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June 29, 2021  
70587 00

Attn: Ms. Maryalice Brown, Secretary  
Southampton Township Zoning Board  
5 Retreat Road  
Southampton, NJ 08088-3591

Re: **Taylor Pole Barn Garage**  
317 Hawkin Road  
Block 2902.01, Lot 1.02  
Bulk Variance for Proposed Garage  
Pinelands Rural Community (RC) Zone

Dear Board Members,

We have reviewed an application for a Bulk Variance for the property referenced above, which included the following documents:

1. Application Cover Letter prepared by Jason Taylor, Owner/Applicant, dated 5/3/21.
2. Planning Board & Zoning Board application form;
3. Zoning Officer Denial Letter, dated 4/1/21;
4. County Department of Health Letter, dated 3/24/21;
5. Plan of Survey, prepared by William J. Robbins, PLS of Robbins Associates in Riverside, NJ, dated 5/15/20 annotated by Applicant to show proposed garage location;
6. Conceptual photographic rendering of proposed garage; and
7. Photographs (4) of existing property.

### **General Information**

**Applicant/Owner:** Jason R. Taylor  
317 Hawkin Road  
Southampton, NJ 08088

### **Development Proposal**

The Applicant proposes to erect a 44' by 60' (2,640 SF) pole barn garage on his 3.527-acre, primarily wooded property. The property currently includes: a 1,656 SF, 2-story frame dwelling built c1960; 3 smaller frame sheds measuring 64 SF, 80 SF, and 192 SF; a roughly 0.25-acre paddock with a 384 SF animal barn; a roughly 2,000 SF paved parking area northeast of the dwelling; and associated stone and earthen drives. The Applicant indicates that this garage is needed to store 3 boats, 2 trucks, a backhoe, an all-terrain vehicle (ATV) and 4 other four-wheel ATVs (quads), a pop-up camper, and a riding mover.

Current tax maps do not correctly show that Lot 1.02 was subdivided in 2005 from a roughly 5.48-acre parcel to a 3.68-acre parcel and that the balance of Lot 1.02 was added to adjacent Lot 1.04 increasing its size from roughly 5.96 acres to 7.76 acres. This minor subdivision was recorded in Burlington County Deed Book 6256 Page 574 on 3/7/05 subsequent to Planning Board Resolution 2005.04P memorialized on 2/3/05.

**Zoning Review: Pinelands Rural Community (RC) Zone**

*Use Requirements:* The proposed garage is a permitted accessory use/structure in this residential zone.

*Area and Bulk Requirements:*

1. The last column in the following table indicates that the proposed development conforms to the area and bulk requirements in the RC zone.

Dimensions	Required	Proposed	Status
<b>Lot</b>			
Min. Lot Area (Acres)	3.2	3.527	C
Min. Lot Frontage (Feet)	250	276.42	C
Max. Total Lot Clearing and Disturbance (Percent)	15	< 15	C
Max. Total Lot Impervious Coverage (Percent)	10	< 10	C

C = Conforming

*Bulk Requirements for Accessory Buildings, Structures, and Uses*

2. §12-4.1.b. indicates that a detached garage must be located behind the footprint of the existing building. **A bulk variance is required because the proposed garage extends about 30' beyond the front of the existing dwelling.**
3. §12-4.1.c. indicates that detached garages cannot store than 3 vehicles. **A bulk variance is required because the proposed garage would store 3 boats, 2 trucks, and a pop-up camper, for a total of 6 licensed vehicles, in addition to a backhoe and 4 ATVs.**
4. §12-4.1.c. indicates that detached garages can be no larger than 1,260 SF. **A bulk variance is required because the proposed 2,640 SF garage would be 1,380 SF or more than twice as large as that permitted.**
5. The Applicant should provide testimony indicating where the proposed garage would park or store any commercial vehicles. §12-4.1.c. indicates that detached garages may not be used to park or store any commercial vehicles. §12-4.14.b.11. indicates that home occupations shall not require the construction of any accessory building or additional off-street parking. **If so, a use variance would be required.**

The Applicant has the burden of proof to justify the bulk variances required for this development, by testimony or other means, by using either the c(1) or c(2) proofs. For c(1) variances the Applicant must demonstrate that strict application of the zoning requirement would have “peculiar and exceptional practical difficulties to, or exceptional and undue hardship upon the Applicant arising out of:

- a. The exceptional narrowness, shallowness, or shape of a specific piece of property, or
- b. By reason of exceptional topographic conditions or physical features uniquely affecting a specific piece of property, or
- c. By reason of an extraordinary and exceptional situation uniquely affecting a specific piece of property or the structures lawfully existing thereon.”

For c(2) variances the Applicant must demonstrate:

- a. That the purposes of the Municipal Land Use Law (MLUL) would be advanced by a deviation from strict application of the zoning requirement;
- b. That the variance can be granted without substantial detriment to the public good;
- c. That the benefits of the deviation would substantially outweigh the detriment; and

- d. That the variance will not substantially impair the intent and purpose of the zone plan and zoning ordinance.

If a use variance is required, the Applicant has the burden of proof to present “positive” and “negative” criteria to justify the variance. In that case, the Applicant should provide testimony indicating that:

1. There are “special reasons” to grant the requested relief (e.g., is it “inherently beneficial”);
2. The site is particularly suited to the proposed use OR would be zoned into inutility without the variance;
3. The proposed will advance the purposes of the NJ Municipal Land Use Law (NJSA 40:55D-2) and the Township’s Master Plan and Zoning Ordinance;
4. The variance can be granted without substantial detriment to the public good; and
5. The variance will not substantially impair the intent and purpose of the zone plan and zoning ordinance.

**General Comments**

6. The Applicant should provide testimony indicating:
  - a. The location of the existing well and septic system;
  - b. Whether the garage will have electrical, plumbing, or other utility services;
  - c. The locations and types of any proposed exterior lighting and provisions to ensure there will be no glare to adjacent properties; and
  - d. How the existing earthen driveway and asphalt parking area will be modified to provide access to the proposed pole barn garage.
7. The survey plan did not provide any information about existing and proposed grading around the proposed pole barn garage to ensure that there will be no adverse stormwater runoff onto adjacent properties. We recommend that any Board approval be conditioned on the Board Engineer’s approval of a grading plan for the proposed development. The grading plan should also show the location of the existing well and septic system, driveway alterations to provide vehicular access to the pole barn, pedestrian door locations, and updated total site clearing and disturbance and total impervious coverage percentages.

**Outside Agency Approvals**

8. Any approval is subject to applicant obtaining all required permits and approvals including the following and satisfying the review letters of the Board’s Professionals.
  - a. Southampton Township Construction Office, and
  - b. Any and all others that may be required.

We reserve the opportunity to further comments as additional information becomes available. Should you or the Applicant have any questions, please feel free to contact the undersigned.

Sincerely yours,



Rakesh R. Darji, PE, CME, PP  
Zoning Board Engineer  
RRD/EF



Edward Fox, AICP, PP  
Zoning Board Planner

Ec: Jason R. Taylor, via email [jason454taylor@gmail.com](mailto:jason454taylor@gmail.com)  
Thomas Coleman, Esq., Zoning Board Attorney [tomcoleman@rclawnj.com](mailto:tomcoleman@rclawnj.com)