

FLORENCE TOWNSHIP ZONING BOARD

RESOLUTION NO. Z.B.-2025-12

Application ZB#2025-05

**RESOLUTION OF MEMORIALIZATION
APPLICATION OF
ELIZABETH HAUPT
BLOCK 57 LOT 7
RA LOW DENSITY RESIDENTIAL ZONING DISTRICT
BULK VARIANCE
IMPERVIOUS LOT COVER
APPROVAL**

Decided:

July 7, 2025

Resolution Memorialized:

August 4, 2025

WHEREAS, Elizabeth Haupt has made application to the Florence Township Zoning Board of Adjustment seeking an impervious lot coverage variance to allow construction of a 10 ft. x 16 ft. shed and an 18 ft. diameter round above-ground pool at an existing undersized 5,500 sq. ft. property located at 46 East Second Street and known on the Official Tax Maps of the Township of Florence as Lot 7 of Block 57;

WHEREAS, the applicant is the owner of the subject property;

WHEREAS, upon a finding that the applicant had provided proper mailed and published notices of hearing and that jurisdiction was proper in the Board, it opened a hearing on the application at its July 7, 2025 regular meeting;

WHEREAS, the applicant appeared *pro se*, was sworn, and offered her testimony, along with the testimony of her fiancée, Todd Miller (also sworn), in support of the application;

WHEREAS, the Board, based upon the recommendations of the Board Engineer, found the variance application sufficiently complete to be heard;

WHEREAS, the Florence Township Zoning Board of Adjustment has made the following findings of fact and conclusions of law:

Findings of fact:

1. The applicant is the owner of the subject property, and therefore has standing to bring this matter before the Board.
2. The applicant has provided proper mailed and published notices of hearing, and jurisdiction is proper in the Board.
3. Application has been made seeking an impervious lot coverage variance to allow construction of a 10 ft. x 16 ft. shed and an 18 ft. diameter round above-ground pool at an existing undersized 5,500 sq. ft. property located at 46 East Second Street and known on the Official Tax Maps of the Township of Florence as Lot 7 of Block 57.
4. The subject property is in Florence Township's RA Low Density Residential Zone District in which the minimum required lot size is 10,000 sq. ft.
5. The maximum permitted impervious lot coverage is 25%, and the proposed impervious coverage is 32.3%.
6. The applicant has submitted the following documents in support of its application:
 - a. A completed Township of Florence Land Development Application;
 - b. A completed Township of Florence Variance Application Checklist of Submission Requirements;
 - c. Proof that no taxes were due on the subject properties at the time of the application;
 - d. A survey of the subject property prepared by Daren C. Leeper, PLS dated 04-29-2025 showing the location and extent of the existing improvements;
 - e. A sketch prepared by the applicant showing the location and distances from lot lines and other improvements of the proposed new shed and pool;
 - f. Zoning Officer's Certification;
 - g. An executed Escrow Agreement;
 - h. Proper application and escrow fees as required by ordinance;

7. The Board's Engineer, Hugh J. Dougherty, P.E., C.M.E. of Pennoni Associates, Inc., Consulting Engineers, submitted a review letter dated June 27, 2025 commenting upon the application which is hereby incorporated into the record.
8. The applicant testified that there are no current issues with ponding or flooding and that the property drains to the alley at the rear of the subject property, not the neighboring properties on either side. Board Engineer Clark concurred that this is the current grading of the property, and he testified that he considered the proposed impervious increase to be de minimus, such that no green infrastructure installations would be necessary.
9. The applicant further testified that there are nearby properties with similar amenities and intensities of development, that the proposed development will be consistent with the character of the neighborhood.
10. The applicant agreed to relocate the proposed new shed so that it will conform to the required 6 ft. side and rear yard setbacks.
11. The proposed development will conform to all other applicable bulk requirements including height and setbacks.
12. The Board accepts the testimony of the applicant and the Board Engineer as credible and probative
13. No public comment was offered concerning this application.

Conclusions of Law:

The Board finds that a bulk variance for impervious lot coverage can be approved pursuant to NJSA 40:55D-70(c)(1), because, with absent such relief an amenity which is consistent with similar nearby properties would be denied to this existing undersized property. The Board does not perceive any substantial detriment to the public good or impairment to the zone plan which would flow from the proposed development, especially in light of the absence of any current issues with drainage and infiltration of stormwater and the consistency of the proposed development with neighboring properties. Therefore, the Board finds it appropriate, pursuant to NJSA 40:55D-70 (c)(1), and subject to appropriate conditions, to grant the requested variance.

The applicant has fulfilled the procedural requirements for the proposed development. Therefore, the requested bulk variances should be granted.

NOW, THEREFORE, BE IT RESOLVED by the Florence Township Zoning Board of Adjustment in the County of Burlington and State of New Jersey that the application of Elizabeth Haupt seeking an impervious lot coverage variance to allow construction of a 10 ft. x 16 ft. shed and an 18 ft. diameter round above-ground pool at an existing undersized 5,500 sq. ft. property located at 46 East Second Street and known on the Official Tax Maps of the Township of Florence as Lot 7 of Block 57, be and hereby is, **GRANTED**, subject to the following conditions:

1. The Board has relied upon the testimony of the witnesses and factual findings discussed in the body of this Resolution, and such testimony and findings are incorporated as conditions of this approval as though set forth at length herein.
2. No additional stormwater shall be directed onto adjoining properties as a result of the new development.
3. All taxes and escrow fees for professional review must be paid in full.
4. Compliance with all federal, state, county and local laws, rules, regulations and any other governmental approvals which may be required in implementation of this development, including but not limited to: Florence Township Construction Office.
5. Publication of a brief notice of this decision in the official newspaper of the municipality within 10 days of the date hereof.

The conditions of this approval shall run with the land and be binding on all successors in interest, purchasers and assignees. In the event that the applicant does not perfect this approval within one year of the date hereof (or such extended date as may be provided by statute or Board action), this approval shall be void, unless, for good cause shown, the applicant seeks extension thereof.

MOTION TO APPROVE BULK VARIANCES:

Moved by : Mr. Patel
Seconded by : Mr. Buddenbaum
In Favor : Mr. Patel, Mr. Buddenbaum, Mr. Sovak, Mr. Studzinski,
Ms. Sullivan, Mr. Wible, Chairman Puccio
Opposed : None
Abstained : None
Recused : None
Absent : None

MOTION TO ADOPT RESOLUTION:

Moved by : Mr. Wible
Seconded by : Mr. Buddenbaum
In Favor : Wible, Buddenbaum, Patel, Sovak, Sullivan, Puccio
Opposed : None
Abstained : None
Absent : None

FLORENCE TOWNSHIP ZONING BOARD

Dated: 08/07/2025


Dennis Puccio, Chairman

CERTIFICATION

BE IT REMEMBERED that the within written Resolution was duly adopted at a regular meeting of the Florence Township Zoning Board of Adjustment held on May 5, 2025, and memorializes a decision taken by the Board on April 7, 2025.

Dated: 8/4/25


Gina Sullivan, Secretary