

FLORENCE TOWNSHIP ZONING BOARD

RESOLUTION NO. Z.B.-2025-07

Application ZB#2025-02

**RESOLUTION OF MEMORIALIZATION
APPLICATION OF
GEORGIANNA JARRETT
BLOCK 79 LOT 3
RA LOW DENSITY RESIDENTIAL ZONING DISTRICT
BULK VARIANCES
IMPERVIOUS COVER, REAR and SIDE YARD SETBACK
APPROVAL**

Decided: April 7, 2025
Resolution Memorialized: May 5, 2025

WHEREAS, Georgianna Jarret has made application to the Florence Township Zoning Board of Adjustment seeking an impervious lot coverage variance, and rear and side yard setback variances to allow construction of a new single-family dwelling at an existing vacant undersized 7,500 sq. ft., 75 ft. wide, property located at 436 Wilbur Henry Drive and known on the Official Tax Maps of the Township of Florence as Lot 3 of Block 79;

WHEREAS, the applicant is the contract purchaser of the subject property, and the property owner has granted permission for Ms. Jarrett to make this application to the Board;

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 April 7, 2025 regular meeting;

WHEREAS, the applicant appeared *pro se*, was sworn, and offered her testimony 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 contract purchaser of the subject property, the property owner has granted permission for Ms. Jarrett to make this application to the Board, and Ms. Jarrett 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, rear and side yard setback variances to allow construction of a new 2800 sq. ft. two-story single-family dwelling at an existing vacant undersized 7,500 sq. ft. property located at 436 Wilbur Henry Drive and known on the Official Tax Maps of the Township of Florence as Lot 3 of Block 79.
4. The subject property is in Florence Township's R Low Density Residential Zone District.
5. The existing impervious lot coverage is 0%, the maximum permitted impervious lot coverage is 25%, and the proposed impervious coverage is 45.4%.
6. The required side yard setback is 15 ft., on each side, and the applicant initially proposed provide a conforming setback from the westerly sideline of the subject property and only a 6 ft. setback from the easterly sideline of the property. In the course of the public hearing the applicant amended her application to move the location of the proposed new dwelling to the center of the subject property, thereby providing setbacks of 10.5 ft. on each side.
7. The required rear yard setback is 20.2 ft. where a setback of 35 ft. is required.
8. 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 plan of the subject property entitled “Variance and Grading Plan” showing the location and extent of the proposed new dwelling prepared by PS&S and dated 02/19/2025;
- e. A “Stormwater Narrative” prepared by PS&S Engineers, dated February 25, 2025;
- f. Zoning Officer’s Certification;
- g. An executed Escrow Agreement;
- h. Proper application and escrow fees as required by ordinance;
- i. A series of images portraying elevation views of the proposed dwelling where shared by the applicant via the computer and screen controlled by the Zoom moderator, and these were accepted into evidence as applicant’s Exhibits.

9. The Board’s Engineer, Hugh J. Dougherty, P.E., C.M.E. of Pennoni Associates, Inc., Consulting Engineers, submitted a review letter dated March 5, 2025 commenting upon the application which is hereby incorporated into the record.
10. In addition to being undersized as to lot area (7,500 sq. ft. instead of the required 10,000 sq. ft.) the property is only 75 ft. wide when a width of 100 ft. is required. Neither of these pre-existing non-conforming conditions can be remedied, since the properties to the left and right are already developed with dwellings, and to the rear the subject property is bordered by an undeveloped 20 ft. wide municipally-owned alley.
11. The submitted grading plans show drainage being directed to Wilbur Henry Drive and to the alley the rear, and not onto the neighboring properties. The applicant testified that there are no current issues with ponding or flooding and that the property drains to the front of the subject property, not the neighboring properties on either side.
12. The Board Engineer suggested that the exceedance of permitted impervious cover is sufficient that green infrastructure installation could be useful to capture runoff and avoid excess stormwater leaving the property. He suggested a rain

garden or similar installation at the rear of the property, or rain barrels to capture flows from downspouts would be suitable solutions. The applicant agreed to work with the Board Engineer to design such solutions as a condition of approval.

13. 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.
14. The proposed development will conform to all other applicable bulk requirements including height front setback.
15. The Board accepts the testimony of the applicant and the Board Engineer as credible and probative
16. Public comment concerning the application was offered by Evette Mayner of 450 Wilbur Henry Drive. Ms. Mayner expressed concerns about the size of the proposed home and its proposed location only 6 ft. from the side line of the subject property where it adjoins her property.
17. The Board and public reviewed a series of Google Earth aerial and street level images of the subject and surrounding properties curated by the Board's Zoom moderator to better understand the neighborhood, and the series of elevation images of the proposed new dwelling provided by the applicant to better understand the relationship of the new dwelling to neighboring properties. It was in response to viewing of these images that the Board suggested, and the applicant accepted, moving the proposed new dwelling to the center of the property so that there would be side yard setbacks of 10.5 ft. on each side.

Conclusions of Law:

The Board finds that bulk variances for impervious lot coverage, side yard setbacks and the rear yard setback can be approved pursuant to NJSA 40:55D-70(c)(1), because, with regard to the impervious lot coverage and rear yard setback relief, absent such relief dwelling which is consistent with similar nearby properties would be denied to this existing undersized property. Similarly, the location of the existing dwelling relative to the property sidelines is a reflection of the lot width. 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 proposed green infrastructure improvements), 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 variances.

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 Georgianna Jarret seeking an impervious lot coverage variance, and rear and side yard setback variances to allow construction of a new single-family dwelling at an existing vacant undersized 7,500 sq. ft. property located at 436 Wilbur Henry Drive and known on the Official Tax Maps of the Township of Florence as Lot 3 of Block 79 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. The proposed new dwelling shall be relocated to the center of the subject property wide side yard setbacks of 10.5 ft. on each side.
3. No additional stormwater shall be directed onto adjoining properties as a result of the new development, and the applicant shall work with the Board Engineer to install green infrastructure measures to capture roof runoff.
4. All taxes and escrow fees for professional review must be paid in full.
5. 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.
6. 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. Wible
Seconded by	:	Mr. Buddenbaum
In Favor	:	Mr. Wible, Mr. Buddenbaum, Mr. Patel, Mr. Sovak, Mr. Studzinski, Ms. Sullivan, Chairman Puccio
Opposed	:	None
Abstained	:	None
Recused	:	None
Absent	:	None

MOTION TO ADOPT RESOLUTION:

Moved by	:
Seconded by	:
In Favor	:
Opposed	:
Abstained	:
Absent	:

FLORENCE TOWNSHIP ZONING BOARD

Dated:

6/5/2025



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:

6/5/25



Gina Sullivan, Secretary