

**FLORENCE TOWNSHIP  
ZONING BOARD OF ADJUSTMENT**

**RESOLUTION NO. Z.B.-2017-14**

**RESOLUTION OF MEMORIALIZATION  
APPLICATION OF RANDY WOODEN  
IMPERVIOUS LOT COVER  
VARIANCE  
BLOCK 165.04 LOT 39  
IN THE R LOW DENSITY RESIDENTIAL  
ZONING DISTRICT  
APPROVAL**

**Decided: June 1, 2017**  
**Resolution Memorialized: July 6, 2017**

**WHEREAS**, Randy Wooden made application to the Florence Township Zoning Board of Adjustment for an impervious lot coverage variance to permit construction of a 24 ft. x 48 ft. irregular oval-shaped in ground pool and surrounding 4 ft. wide concrete apron, at a property located at 242 Leffler Circle, and known on the official Tax Map of the Township of Florence as Block 165.04, Lot 39;

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

**WHEREAS**, upon a finding that proper mailed and published notice was given by the applicant, so that jurisdiction was proper in the Board, the Board opened the public hearing on the application at its June 1, 2017 regular meeting;

**WHEREAS**, Mr. Wooden appeared before the Board *pro se*, was sworn, and offered his testimony in support of the application;

**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 located at 242 Leffler Circle, and known on the official Tax Map of the Township of Florence as Block 165.04, Lot 39, and therefore has standing to bring this application before the Board.
2. Application has been made for an impervious lot coverage variance to permit construction of a 24 ft. x 48 ft. irregular oval-shaped in ground pool and surrounding 4 ft. wide concrete apron.
3. The subject property is an existing conforming lot of 20,000 sq. ft. Existing lot coverage is approximately 22%, permitted lot coverage is 25% (with 5% swimming pool bonus) and proposed lot coverage is 26%.
4. The applicant has submitted proofs of service of notice and proof of publication, and the Board has jurisdiction to hear this application.
5. 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. A Township of Florence Tax Collector's Certification that no taxes were due on the subject property at the time of the application;
  - d. A Township of Florence Zoning Officer's Certification that variance relief is required;
  - e. A plan dated March 27, 2017 entitled "Grading/Plot Plan" prepared by Joseph Mancini, PE , which shows the property outbounds, the locations of existing improvements, and the location and extent of the proposed improvements;
6. The Board's Engineer, Andrew Banff, PE, CME, of the Maser Consulting, submitted a review letter commenting upon the application dated May, 2017, which is hereby incorporated into the record.
7. Based upon the testimony of the applicant, which the Board accepts as credible, numerous other properties in the area have similar improvements, and there are no

existing problems with runoff on the subject or adjoining properties. The Board Engineer concurred that the proposed grading will maintain existing flow patterns and does not appear to present any significant issues.

8. No public comment was offered concerning the application.

Conclusions of Law:

The Board finds that the proposed impervious lot coverage variance can be granted pursuant to NJSA 40:55D-70(c)(2), because the pool is an amenity which is common within the neighborhood of the subject property, and the benefit to the overall community of adding this amenity to this property as well substantially outweighs any detriments which could flow from the proposed deviation from strict application of the ordinance standards. In light of the conditions of approval to be set forth below, any detriment to the public good or zone plan which could result from the proposed is minimal. Therefore, the Board finds it appropriate, subject to appropriate conditions, to grant the requested variance.



**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 Randy Wooden seeking an impervious lot coverage variance to permit construction of a 24 ft. x 48 ft. irregular oval-shaped in ground pool and surrounding 4 ft. wide concrete apron, at a property located at 242 Leffler Circle, and known on the official Tax Map of the Township of Florence as Block 165.04, Lot 39;, be, and hereby is, **APPROVED**, subject to the following conditions:

1. No additional stormwater shall be directed toward adjoining properties as a result of the proposed development; and to assure this, a detailed grading plan in accord with Township ordinance requirements shall be submitted prior to issuance of any construction permits;
2. Compliance with Township ordinance requirements concerning submission of a grading plan at the time of application for a construction permit.
3. 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 the Uniform Construction Code;
4. All taxes and escrow fees for professional review must be paid current and in full.
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 implement this approval within one year of the date hereof, this approval shall be void, unless, for good cause shown, the applicant seeks extension thereof.

**MOTION TO APPROVE APPLICATION:**

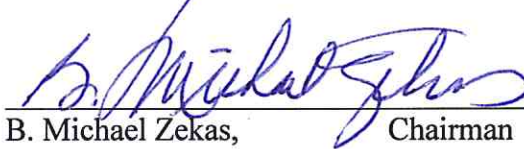
Moved by : Mattis  
Seconded by : Lutz  
In Favor : Cartier, Lutz, Drangula, Patel, Sovak, Mattis, Zekas  
Opposed : None  
Recused : None  
Absent : Buddenbaum

**MOTION TO ADOPT RESOLUTION:**

Moved by : Cartier  
Seconded by : Lutz  
In Favor : Cartier, Lutz, Drangula, Sovak, Mattis, Zekas  
Opposed : None  
Abstained : Buddenbaum  
Absent : Patel

**FLORENCE TOWNSHIP  
ZONING BOARD OF ADJUSTMENT**

Dated: 7/6/2017

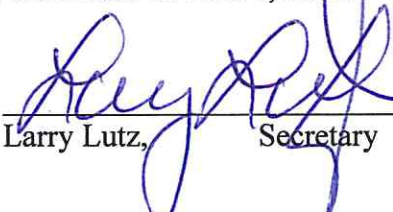
  
B. Michael Zekas,

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 July 6, 2017 and memorializes a decision taken by the Board on June 1, 2017.

Dated: 7/6/2017

  
Larry Lutz,

Secretary