parking lot is 13 feet from the southern side lot line; and

Seeking any and all other variances, waivers and/or other relief as may be deemed necessary by the Board and/or its professionals.

CHRISTOPHER LYNCH
210 Homer Avenue, Block: 11, Lot: 7

MDR/R100

Case #ZC2024-004

The Applicant has requested the following bulk(c) variances to permit a recently constructed addition, from the following sections:

- A. Section §152.015(D)(3)** – where the required minimum side yard setback is 15 feet, and the pre-existing non-conforming addition is only 14.41 feet from the side property line; and

Seeking any and all other variances, waivers and/or other relief as may be deemed necessary by the Board and/or its professionals.

ANTHONY & ELISE ROCCO
29 Gettysburg Drive, Block: 218.38, Lot: 11

RR

Case #ZC2024-002

The applicants have requested the following bulk (c) variances to permit a proposed addition in the side yard, from the following sections:

- A. Section §152.005(D)(2)(a)(1)**, where the required minimum front yard setback is 30 feet and the proposed addition is 25.8 feet; and,
- B. Section §152.005(D)(3)**, where the required minimum side yard setback is 30 feet and the proposed addition is 10.6 feet; and,

Seeking any and all other variances, waivers and/or other relief as may be deemed necessary by the Board and/or its professionals.

COMMENTS FROM THE PUBLIC

COMMENTS FROM THE BOARD

NEXT MEETING DATE(s): April 11, 2024, April 25, 2024, and May 9, 2024