

## Justification Statement

Block 226, Lot 9

Dennis Township, Cape May County

### Variations

12. The project site is an existing undersized corner lot which prevents the proposed development from complying with the Zoning Ordinance. The variances requested as part of this application do not impair the intent of the Dennis Township Zoning Ordinance as the proposed residential development is a permitted use in the R3 Zone. The properties adjacent to the project site are also residential, therefore, the requested variances can be granted without substantial harm to the neighborhood.

13. The variances requested as part of this application can be granted in accordance with NJSA 40:55-70c(1). The project site is an existing undersized corner lot which prevents the project from satisfying the zoning requirements. Compliance with two front yard setback requirements on an already undersized lot causes significant restrictions on the location of the proposed development.

14. The project site deviates from the required zoning standards, but the benefits of the requested deviations would substantially outweigh any detriments. The purposes of the Municipal Land Use Law would be advanced as follows:

*40:55D-2(c): To provide adequate light, air and open space*

The site design provides substantial front and side yard setbacks. The dwelling is appropriately sized and situated on the property to provide adequate light, air and open space.

*40:55D-2(g): To provide sufficient space in appropriate locations for a variety of agricultural, residential, recreational, commercial and industrial uses and open space, both public and private, according to their respective environmental requirements in order to meet the needs of all New Jersey Citizens*

The proposed single-family dwelling is a permitted use in the R3 Zoning District. The property is surrounded by single-family residential development and is an appropriate location for the proposed residential use.

*40:55D-2(i): To promote a desirable visual environment through creative development techniques and good civic design and arrangement*

The proposed size and height of the dwelling is suitable for the undersized lot area.

15. Pursuant to NJSA 40:55D-70d, the special reasons set forth in item 14 apply to the request for a height variance. The applicant will suffer undue hardship without a D6 variance because the 12 foot height required by ordinance is exceptionally low and cannot be met without variance approval. If not granted, the property cannot be reasonably developed in conformance with the permitted use.

**Wetlands**

No wetlands are located on or adjacent to the project site, therefore, no NJDEP permit is required.

**CAFRA**

Though the project site is located within the CAFRA area, the proposed development is of one (1) single residential dwelling not located within 150' of the mean high-water line and is not located on a beach or dune, therefore, no CAFRA permit is required.