

**A RESOLUTION OF THE
MEDFORD TOWNSHIP
ZONING BOARD OF ADJUSTMENT
RESOLUTION #2018-25**

**INTENDED TO SATISFY THE STATUTORY REQUIREMENT
FOR PREPARATION OF AN ANNUAL REPORT ON ITS FINDINGS
ON ZONING ORDINANCE PROVISIONS
WHICH WERE THE SUBJECT OF VARIANCE REQUESTS AND
ITS RECOMMENDATIONS FOR ZONING ORDINANCE AMENDMENT OR REVISION**

WHEREAS, The Municipal Land Use Law requires the Board of Adjustment to review the decisions on development applications and prepare and adopt a resolution reporting on its findings with respect to Zoning Ordinance provisions which were the subject of variance requests and to make recommendations for Zoning Ordinance modifications or amendment, if any, and that a copy of the report and resolution be provided to the Township Council and to the Planning Board (N.J.S.A. 40:55D-70.1); and

WHEREAS, the Board has compiled a list of applications heard and considered during 2017 with respect to various development applications (a copy of which is attached as Appendix A); and

WHEREAS, the Board has reviewed actions taken regarding development applications heard during 2017, and is desirous of providing a report as provided by statute;

WHEREAS, the Medford Township Zoning Board of Adjustment has made the following findings of fact consequent to its review of activity with respect to development applications during 2017, that:

Findings of Fact:

1. The Board held hearings each month of the calendar year, for a total of 12 meetings. The Board heard and decided upon 24 applications. Of these, 21 were approved and 3 were denied.
2. Of the 3 denied applications, 2 were “d(1)” use variance applications. The first was for a landscape contractor storage yard and parking lot in the AR Agricultural Retention zone, and the second was for a fast-food restaurant with a non-permitted drive-thru within the Taunton Forge Shopping Center in the CC Community Commercial zone. The third denied application was a bulk variance application for a 3-car garage which did not meet front and side yard setbacks and exceeded the maximum lot coverage. Seven “d” variances were approved, discussed below.

3. Of the 21 approved applications, 13 applications were for residential uses in residential zones. One was a “d(5)” density variance for 3 single-family dwellings in the RHO Residential Home Occupation zone. The remaining 12 were for “c” bulk variances.

- a. Of the 12 approved residential “c” bulk variances in residential zones, 2 were for new dwellings, and the remaining 10 were improvements to existing residences. The were 4 each in both the GD zone and RGD-2 zone, 2 in the GMS zone, and one each in the RGD-1 and RHO zones.
 - b. Of the 12 approved residential bulk applications, 7 requested relief to exceed the maximum accessory structure size: 4 applications for sheds, and 3 for garages. Three applications requested to exceed the maximum quantity of accessory structures. Six of these required additional variance for rear/side yard accessory structure setbacks as well.
 - c. Of the 4 applications in the GD Growth District, 3 required front yard setback relief, 3 required rear yard setback relief, and 3 required building coverage relief.
 - d. All 4 applications in the RGD-2 Reserved Growth District included relief related to sheds.
4. Two use variance applications for “d(2)” expansion of a non-conforming use were approved for existing commercial uses in residential zones: one for Medford Village Country Club in the GD zone and one for Roselli’s Market in the GMN zone.
5. Two use variance applications for residential uses in non-residential zones were approved: one “d(1)” for a new dwelling in the RC Restricted Commercial zone, and one “d(2)” for an existing dwelling which requested a shed in the HC-2 Highway Commercial zone.
6. Of the 21 approved applications, there were 4 applications for commercial uses within commercial zones, all of which were within the CC Community Commercial zone. Three were previously approved fast food restaurants that were returning to the Board to seek amended approvals or relief from prior approval conditions, relating to issues with parking, signage, and architecture. The fourth was a “d(1)” variance for a propane tank behind a hardware store at Taunton Forge.

BE IT RESOLVED, one third of the residential applications were in the GD Zone, which continues the trend from previous years. The Board recommends investigation of the land development patterns in the GD Zone to determine if ordinance amendments are appropriate, particularly with respect to setbacks, building coverage, and lot coverage.

BE IT FURTHER RESOLVED, a total of 7 applications involved exceeding the size and quantity of accessory buildings or structures permitted, which continues the trend from previous years. The Board recommends that garage and accessory building size and number should be evaluated and perhaps a sliding scale employed to control bulk and mass of accessory structures on private residential property. The size and height requirements for garages are currently in the *definitions* portion of the Ordinance, and not the *accessory building* section. This should be resolved. Additionally, the height of garage doors for residential uses should be limited to reduce the likelihood of conversion or use as commercial structures for large equipment or trucks.

BE IT FURTHER RESOLVED, that a copy of this annual resolution be provided to the Secretary for the Medford Township Planning Board for dissemination to members of the Planning Board, as well as to the Township Clerk for dissemination to the Township Council of the Township of Medford, and respective legal counsel.

ROLL CALL VOTE


Those In Favor:

Those Opposed:

Attest: MEDFORD TOWNSHIP ZONING BOARD OF ADJUSTMENT

Krystle Garrison
Krystle Garrison

By:


~~Donna Symons, Chair~~
SALVATORE J. LOCIVERA,
Vice Chair

Dated: 7/20/18

Date of Approval July 18th 2018

Date of Memorialization: July 18th 2018

Appendix A

Res No.	Applicant	Block	Lot	Address	App#	Zone	Principal Setback			Building Coverage	Lot Coverage	Accessory Structures				Other Bulk Variances/notes	Use Variances	Approved
							Front	Side	Rear			Side	Rear	Size (SF)	#			
7	Joseph F. Demarco	5301.15	16	4 Justus Court	ZVE-987	RGD-1								352/168		Pool house height 18' /15'		Y
8	Medford Village Country Club	2701.01	6.02/ 7.01	28 Golfview Dr.	SPR-5733	GD											d(2) for building expansion	Y
9	Ray and Kathy Hofmann	203	6.05	309 Medford-Mount Holly Rd.	SPR-5730	AR											d(1) for landscape contractor parking/equipment storage	N
11	Shrjji Donuts, LLC	801.02	29	Rt. 541/Church Rd.	SPR-5705&F	CC										Relief from prior approval: internally-illuminated signs		Y
12	Medford Equities, LLC	4106	2	513 Stokes Rd.	ZVE-983	CC										Relief from prior approval: façade colors		Y
13	Donna McFarland	906.03	35	225 Balsam Court	ZVE-988	GMS				40.75/30%		2/5'		2/1		Pool deck setback - 9/10'		Y
14	George C. Heaton	4701.02	55	55 Broken Arrow Bend	ZVE-985	RGD-2				30.1/20%						Shed		Y
15	Roselli Property, LLC	202	7.01	155 Church Rd.	SPR-5731	GMN										Facade signs	d(2) expanded market	Y
16	McDonalds Corporation	4802	1	601 Stokes Rd.	SPR-5725A	CC										Signs, roof type	d(3) for parking	Y
17	Sandford F. Schmidt	1601	14	29 Union St.	SPR-5737	RC											d(1) for single-family res.	Y
18	James Brick	3201	1.01	106 Tuckerton Rd.	ZVE-990	GMS							30/24'			Garage capacity >3		Y
19	Paul DiFillippo	3402	3	229 East Lake Dr.	ZVE-991	GD	23/50'	15/30'		13.74/12%						3-car garage		N
21	Eileen P. Minke	4701.06	22	36 Glen Lake Dr.	ZVE-993	RGD-2		29.7/50'				21.6/50'		284/168		New deck and ex. shed		Y
22	Melanie L. Pease	6501.02	55	20 Somerton Sq.	ZVE-995	RGD-2								200/168		Shed		Y
23	Ryan & Tina Colella	6301	3	29 Pontiac Dr.	ZVE-994	RGD-2	50/75'	30/50' 48.76/50'	48/75'	14.6/10%	23.2/15%	16/50' 36/50'	20/50'	240/168	2/1	New dwg, shed & hot tub		Y
24	DePetris Family, LLC	3201	32.03	200 Tauton Rd.	SPR-5732	CC										Signs	d(1) fast food with drive-thru	N
25	Thomas Hamilton	3605	4	114 E. Lake Blvd.	ZVE-997	GD	20.63/50'			15.24/12%			3/5'	28/24'	2/1	Detached garage & shed		Y
26	David & Lynn Duncan	3106	34	14 S. Lakeside Dr.	ZVE-996	GD	12/50' 23.6/50'		34.9/50' 39/50'	15.2/12%						Wetlands SB: 26.3/300'		Y
27	Benjamin Claggett	3404	1	210 E. Lake Blvd.	ZVE-998	GD			34/50'	12.98/12%						Dwg addition		Y
28	Jack Malady	3313	2	143 Tauton Blvd.	SPR-5742	GD		19.5/30'			35.1/30%					New dwg		Y
29	Gary Gardner	1402	4	17-19 Branch St.	PBC-516	RHO											d(5) for 3 single-family res.	Y
30	Clyde Adams, Jr.	806	15.03	5 Haynes Creek Ln.	ZVE-999	HC-2							40/50'	576/168	3/2		d(2) for shed	Y
31	Christopher Stokes	1602	2	7 Cedar St.	ZVE-1003	RHO						9/10'	6/10'	288/168		Shed		Y
32	DePetris Family, LLC	3201	32.03	200 Tauton Rd.	ZVE-1001	CC										8' tall fence	d(1) for propane tank at hardware store	Y

Numbers are expressed as "proposed/required"