

FLORENCE TOWNSHIP ZONING BOARD

RESOLUTION NO. Z.B.-2026-09

Application ZB#2026-06

**RESOLUTION OF MEMORIALIZATION
APPLICATION OF
WILLIAM DAVIS
BLOCK 72 LOT 10
RA LOW DENSITY RESIDENTIAL ZONING DISTRICT
BULK VARIANCE
IMPERVIOUS LOT COVER
APPROVAL**

**Decided: May 5, 2026
Resolution Memorialized: June 4, 2026**

WHEREAS, William Davis has made application to the Florence Township Zoning Board of Adjustment seeking impervious lot coverage and rear alley setback variances to allow construction of an 18 ft. x 24 ft. x 11.5 ft. tall (432 sq. ft.) residential accessory garage at an existing undersized 6500 sq. ft. property located at 333 East Fourth Street and known on the Official Tax Maps of the Township of Florence as Lot 10 of Block 72;

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 May 5, 2026 regular meeting;

WHEREAS, the applicant appeared *pro se*, was sworn, and offered his 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 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 impervious lot coverage and rear alley setback variances to allow construction of an 18 ft. x 24 ft. x 11.5 ft. tall (432 sq. ft.) residential accessory garage at an existing undersized 6500 sq. ft. property located at 333 East Fourth Street and known on the Official Tax Maps of the Township of Florence as Lot 10 of Block 72.
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 minimum required rear alley setback for accessory buildings is 10 ft., and the application seeks a 5 ft. setback.
6. The maximum permitted impervious lot coverage is 25%, and the proposed impervious coverage is 48%.
7. 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 Harold J. Bozarth, PLS dated 01-1802014 showing the location and extent of the existing improvements, and the location and extent of the proposed garage and existing patio;
 - e. Zoning Officer's Certification;
 - f. An executed Escrow Agreement;
 - g. Proper application and escrow fees as required by ordinance;

8. The Board's Engineer, Bryan Clarke, P.E., of Pennoni Associates, Inc., Consulting Engineers, submitted a review letter dated April 22, 2026 commenting upon the application which is hereby incorporated into the record.
9. Ordinance §91-185 sets forth the regulations concerning residential accessory buildings in the RA Zone District. That section of the Township Code refers to the accessory uses and standards applicable to the R Zone District as set forth in Ordinance §91-178. Ordinance §91-178 provides that residential accessory garages may be set back a minimum of 5 ft. from the side property lines of the subject property. The proposed garage complies with this standard.
10. The proposed garage would be too close to allow for maneuvering space between the garage and existing dwelling if the rear alley setback standard were applied to the proposed garage.
11. The applicant testified that the proposed garage would be used to store his personal possessions. No commercial use is proposed. Electricity will be provided to the new garage, but not sewer or water utilities. There will be no loud machinery.
12. The applicant further testified that there are no current issues with ponding or flooding, that there will be gutters and downspouts on the new garage, and that the property drains to the street at the front of the subject property, not the neighboring properties on either side. No driveway improvements are proposed and the existing shed will be removed.
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. Board Engineer Clark concurred that the current grading of the property is to the front, and he testified that he considered the proposed impervious increase to be sufficient that green infrastructure installations would be necessary. The applicant agreed to work with the Board Engineer to provide green infrastructure, such as a rain garden, drywells or rain barrels to mitigate the increase in stormwater that would result from the proposed development.

15. The proposed development will conform to all other applicable bulk requirements including height and setbacks.
16. The Board accepts the testimony of the applicant and the Board Engineer as credible and probative
17. No public comment was offered concerning this application.

Conclusions of Law:

The Board finds that bulk variances for a reduced rear alley setback and impervious lot coverage can be approved pursuant to NJSA 40:55D-70(c)(1), because, 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 impervious lot coverage 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 William Davis seeking impervious lot coverage and rear alley setback variances to allow construction of an 18 ft. x 24 ft. x 11.5 ft. tall (432 sq. ft.) residential accessory garage at an existing undersized 6500 sq. ft. property located at 333 East Fourth Street and known on the Official Tax Maps of the Township of Florence as Lot 10 of Block 72, 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, and the applicant shall work administratively with the

Board Engineer to provide green infrastructure, such as a rain garden, drywells or rain barrels to mitigate the increase in stormwater that would result from the proposed development.

3. There shall be no commercial use of the proposed garage.
4. The existing shed shall be removed.
5. All taxes and escrow fees for professional review must be paid in full.
6. 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.
7. 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:

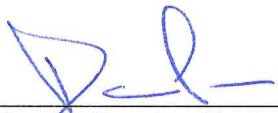
Moved by : Mr. Patel
Seconded by : Mr. Wible
In Favor : Mr. Patel, Mr. Wible, Mr. Fevola, Mr. Rudolph,
Mr. Sovak, Mr. Studzinski, Chairman Puccio
Opposed : None
Abstained : None
Recused : Mr. Buddenbaum
Absent : Mr. Jayaram

MOTION TO ADOPT RESOLUTION:

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

FLORENCE TOWNSHIP ZONING BOARD

Dated: 06/04/2026

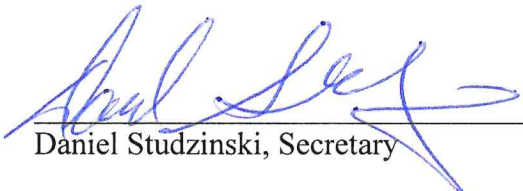


Dennis Puccio, Chairman

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 June 4, 2026, and memorializes a decision taken by the Board on May 5, 2026.

Dated: 6/4/2026



Daniel Studzinski, Secretary