

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. 40:55D070d)
 - (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 (N.J.S.A. 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 Build a two story house with roof and basement foundation to the final height ~~to~~ not to exceed 35 feet
 (Describe type of variance sought)

I am requesting height of principal structure greater than 10 ft or 10%
 contrary to the requirements of Sections: N.J.S.A. 40:55-0070d of the Dennis Township Land Use and
 Development Ordinances, Dennis Township Code Chapters 98, 165 and 185.

of
max
height
permitted

I would like to build a nice 2 story home with a basement not to exceed 35 feet in height.

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</u> |
|-----------------------------|-------------------------------|----------------------------------|------------------------------|------------------------------|
| | | | <u>YES/NO</u> | |
| <u>LOT SIZE:</u> | | | | |
| Lot Area | 1.2 acres or 44,213.4 sq ft | | NA | No |
| Lot Frontage | 235 ft, 202 ft | | NA | No |
| Lot Width | 246.22 ft | | NA | No |
| Lot Depth | 168.96 ft | | NA | No |
| <u>PRINCIPAL BUILDING:</u> | | | | |
| Side Yard, each | 73 ft 0 | | 73' | No |
| Front Yard | 53 ft, 73 ft 0 | | 53', 73' | No No |
| Rear Yard | 53 ft 0 | | 53 ft | |
| Building Height | 0 | not to exceed 35' | | Yes |
| <u>ACCESSORY BUILDING:</u> | | | | |
| Side Yard, each | | | | |
| Rear Yard | | NA | | NA |
| Distance to Other Buildings | | | | |
| Building Height | NA | | not to exceed 35' | Yes |
| <u>MAXIMUM COVERAGE:</u> | | | | |
| Principal Building % | 0 11.2 % | | 19.2 % | |
| Accessory Building % | | | | |
| <u>GROSS FLOOR AREA:</u> | | | | |
| Principal Building | 2890 sq ft | | | |
| Accessory Building | NA | | | |

| <u>EXISTING CONDITION</u> | <u>REQUIRED BY ORDINANCE</u> | <u>PROPOSED</u> | <u>VARIANCE REQUIRED</u> |
|-------------------------------|----------------------------------|-----------------|------------------------------|
| | | | <u>YES/NO</u> |

PARKING:

No. of Spaces

NA

SIGNS:

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.

Yes I demolished an existing house that
was two full stories plus a roof.

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 OF THE ZONE PLAN AND ZONING ORDINANCE. HARDSHIP VARIANCES (40:55dc(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 WHEREBY 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

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

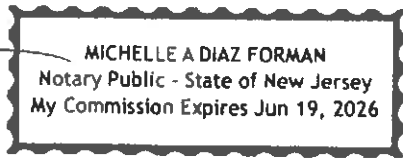
COUNTY OF CAPE MAY:

Andrew Voegtlin, 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.

[Signature]
Applicant's Signature

Sworn and subscribed to before me this 20 day of NOV, 2023.

[Signature]
Notary Public
My Commission Expires: 6-19-26



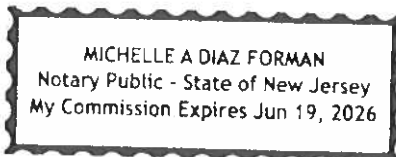
CONSENT TO APPLICATION BY OWNER OF PREMISES
(Need not be signed if Owner is Applicant)

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.

[Signature]
Owner's Signature

Sworn and subscribed to before me this 20 day of NOV, 2023.

[Signature]
Notary Public
New Jersey



DENNIS TOWNSHIP ZONING BOARD OF ADJUSTMENT

SURVEY/PLAN/PLAT AFFIDAVIT

STATE OF NEW JERSEY:

SS

COUNTY OF CAPE MAY:

(Name) Andrew Voegtm, being duly sworn according to law, upon his oath deposes and says:

1. I am the owner of the property known and identified as Block 251, Lot(s) 19.01, in the Township of Dennis or I am the applicant for development in this matter.

2. The attached sealed survey/plan/plat prepared by Mark Bennett Devaul, LLC and dated Sept 10, 2019, accurately reflects the physical condition of the property as of the date of this Affidavit and there have been no changes or alterations to the property since the date of the sealed survey/plan/plat.

3. I make this Affidavit in support of an application for development before the Dennis Township Zoning Board of Adjustment and understand that said Board shall rely on the current accuracy of the said survey/plan/plat in considering the application for development of the property.

[Handwritten Signature]

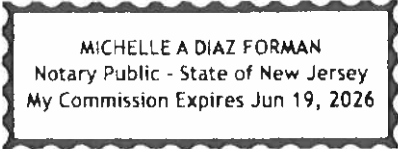
Signature - Owner/Applicant

Sworn to and subscribed

before me this 20 day of Nov, 2023.

[Handwritten Signature]

Notary Public
New Jersey



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 the 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 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. (N.J.S.A. 40:55D-70a)

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)

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 Applicant's Concerning Undersized Lots.
- ZB-8 Applicant's Offer to Abutting Property Owners.
- ZB-9 Response to 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: E-Mail:

**DENNIS TOWNSHIP ZONING BOARD OF ADJUSTMENT
ESCROW FEES AND APPLICATION FEES**

Applicant's Name: Andrei Voestlin
Address: 382 Kings Hwy
CMLH NJ 08210

Address of Property: 382 Kings Hwy CMLH, NJ 08210
Subject to the Application: (Street Address): _____

Block: 251 Lot (s): 19.01

Amount of required Escrow: \$ 1000

Amount of required Application Fees: \$ 250

All escrow funds shall be deposited by the applicant with the Municipal Treasurer who shall, in turn, deposit them in a separate escrow account and carry them under the Township's Trust Fund section of accounts on the books of the Township as a professional, inspection and consulting fee escrow fund. Said escrow fund shall be used to pay the fees of professional personnel employed to assist the Dennis Township Zoning Board of Adjustment in review of the application, to prepare Board Resolutions and other legal documents relating to the application, and to inspect and approve construction. Professional fees shall be billed through the Municipality's voucher system and approved for payment by the Zoning Board of Adjustment. Any excess of funds remaining in the escrow account at the time when all required improvements have been finally accepted and all professional work completed shall be returned to the applicant. If at any time it become evident that the escrow account is or will be insufficient to cover said fees, the developer shall increase the fund as required by the appropriate Zoning Board of Adjustment Official having jurisdiction over the matter.

The application fee is non-refundable and is a separate charge from the escrow fee.

I understand and consent to the foregoing.

Date: 11/20/27 Applicant: [Signature]

**RESPONSE OF ABUTTING PROPERTY OWNERS
UNDERSIZED LOT CASES**

Re: Applicant: Andrew Voedlin
Block(s): 251 Lot(s) 19.01
Township of Dennis

- 1. We have an interest in purchasing the Applicant's property (Yes) or (No) NO
- 2. We are willing to pay \$ X
- 3. We have an interest in selling our property (Yes) or (No) NO
- 4. We are willing to sell our property for \$ X
- 5. We have an interest in selling a portion of our property consisting of _____ square feet (Yes) or (No) NO
- 6. We are willing to sell the property described in #5 for \$ X
- 7. We will be in attendance at the Zoning Board hearing on the application to give our testimony (Yes) or (No) Yes

Signature: [Signature]

Signature: _____

Dated: 11/20/23

Note: You may send a copy of this response directly to the Zoning Board Administrator as follows:

Dennis Township Zoning Board of Adjustment
Dennis Township Hall
571 Petersburg Road
P.O. Box 204
Dennisville, New Jersey 08214