

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 Rixon Realty c/o Paul Rixon

Applicant's Mailing Address: 71 Route 50 Seaville, NJ 08230

\*Applicant's E mail Address rixon3@outlook.com

Phone Number (Home) 609-827-7555 (Work) 609-390-8821

Owner's Name Dawn Scharnagl

Owner's Mailing Address 136 Ryans Run Sicklerville, NJ 08081

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 256 Woodbine-Oceanview Road (Street address)

Block(s) 226 Lot(s) 9 Zone R3

B. Description of the application: It is the intent of the applicant to construct a one-story single family dwelling & associated driveway on site.

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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)
- 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

D. Request is hereby made for permission to (erect, alter, convert, use) a one-story single family dwelling & driveway

1) Said property is: 19,329 SF (Give dimensions and area) and has the following structures: vacant

2) Size and setbacks of existing building:

Width of building: N/A Length of building: N/A

Height: N/A Stories: N/A

Front: N/A Rear: N/A

Side: N/A Side: N/A

% Building Coverage: N/A % Impervious Surface Coverage: N/A

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

Width of building: 27.5'      Length of building: 48'

Height: 17.44'      Stories: 1

Front: 52.4', 82.6'      Rear: 14.7'

Side: 68.8'      Side: \_\_\_\_\_

% Building Coverage: 7.45%      % Impervious Surface Coverage: 15.18%

4) Date property acquired and prevailing zoning at time of acquisition: 11/23/2005

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 \_\_\_\_\_ NO x

**"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"**

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

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

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

Present use of existing building(s) and premises: Vacant

Describe any deed restrictions affecting this property: N/A

Existing and proposed number of dwelling units: 0 existing / 1 proposed

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

Existing and proposed gross floor area: 0 SF existing / 1,320 SF proposed

Existing and proposed parking spaces: 0 existing / 2 proposed

Existing and proposed number of lots: 1 existing / 1 proposed

Portion of lot being subdivided: N/A

Purpose for which lots will be utilized: Single Family Residential

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

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

<u>Joseph H. Maffei, P.E., P.P.</u>	<u>5 Cambridge Drive Ocean View, NJ 08230</u>	<u>jmaffei@engineeringdesign.com</u>
<u>Brian D. Heun, Esq.</u>	<u>PO Box 299 Linwood, NJ 08221</u>	<u>brian@heunlawoffice.com</u>

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.

EXISTING CONDITION	REQUIRED BY ORDINANCE	PROPOSED	VARIANCE REQUIRED YES/NO
LOT SIZE: Lot Area	3 AC	19,329 SF	YES (ENC)
Lot Frontage	100'	200.40'	NO
Lot Width	100'	199.96'	NO
Lot Depth	125'	96.27'	YES (ENC)

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<b>PRINCIPAL BUILDING</b>			
Side Yard, each	17.5'	68.8'	NO
Front Yard	54.7', 119.5'	52.4', 82.6'	YES
Rear Yard	14.7'	14.7'	NO
Building Height	12'	17.44'	YES
<b>ACCESSORY BUILDING</b>			
Side Yard, each	N/A	N/A	N/A
Rear Yard	N/A	N/A	N/A
Distance to Other Buildings	N/A	N/A	N/A
Building Height	N/A	N/A	N/A
<b>MAXIMUM COVERAGE</b>			
Principal Building %	20%	7.45%	NO
Accessory Building %	N/A	N/A	N/A
<b>GROSS FLOOR AREA</b>			
Principal Building	N/A	N/A	N/A
Accessory Building	N/A	N/A	N/A
<b>EXISTING CONDITION</b>	<b>REQUIRED BY ORDINANCE</b>	<b>PROPOSED</b>	<b>VARIANCE REQUIRED YES/NO</b>
<b>PARKING</b>			
No. of Spaces	2	2	NO
<b>SIGNS</b>			
Size	N/A	N/A	N/A
Number	N/A	N/A	N/A
Type (free standing or building mounted)	N/A	N/A	N/A

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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.

N/A

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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.

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

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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.

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**ESCROW FEES SUBMITTED**

**FINANCIAL RESPONSIBILITY STATEMENT**

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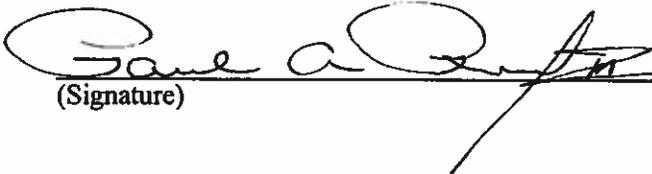
I have read Section 98-1 et seq. and understand that additional escrow fees may be charged at a later date. I herewith agree to pay these additional charged fees. If I fail to pay these fees when requested, I understand that the Township will also charge reasonable attorney's fees for the collection of these fees.

**Please Print Clearly**

Rixon Realty c/o Paul Rixon  
\_\_\_\_\_  
(Name)

609-390-8821 (O) / 609-827-7555 (C)  
\_\_\_\_\_  
(Daytime Phone)

71 Route 50 Seaville, NJ 08230  
\_\_\_\_\_  
(Billing Address)

  
\_\_\_\_\_  
(Signature)

5/7/2025  
\_\_\_\_\_  
(Date)

Note: The application will be deemed **incomplete** if all information above is not fully completed.

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Rixon Realty c/o Paul Rixon Being duly sworn according to law hereby  
(Name of Applicant or Attorney Representing)

certifies that the information presented in this application is true and accurate.

  
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 9<sup>th</sup> day of May, 2025.

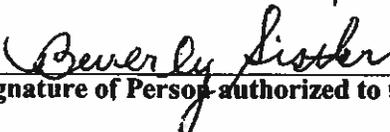
  
(Signature of property owner) Dawn Scharnagl

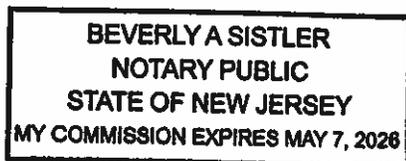
136 Ryans Run Sicklerville, NJ 08081  
(Address)

856-885-3370  
(Telephone Number)

Sworn and subscribed before me:

This 9<sup>th</sup> day of May, 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: Rixon Realty c/o Paul Rixon

NAME OF OWNER: Dawn Scharnagl

NAME OF PROFESSIONAL(S): Joseph H. Maffei, P.E., P.P. & Brian D. Heun, Esq.

**Required Documents**

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

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**PLAT REQUIREMENTS VARIANCE**  
**CHAPTER 165 and 185**

NAME OF APPLICANT: Rixon Realty c/o Paul Rixon

NAME OF OWNER: Dawn Scharnagl

BLOCK: 226 LOT: 9 ADDRESS: 256 Woodbine-Oceanview Road

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. | X<br><hr/> |
| 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).   | X<br><hr/> |

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

- |   |            |
|---|------------|
| 1. Title to read "Variance Plan."   | X<br><hr/> |
| 2. Tax map sheet, block and lot designation.  | X<br><hr/> |
| 3. Street address.  | X<br><hr/> |
| 4. Name of the applicant and owner.   | X<br><hr/> |
| 5. Date (of original and all revisions).  | X<br><hr/> |
| 6. Name, signature, address and license number of the professional who prepared the plan. | X<br><hr/> |

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. | X<br><hr/> |
| 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.   | X<br><hr/> |

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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.                    | <hr/> <b>X</b> <hr/>   |
| 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.   | <hr/> <b>X</b> <hr/>   |
| 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.  | <hr/> <b>N/A</b> <hr/> |
| 6. All proposed private and public easements or rights-of-way and the purposes thereof.  | <hr/> <b>X</b> <hr/>   |
| 7. North arrow.  | <hr/> <b>X</b> <hr/>   |
| 8. Written and graphic scales.   | <hr/> <b>X</b> <hr/>   |
| 9. All required endorsements or certifications and space for the appropriate signatures.   | <hr/> <b>X</b> <hr/>   |
| 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. | <hr/> <b>N/A</b> <hr/> |
| 11. Such other information as the Board Engineer and/or Planner may require or request during their review of the application.   | <hr/> <b>X</b> <hr/>   |

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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: Dawn Scharnagl

BLOCK: 226 LOT: 9

STREET ADDRESS: 256 Woodbine-Oceanview Road

-----  
**TO BE COMPLETED BY TAX COLLECTION OFFICE**

Taxes current as of 5/1/25

Taxes paid through May quarter 20 25

Remarks: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Monica Klein  
Tax Collector

5/12/25  
Date

**THIS STATEMENT IS NOT AN OFFICIAL TAX SEARCH**