

TOWNSHIP OF DENNIS  
ZONING BOARD OF ADJUSTMENT  
APPLICATION FORM

1. Name and address of applicant:  
Lee and Dawn Parry, 2326 Route 9, Cape May Court House, NJ 08210

2. Applicant's telephone number:                      Applicant's fax number:  
Home: 609-576-6976                                              Home: \_\_\_\_\_  
Work: \_\_\_\_\_                                                      Work: \_\_\_\_\_

3. Property owner's name, address and telephone number if different  
from No. 1 above:  
Same as above

4. Relationship of applicant to owner: Same

If holder of contract to purchase attach copy of contract.  
If other than contract purchaser, explain status and attach written  
agreement signed by seller consenting to the application.

5. If applicant is a corporation or partnership, list all stockholders  
or partners owning 10% or more of the corporation or partnership  
and list their respective names, addresses and telephone numbers:  
Applicants are individuals

6. Location of premises:  
Street address: 2326 Route 9, Cape May Court House, NJ 08210  
Tax Block: 253.03                                              Tax Lot(s): 58  
Tax Map Sheet No.: 27

7. Zoning District in which premises is located: R-3

8. Type of application presented:  
\_\_\_\_\_ Appeal from decision of Zoning Official  
          (N.J.S.A. 40:55D-70a)  
\_\_\_\_\_ Interpretation of Zoning Ordinance or Zoning Map  
          (N.J.S.A. 40:55D-70b)

- Hardship variance (N.J.S.A. 40:55D-70c(1))
- Flexible (C)/balancing benefits and detriments (N.J.S.A. 40:55D-70c(2))
- Use variance (N.J.S.A. 40:55D-70d)

- (1) Use or principal structure
- (2) Expansion of non-conforming use
- (3) Deviation from conditional use standard
- (4) Increase in permitted floor area ratio
- (5) Increase in permitted density
- (6) Height of principal structure greater than 10 feet or 10% of maximum height permitted

Permit to build in street bed (N.J.S.A. 40:55D-34)

Permit to build where lot does not abut street (40:55D-36)

Site plans (N.J.S.A. 40:55D-76)

Major

Preliminary

Final

Minor

Waiver of site plan itself

Subdivision (N.J.S.A. 40:55D-76)

Minor

Major

Preliminary

Final

Waivers from subdivision and/or site plan standards

Other

9. Request is made for permission to Construct a 36' x 56' pole barn accessory garage for personal use.

(Describe type of variance sought)

Use for accessory structure exceeding principal structure area by 12 sq. feet; impervious coverage

contrary to the requirements of Sections 185-7; 185-14E;

of the Dennis Township Land Use and Development Ordinances, Dennis Township Code Chapters 98, 165 and 185.

10. Supply the following information concerning this application. Place an asterisk to the left of the description of all items for which variances are sought.

	<u>EXISTING CONDITION</u>	<u>REQUIRED BY ORDINANCE</u>	<u>PROPOSED</u>	<u>VARIANCE REQUIRED YES/NO</u>
<u>LOT SIZE:</u>	See attached Variance Plan by Gibson Associates dated 7/12/21 Req "R-3" Zone/Req(185-37(F))			
Lot Area	1.89+ Acres *	3 Acres/ N/A	1.89+ Acres*	NO *
Lot Frontage	187.75*	150'/ 100'	187.75*	NO*
Lot Width	163.85*	150'/ N/A	163.85*	NO*
Lot Depth	643.14*	300'/ 125'	643.14*	NO*
<u>PRINCIPAL BUILDING</u>				
Side Yard, each	21.7*	35'/ 22.0'/17.5'MIN	21.7*	NO*
Front Yard	28.1*	100'/Match Adjoining	28.1*	NO*
Rear Yard	OVER 100'	100'/ 63'	OVER 100'	NO*
Building Height				
<u>ACCESSORY BUILDING</u>				
Side Yard, each	17.6*	35'/ 22.0'/17.5'MIN	28.4**	NO
Rear Yard	OVER 35'	35'/ 63'	OVER 35**	NO
Distance to other buildings Building Height	13.5*	20'/ 20'	40.7**	NO
<u>MAXIMUM COVERAGE</u>				
Principal building (%)	1.5%	10%/ 20%	1.5%	NO
Accessory building (%)	3.0%	2%/ 20%	5.5%	NO
MAXIMUM BLDG HEIGHT	UNDER 30'	30'/ 18.9'/12' MIN	UNDER 17**	NO

\* EXISTING CONDITION NOT IMPACTED BY PROPOSED DEVELOPMENT

\*\*PROPOSED POLE BARN GARAGE

	<u>EXISTING CONDITION</u>	<u>REQUIRED BY ORDINANCE</u>	<u>PROPOSED</u>	<u>VARIANCE REQUIRED YES/NO</u>
<u>GROSS FLOOR AREA</u>				
Principal building	_____	_____	_____	_____
Accessory building	_____	_____	_____	_____
<u>PARKING</u>				
No. of spaces	_____	_____	_____	_____
<u>SIGNS</u> NONE				
Size	_____	_____	_____	_____
Number	_____	_____	_____	_____
Type (Free-Standing or Building Mounted)	_____	_____	_____	_____

11. Has there been any previous appeal, request or application to this Board or to the Planning Board involving these premises? If yes, state the nature of application, date of application, date of hearing and result received from Board.

No

BY LAW, VARIANCES CAN ONLY BE GRANTED WHERE THE APPLICANT IS ABLE TO SATISFY BOTH POSITIVE AND NEGATIVE CRITERIA ESTABLISHED BY THE MUNICIPAL LAND USE LAW. NO VARIANCE RELIEF OF ANY TYPE MAY BE GRANTED UNLESS THE VARIANCE OR RELIEF CAN BE GRANTED WITHOUT SUBSTANTIAL DETRIMENT TO THE PUBLIC GOOD AND WITHOUT SUBSTANTIALLY IMPAIRING THE INTENT AND PURPOSE OF THE ZONE PLAN AND ZONING ORDINANCE. HARDSHIP VARIANCES (40:55D-70c(1)) CAN ONLY BE GRANTED WHERE AN EXCEPTIONAL CONDITION EXISTS WITH REGARD TO A SPECIFIC PIECE OF PROPERTY, WHERE EXCEPTIONAL TOPOGRAPHICAL CONDITIONS OR PHYSICAL FEATURES UNIQUELY AFFECT A SPECIFIC PIECE OF PROPERTY OR WHERE BY REASON OF AN EXTRAORDINARY AND EXCEPTIONAL SITUATION UNIQUELY AFFECTING A SPECIFIC PIECE OF PROPERTY OR THE STRUCTURES LAWFULLY EXISTING THEREON THE STRICT APPLICATION OF THE ZONING REQUIREMENT WOULD RESULT IN PECULIAR AND EXCEPTIONAL PRACTICAL DIFFICULTIES TO OR EXCEPTIONAL AND UNDUE HARDSHIP UPON THE DEVELOPER OF

THE PROPERTY. RELIEF UNDER THE FLEXIBLE C TYPE VARIANCE (N.J.S.A. 40:55D-70c(2)) CAN ONLY BE GRANTED WHERE, WITH REGARD TO A SPECIFIC PIECE OF PROPERTY, THE PURPOSES OF THE MUNICIPAL LAND USE LAW WOULD BE ADVANCED BY A DEVIATION FROM THE ZONING ORDINANCE REQUIREMENT AND THE BENEFIT OF THE DEVIATION WOULD SUBSTANTIALLY OUTWEIGH ANY DETRIMENT. USE, AND RELATED VARIANCES (N.J.S.A. 40:55D-70d) CAN ONLY BE GRANTED WHERE THERE ARE SPECIAL REASONS AS SPECIFIED BY THE MUNICIPAL LAND USE LAW. THE BURDEN IS UPON THE APPLICANT TO PROVIDE PROOF OF SATISFACTION OF THE AFORESAID REQUIREMENTS APPLICABLE TO HIS APPLICATION.

A SHORT SUMMARY OF THE REASONS WHY YOU ARE ENTITLED TO THE RELIEF SOUGHT FROM THE ZONING BOARD OF ADJUSTMENT SHALL BE PROVIDED ON A SEPARATE SHEET OF PAPER AND ENUMERATED WITH THE APPROPRIATE PARAGRAPH NUMBER UNDER WHICH THE RELIEF IS SOUGHT, (PARAGRAPHS NO. 12-15)

12. Attach to this application a statement of facts showing why the relief sought can be granted without substantial detriment to the public good and without substantially impairing the intent and purpose of the Dennis Township Zoning Plan and Zoning Ordinance. State why the variance can be granted without substantial harm to the neighborhood and without significant overturning of the Township Zoning Plan.
13. Attach to this application a statement specifying the hardship/ exceptional conditions of the specific property involved justifying the granting of a variance pursuant to N.J.S.A. 40:55D-70c(1). State what is unique about your specific piece of property noting such things as an exceptionally narrow, deep, or otherwise unusually shaped lot; physical features located on the lot that prevent its use in a normal manner that would be allowed by the existing zoning; the specific location of existing structures that limit compliance with the required zoning. Note how the circumstances relating to your particular lot differ from other lots in the neighborhood. State what hardships would result should the variance not be granted to you.
14. Attach to this application a statement setting forth the facts supporting the contention that the purposes of the Municipal Land Use Law would be advanced by a deviation from the Zoning requirements in question and the benefits of that deviation would substantially outweigh any detriment pursuant to N.J.S.A. 40:55D-70c(2). Among the purposes of the Municipal Land Use Law are the following: promotion of public health, safety and welfare; provision of adequate light, air and open space; establishment of appropriate population densities; provision of sufficient space for agricultural, residential, recreational, commercial and industrial uses and open space; promotion of a desirable visual environment; conservation of historic sites, districts, open space and natural resources; encouragement of senior citizens housing. Cite which of

these apply to your application and further, cite the characteristics of your land that will present an opportunity for improved zoning and planning to benefit the community.

15. Attach to this application a statement setting forth the special reasons for granting this variance pursuant to N.J.S.A. 40:55D-70d. "Special reasons" exist where a proposed project carries out a purpose of zoning, (such as those noted in Section 14 above) or where the refusal to allow the project would impose an undue hardship on you; state why the property at issue cannot reasonably be developed with a use permitted by the Zoning Ordinance.
16. Set forth specifically the determination of the Zoning Official from which an appeal has been filed and the basis for the appeal. (40:55D-70a)

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17. Set forth specifically the Zoning Ordinance section and provisions and/or the portion of the zoning map for which an interpretation from the Zoning Board is sought. Set forth the interpretation sought by the applicant. (N.J.S.A. 40:55D-70b).

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18. All applicants must supply with this application the required fees (application and escrow) the necessary survey, plan, and plat and the following Zoning Board of Adjustment forms together with all attachments required in connection with the forms:

- ZB-1 Application form including verification of application
- ZB-2 Survey, plan, plat affidavit
- ZB-4 Escrow fees and application fees
- ZB-5 Proof of payment of taxes
- ZB-6 Notice of hearing
- ZB-7 Affidavit of Service
- ZB-10 Applications Involving Subdivisions
- ZB-11 Applications Involving Site Plans

19. For undersized lot cases only, the following additional forms are supplied:

- Notice to Applicants Concerning Undersized Lots.
- ZB-8 Applicant's Offer to Abutting Property Owners.
- ZB-9 Response of Abutting Property Owners.

20. List the names, addresses, telephone and fax numbers and professions of any and all professionals employed by the applicant in completing the application to the Zoning Board of Adjustment and/or intended to be called as witnesses at the hearing on the application.

Name:	Address	Phone	Fax
Justin Turner, Esq.	2700 Pacific Avenue, Wildwood, NJ 08260	(609)-729-1333	(609)-522-4927
Gibson Associates, PA	511 Sea Isle Blvd, Ocean View, NJ 08230	(609)-624-1944	

VERIFICATION OF APPLICATION

(INDICATE STATUS OF APPLICANT BELOW)

  X   Applicant is owner of property  
       Applicant is not owner of property but has an Agreement of  
       Sale and the consent of the owner to make this application.  
       Other (specify)

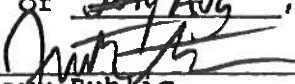
STATE OF NEW JERSEY:

                                          SS  
COUNTY OF CAPE MAY :

Dawn Parry, being of full age and duly sworn according to law, upon his/her oath, deposes and says that the information set forth in the variance application, survey, subdivision plan, site plan and related documents submitted in connection with this application is true and correct and that they accurately portray the proposed project for which variance relief and accompanying approvals (if any) are sought.

  
Applicant's Signature

Sworn and subscribed to  
before me this 17  
day of July/Aug, 1920.

  
Notary Public  
My Commission Expires \_\_\_\_\_

**Justin Turner**  
NJ Attorney ID 121262017

CONSENT TO APPLICATION BY OWNER OF PREMISES  
(NEED NOT BE SIGNED IF OWNER IS APPLICANT)

I hereby consent to the application submitted to the Dennis Township Zoning Board of Adjustment with regard to the premises referred to in this application which premises is owned by me.

\_\_\_\_\_  
Owner's Signature

Sworn and subscribed to  
before me this \_\_\_\_\_  
day of \_\_\_\_\_, 19\_\_\_\_.

\_\_\_\_\_  
Notary Public  
My Commission Expires \_\_\_\_\_