

**FLORENCE TOWNSHIP  
ZONING BOARD OF ADJUSTMENT**

**RESOLUTION NO. Z.B.-2019-12**

*Application ZB#2019-04*

**RESOLUTION OF MEMORIALIZATION  
APPLICATION OF  
216 EAST FRONT STREET, LLC  
BLOCK 61, LOT 3  
RA- LOW DENSITY RESIDENTIAL ZONING DISTRICT  
USE VARIANCE  
DISMISSAL WITHOUT PREJUDICE**

**Decided:** August 5, 2019  
**Resolution Memorialized:** August 27, 2019

**WHEREAS**, 216 East Front Street, LLC, made application to the Florence Township Zoning Board of Adjustment seeking use variance approval to allow conversion of property located at 216 East Front Street and known on the Official Tax Maps of the Township of Florence as Lot 3 of Block 61 from its current mixed commercial and residential use to be used exclusively for residential apartments;

**WHEREAS**, the applicant is the owner of the subject property, and therefore has standing to bring this matter before the Board;

**WHEREAS**, the application was first submitted to the Board on April 10, 2019, and after issuance of initial review letters by the Board's Planner and Engineer, the applicant requested a series of adjournments to the Board's June, July and August regular meetings;

**WHEREAS**, at its May 6, 2019, June 6, 2019 and July 1, 2019 regular meetings, upon a finding that the applicant had provided proper mailed and published notices of hearing and that jurisdiction was proper in the Board, it took jurisdiction of the application for the limited purpose of adjourning (in accord with the request of the applicant's counsel) the public hearing to the Board next following meeting date without a requirement for additional mailed and published notice;

**WHEREAS**, the applicant is represented by Henry Chou, Esquire, of Hill Wallack;

**WHEREAS**, the Board's Engineer, Hugh J. Dougherty, P.E., C.M.E. of Pennoni Associates, Inc., Consulting Engineers, published to the Board and applicant a review letter dated April 25, 2019, which detailed the ordinance checklist submission items that had not been submitted and further commented upon the application which is hereby incorporated into the record;

**WHEREAS**, the Board's Planner, Barbara Fegley, AICP, PP, of Environmental Resolutions, Inc., Engineers, Planners, Surveyors, Scientists, submitted a review letter commenting upon the application dated April 25, 2019 which is hereby incorporated into the record;

**WHEREAS**, by way of correspondence dated August 5, 2019 from James McCafferty, principal of the applicant, the application was withdrawn;

**WHEREAS**, in light of the applicant's request, the Board determined, upon advice of its counsel, that dismissal without prejudice to bringing the same or a similar application to the Board in the future, would be an appropriate course of action;

**NOW, THEREFORE, BE IT RESOLVED** by the Florence Township Planning Board in the County of Burlington and State of New Jersey that the application of 216 East Front Street, LLC, seeking use variance approval to allow conversion of property located at 216 East Front Street and known on the Official Tax Maps of the Township of Florence as Lot 3 of Block 61 from its current mixed commercial and residential use to be used exclusively for residential apartments, be and hereby is, **DISMISSED WITHOUT PREJUDICE**, subject to the following conditions:

1. All taxes and escrow fees for professional review must be paid current and in full.
2. 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 resolution shall run with the land and be binding on all successors in interest, purchasers and assignees.

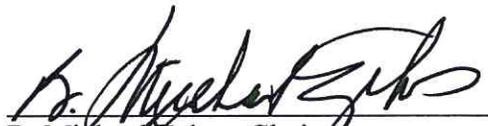
**MOTION TO DISMISS WITHOUT PREJUDICE:**

Moved by : Mr. Lutz  
Seconded by : Mr. Drangula  
In Favor : Mr. Lutz, Mr. Drangula, Mr. Buddenbaum, Mr. Cartier,  
Ms. Mattis, Mr. Puccio, Chairman Zekas  
Opposed : None  
Abstained : None  
Recused : None  
Absent : Mr. Sovak, Mr. Patel

**MOTION TO ADOPT RESOLUTION:**

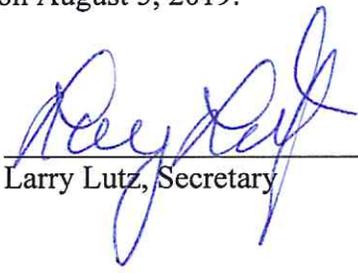
Moved by : Mr. Lutz  
Seconded by : Mr. Buddenbaum  
In Favor : Mr. Lutz, Mr. Buddenbaum, Mr. Drangula, Mr. Puccio,  
Chairman Zekas  
Opposed : None  
Abstained : None  
Absent :

**FLORENCE TOWNSHIP PLANNING BOARD**

Dated: 27 Aug 2019   
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 August 27, 2019 and memorializes a decision taken by the Board on August 5, 2019.

Dated: 8/27/2019   
Larry Lutz, Secretary