

TOWNSHIP OF DENNIS
CONSOLIDATED LAND USE BOARD
571 PETERSBURG ROAD
P.O. BOX 204
DENNISVILLE, NJ 08214

PART II

DEVELOPMENT APPLICATION

PLEASE COMPLETE ALL SECTIONS OF THIS APPLICATION

A. Applicant's Name Amy Havens

Applicant's Mailing Address: 105 E. Atlantic Blvd. Ocean City, NJ 08226

*Applicant's E mail Address amyshavens@gmail.com

Phone Number (Home) 609-399-5744 (Work) _____

Owner's Name Amy Havens

Owner's Mailing Address 105 E. Atlantic Blvd. Ocean City, NJ 08226

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:

Name: _____ Name: _____

Address: _____ Address: _____

Name: _____ Name: _____

Address: _____ Address: _____

Relationship of applicant to owner (same person, tenant, agent, purchase under contract or other) (Circle one).
If holder of Contract to purchase attach copy of Contract

Location of Premises 702 Petersburg Rd. Dennisville, NJ 08270 (Street address)

Block(s) 67 Lot(s) 37.01 Zone Pinelands Village District

B. Description the application: **See attached narrative**

C. 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)
 X 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

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- _____ (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

D. Request is hereby made for permission to (erect, alter, convert, use) alter the existing accessory building maximum coverage limit from 1% to 1.5%

1) Said property is: 0.951 acres (Give dimensions and area)
and has the following structures: Single family home, small commercial shop

2) Size and setbacks of existing building:

Width of building: 18.8' Length of building: 57.7'
Height: 35' Stories: 2
Front: 29' Rear: >50'
Side: West 11' Side: East 33' for Principal Building 15' for Accessory Building
% Building Coverage: 3.9% % Impervious Surface Coverage: 3.9%

3) Size and setbacks of proposed building and/or addition:

Width of building: 18.5' Length of building: 20'
Height: 10.5' Stories: 1
Front: 208' Rear: 118'

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Side: West 47'

Side: East 37'

% Building Coverage: 0.9%

% Impervious Surface Coverage: 0.9%

4) Date property acquired and prevailing zoning at time of acquisition: May 2025, Pinelands Village District

5) Has there been any previous appeal, requests or applications to this or any other Township Boards, Construction Official, or other Township Official involving these premises? YES X NO

"If yes, state the nature, date and the disposition of said matter include a copy of the Resolution, a copy of the building permit or any other pertinent information previously submitted"

To our understanding there has been previous site plan applications for the existing accessory building's construction and use as a commercial building. The applicant does not have record of these applications at this time.

6) When variance approvals are requested:
a. Describe the exceptional conditions of property preventing application from complying with Zoning Ordinance.

See attached narrative

b. Supply a statement of facts showing why relief can be granted without substantial detriment to the public good and will not substantially impair the intent and purpose of the zone plan and zoning ordinance.

See attached narrative

7) All applicants must complete the following, as applicable:

Type of construction: (frame, stone, brick, cement) wood frame

Present use of existing building(s) and premises: residential/commercial

Describe any deed restrictions affecting this property: N/A

Existing and proposed number of dwelling units: 1

Existing and proposed square footage of professional office: N/A

Existing and proposed gross floor area: Existing/Proposed Principal Bldg: 1892 sf Existing Accessory Building 240 sf Proposed Accessory Building 370 sf Total of Accessory Buildings 610 sf

Existing and proposed parking spaces: 8

Existing and proposed number of lots: N/A

Portion of lot being subdivided: N/A

Purpose for which lots will be utilized: Residential

Facilities for solid waste and recyclables: N/A

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A photograph(s) of the land and building(s) involved in the application.



Fig. 1 – Existing accessory building and adjacent concrete pad for proposed accessory building

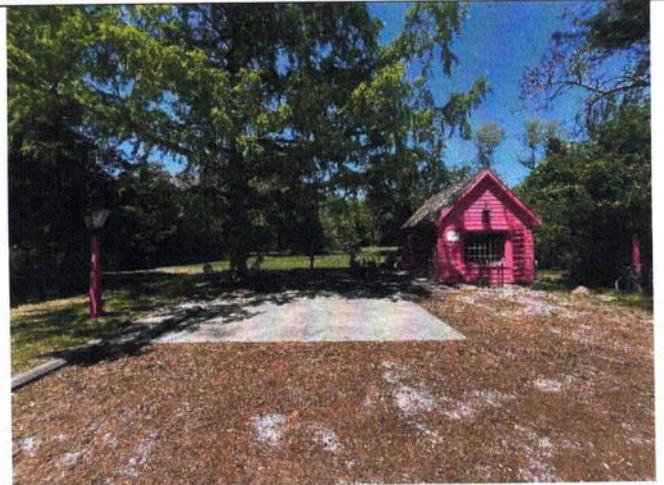


Fig. 2 – Existing concrete pad for proposed accessory building

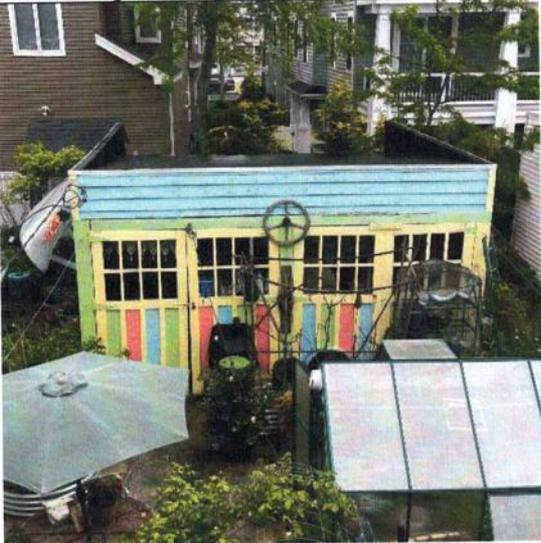


Fig. 3 – Front of proposed accessory building- above



Fig. 4 – Front of proposed accessory building.

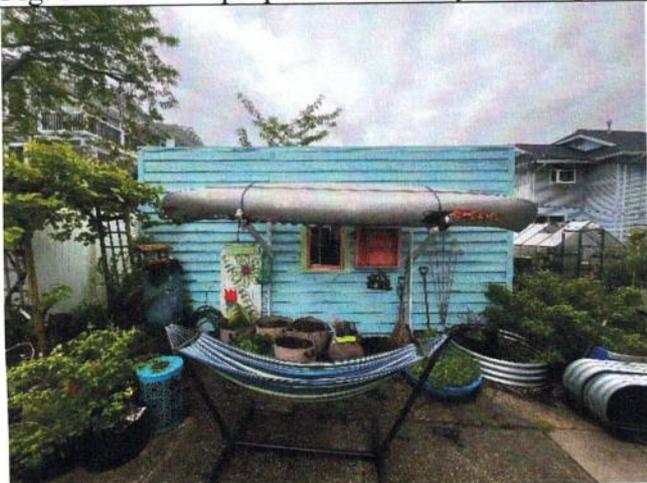


Fig. 5 – Left side of proposed accessory building



Fig. 6 – Right side of proposed accessory building

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Names, addresses and E-mail of all expert witness proposed to be used: _____

__Emilia Perez, Civil Engineering Consultant, Emilia.perez.892@gmail.com_____

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.

Zoning Analysis: 702 Petersburg Rd. Dennisville, NJ			
Principal Building	Pinelands Village District Requirements	Existing Condition	Proposed Condition
Min Lot Area	3.2 Acres	0.951 Acres**	0.951 Acres**
Min Lot Frontage	100'	102'	102'
Min Lot Width	100'	102'	102'
Min Lot Depth	250'	+/- 336'	+/- 336'
Min Side Yard	15'	W - 11'*** E- 33'	W - 11'*** E- 33'
Min Front Yard	200'	29'***	29'***
Min Rear Yard	50'	>50'	>50'
Building Height	30'	35'***	35'***
Gross Floor Area (Min.)	1000 SF	1893 SF	1893 SF
Accessory Building			
Building Height	15'	Shop:12'	Shop: 12' Garage: 10.5'
Min Distance to Side Line	10'	Shop: +/- 15'	Shop: +/- 15' Garage: +/- 37'
Min Distance to Rear Line	10'	Shop: 89'	Shop: 89' Garage: 118'
Min Distance to Other Buildings	10'	Shop: >10'	Shop: 10' Garage: 10'
Maximum Coverage			
Principal Building	5%	3.9%	3.9%
Accessory Building	1%	Shop: 0.6%	Shop: 0.6% Garage: 0.9% Total: 1.5%*

*Variance Required

** Existing Nonconformities

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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.

To our understanding there has been previous site plan applications for the existing accessory building's construction and use as a commercial building. The applicant does not have record of these applications at this time.

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 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.

See attached narrative

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.

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See attached narrative

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.

See attached narrative

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.

See attached narrative

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Amy S. Havens Being duly sworn
(Name of Applicant or Attorney Representing)

according to law hereby certifies that the information presented in this application is true and accurate.

Amy S. Havens
Signature of Applicant/Attorney

If applicant is not the owner of the property, have owner sign below or file with application a letter signed by the owner consenting to this application.

The foregoing application is hereby consented to this 14th day of 5th 2025 ^{CLOSING 5/23/2025}

Amy S. Havens
(Signature of property owner)

702 Petersburg Rd Dennisville
(Address)

609-399-5744
(Telephone Number)

Sworn and subscribed before me:

This 14th day of 5th 2025

Signature of Person authorized to take oaths - Notary

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PART III ADMINISTRATIVE COMPLETENESS
APPLICATION CHECKLIST

(Please submit with your application document)

NAME OF APPLICANT: _____

NAME OF OWNER: _____

NAME OF PROFESSIONAL(S): _____

Required Documents

- a) One original & 16 copies of the application WITH the completed Checklist _____
- b) One original & 16 copies of the required plat meeting requirements set forth in Chapter 165 of the Township Ordinance _____
- c) Required Application Fees as set forth in Chapter 98 of the Township Code _____
- d) Copy of CAFRA application or written explanation of why one isn't needed _____
- e) Copy of NJDEP Wetlands application or written explanation of why one isn't needed _____
- f) Current signed and sealed Survey of property (less than 1 year old) _____
- g) Other submittals required by Board Professionals (if any) _____
- h) Written description and justification for Waivers & Variances _____
- i) Certified list of persons to whom notice must be sent, as compiled by the proper administrative officer of the appropriate municipality (Tax Assessor). _____
- j) Proof from the Tax Collector that real estate taxes and local Assessments have been paid to date _____
- k) (For Subdivisions only) A Certificate of Title _____

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PLAT REQUIREMENTS VARIANCE
CHAPTER 165 and 185

NAME OF APPLICANT: Amy Havens

NAME OF OWNER: Amy Havens

BLOCK: 67 LOT: 37.01 ADDRESS: 702 Petersburg Rd. Dennisville,

a. *General Requirements.* The plan for a variance shall be drawn at a scale of not less than twenty feet (20') to the inch, with North oriented to the top of the page, shall conform to the provisions of the New Jersey Map Filing Law, N.J.S.A. 46:23-9.9 et seq., and shall include or be accompanied by the information specified below:

1. The variance plan shall be based upon a current boundary survey prepared in accordance with N.J.A.C. 13:40-5.1, Preparation of Land Surveys, certified to the owner and prepared or recertified not more than twelve (12) months prior to the date of application. _____

2. Spot elevations at all four (4) corners of the subject parcel (oceanfront parcels required two (2) additional spot elevations, one (1) at midpoint on each of the two (2) side lot lines). _____

b. *Title Block.* A title block shall appear on all sheets and include: _____

1. Title to read "Variance Plan." _____

2. Tax map sheet, block and lot designation. _____

3. Street address. _____

4. Name of the applicant and owner. _____

5. Date (of original and all revisions). _____

6. Name, signature, address and license number of the professional who prepared the plan. _____

c. *Detailed Information.* _____

1. A key map (at a scale of not less than one inch (1") equals one thousand feet (1,000') with North oriented to top of the page, showing the location of the subject parcel with reference to surrounding areas, existing streets which intersect or border the parcel, the names of all such streets and any zone district boundaries and Township boundary which is within five hundred feet (500') of the subject parcel.

2. The names and addresses of all owners, and property classifications of all parcels within two hundred feet (200') of the subject parcel as shown by the most recent records of the Township. _____

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3. A portion of the current Dennis Township Zoning Map showing the subject parcel and zone district boundaries, existing easements, watercourses, floodways and flood hazard areas within two hundred feet (200'), and the width of the right-of-way of each street within two hundred feet (200') of the subject parcel.
4. A zoning schedule showing all zoning requirements applicable to the parcel in question, existing conditions, proposed conditions and extent of applicant's compliance with the zoning requirements.
5. All existing structures, with an indication of those which are to be removed, and the front, rear and side yard dimensions of those to remain, referenced to existing lot lines.
6. All proposed private and public easements or rights-of-way and the purposes thereof.
7. North arrow.
8. Written and graphic scales.
9. All required endorsements or certifications and space for the appropriate signatures.
10. A copy of any existing or proposed covenants or deed restrictions applying to the land being subdivided or certification that none exists. Such certification may be in letter form signed by a member of the New Jersey Bar, by a title officer or authorized agent of a title insurance company licensed to do business in New Jersey.
11. Such other information as the Board Engineer and/or Planner may require or request during their review of the application.

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CONFIRMATION OF PAID TAXES

[24 HOUR NOTICE MAY BE REQUIRED]

TO BE COMPLETED BY APPLICANT AND RETURNED TO THE TAX COLLECTION OFFICE

NAME: Amy Havens

BLOCK: 37/67 LOT: 37.01

STREET ADDRESS: 702 Petersburg Road Dennisville, NJ 08270

TO BE COMPLETED BY TAX COLLECTION OFFICE

Taxes current as of 4/21/25

Taxes paid through 2nd Act (May) quarter 2025

Remarks: _____

Monica Heim
Tax Collector

5/14/25
Date

THIS STATEMENT IS NOT AN OFFICIAL TAX SEARCH

Variance Application Narrative – 702 Petersburg
May 15th, 2025

The address of the proposed project is 702 Petersburg Rd. Dennisville, NJ and is located within the Pinelands Village (PV) District. The site is bound to the south by Petersburg Rd and residential properties within the Village Residential (VR) District, to the East and West by residential properties within the PV District and to the North by an additional residential property also within the PV District and Johnsons Pond. The site is currently comprised of an 1893 SF single family home and a 240 SF accessory building, currently utilized as a commercial shop, located North of the principal building.

The proposed project consists of the installation of a 20' x 18.5' (370sf) garage/storage shed 10' southwest of the shop. In this location, there is an existing concrete pad that will be used as the foundation for the garage. An additional approximately 60 SF of concrete will be added to the southernmost side of the existing concrete pad to match the dimensions required for the garage. The attached Variance Plan shows the proposed location of the garage. The garage is currently constructed at the owner's former residence and will be deconstructed, moved, and reconstructed in-kind on the new property. Photos of the existing garage have been attached as a part of this application. Construction of this garage will increase the accessory building coverage of the lot from 0.6% to 1.5%. The current allowable maximum accessory building coverage within the zone is 1%. We are asking for a variance for our site to adjust the maximum accessory building coverage requirement from 1% to 1.5%.

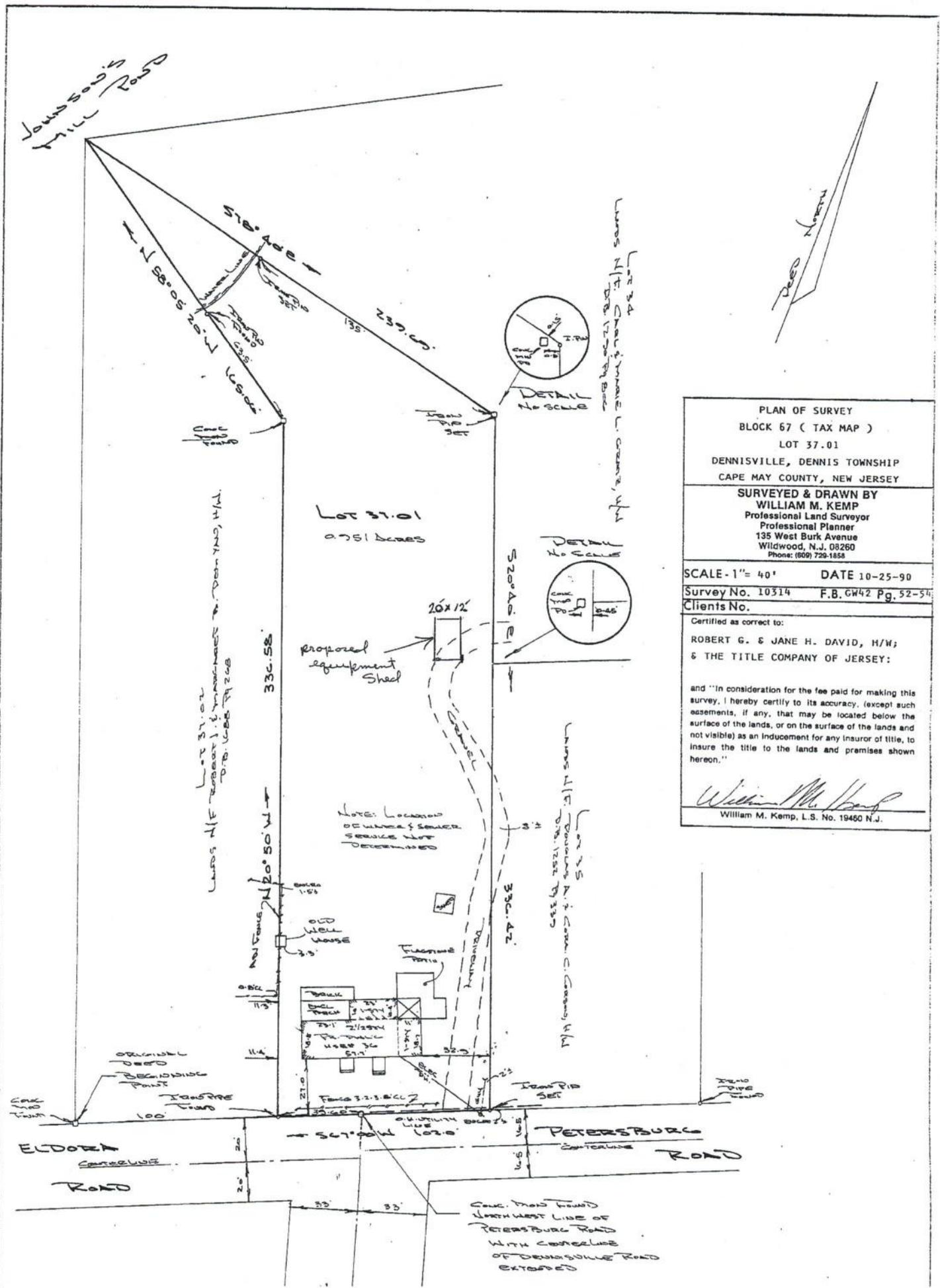
We are seeking this variance due to the unique existing conditions and zoning regulations of the lot. In it's current state, the lot already has one accessory structure that is utilized as a commercial space. In keeping with the character of the neighborhood and tradition of the shop it will be protected and maintained as-is. However, this leaves no other outdoor storage options left for the owner. By right, within the PV District, given the size of the lot the owner would only be permitted to construct up to an additional 174 SF of accessory structure. This is especially restrictive as the lot is within a zone that does not match the characteristics of the neighborhood and 174 SF will not meet the storage needs of the property owner.

The applicant acknowledges the ecological value and significance of the Pinelands and the Pinelands Village District Regulations that protect them. However, these regulations were written and imposed after the lot at 702 Petersburg had already been delineated at 0.951 acres, three times smaller than the minimum lot size requirement of 3.2 acres. Within this zone, the regulation of 1% maximum accessory building coverage was written with parcels of 3.2 acres and larger in mind which would result in a permitted 1393 SF of accessory building coverage, plenty of room for the storage required by homeowners. However, on this smaller lot 1% of coverage equates to just 414SF of allowable accessory building coverage. While the proposed accessory structure is less than 414SF (at just 370SF), preserving the existing accessory building in alignment with the historic nature of the neighborhood prevents the applicant from constructing this garage structure by right.

The characteristics of this lot and those directly adjacent are much closer to that of the zone across the street, VR, in terms of existing lot size, set backs, and coverage. In this zone, lot sizes and maximum

coverage regulations allow for higher density development and the maximum allowable accessory building coverage is 3.5%. As lots are permitted to be smaller within the VR zone there is a higher maximum allowable coverage for accessory buildings to allow homeowners the flexibility to construct the accessory structures that meet their needs best. However, across Petersburg Road within the PV district, this same flexibility does not exist – understanding that if the lots were 3.2 acres or larger, it would not need to. The nature of the PV regulations being written for lots more than three times the size of the lot at 702 Petersburg Rd. results in restrictive scenarios such that, across Petersburg Road, lots are permitted to be 35,000 SF and construct up to 1,225 SF of accessory building while the lot at 702 Petersburg is currently only permitted to construct 414 SF of accessory building.

Finally, while the variance sought will bring the accessory building coverage over the allowed 1%, the total site will not exceed the combined principle and accessory structure maximum coverage allowed of 6%. All three buildings will have a combined lot coverage of 5.4%. We feel that increasing the maximum coverage of accessory buildings from 1% to 1.5% will help meet the storage needs of the owner while maintaining the historic charm of the property. This change is minor and in alignment with the character of the neighborhood on both sides of Petersburg Road that most closely aligns with the bulk regulations of the VR District rather than the PV District. This increase will also result in a minimal increase in impervious coverage across the site taking into consideration the existing concrete pad and therefore no adverse impacts to the surrounding area are anticipated. The applicant thanks the board for their consideration on this matter and is happy to answer any questions they may have.



PLAN OF SURVEY
 BLOCK 67 (TAX MAP)
 LOT 37.01
 DENNISVILLE, DENNIS TOWNSHIP
 CAPE MAY COUNTY, NEW JERSEY

SURVEYED & DRAWN BY
WILLIAM M. KEMP
 Professional Land Surveyor
 Professional Planner
 135 West Burk Avenue
 Wildwood, N.J. 08260
 Phone: (609) 729-1858

SCALE - 1" = 40' DATE 10-25-90
 Survey No. 10314 F.B. GW42 Pg. 52-54
 Clients No.

Certified as correct to:
 ROBERT G. & JANE H. DAVID, H/W;
 & THE TITLE COMPANY OF JERSEY:

and "In consideration for the fee paid for making this survey, I hereby certify to its accuracy, (except such assessments, if any, that may be located below the surface of the lands, or on the surface of the lands and not visible) as an Inducement for any insuror of title, to insure the title to the lands and premises shown hereon."

William M. Kemp
 William M. Kemp, L.S. No. 19460 N.J.

Address

Plan Title

Date

Scale

02 Petersburg Rd.
Pennsville, NJ 08270

Site Location Plan

May 15, 2025

1" = 400'



SITE LOCATION

Address

Plan Title

Date

Scale

702 Petersburg Rd.
Dennisville, NJ 08270

Variance Plan

May 15, 2025

1" = 40'

