

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: Warren, Robert & Somers, Kimberly

Applicant's Mailing Address: 2706 N. Route 9, Ocean View, NJ 08230

*Applicant's E mail Address: kimberly.j.somers@gmail.com

Phone Number (Home) 774-263-1524 (Work) _____

Owner's Name: Warren, Robert & Somers, Kimberly

Owner's Mailing Address: Kimberly.j.somers@gmail.com

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: N/A 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: 2706 N. Route 9, Ocean View, NJ 08230 (Street address)

Block(s) 237 Lot(s) 7 Zone R3

B. Description the application: *see attachment*

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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 tear down of the current barn, to erect a new barn with a second floor, consisting of an In-Law apartment.

1) Said property is: 5.36 ACRES *see survey* (Give dimensions and area)
and has the following structures: 1-1/2 sty Primary Dwelling; 1 sty masonry bldg.; 1 sty barn/stable; 1 sty framed bldg. *see survey*

2) **Size and setbacks of existing building:** Current Barn/Stable

Width of building: 20' Length of building: 47'
Height: 10' Stories: one

Front: the current barn faces the rear of the property. The "front" of the barn to the back property line is well over 400' *see survey* Rear: the current barn is facing the rear of the property. The "rear" of the barn to the front of the property is over 100' *see survey*

Side: 20' Side: 83'

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% Building Coverage: 0.4% % Impervious Surface Coverage: 0.4%

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

Width of building: Bottom Barn is 28' at its widest; Top Apartment is 20'

Length of building: 55'

Height: <30' Stories: Two

Front: (faces south) 87+ feet Rear: (faces north) 35'

Side: 100+' to front of property Side: well over 400' to rear of the property

% Building Coverage: 1% % Impervious Surface Coverage: 0.6%

4) Date property acquired and prevailing zoning at time of acquisition: September 2017 / R3

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. N/A

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.

There is a pre-existing barn of comparable size in the same general location on the property; we are changing the facing direction of the new proposed barn and adding a second story. We will be meeting, if not far exceeding, all required setbacks, % building coverage and % impervious surface coverages.

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: Barn with stalls for livestock

Describe any deed restrictions affecting this property: N/A

Existing and proposed number of dwelling units: 1 existing; 1 proposal (2 total)

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

Existing and proposed gross floor area: Existing Barn is 940 sq ft; Proposed is 2435 sq ft (includes both the bottom floor and second floor)

Existing and proposed parking spaces: N/A

Existing and proposed number of lots: N/A

Portion of lot being subdivided: N/A

Purpose for which lots will be utilized: N/A Facilities for solid waste and recyclables. N/A

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

see attachments

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

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
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LOT SIZE: 5.36 acres
Lot Area 233,830 sq ft

Lot Frontage 149.94'

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Lot Width 340.38'

Lot Depth 849.86'

PRINCIPAL BUILDING
 Side Yard, each

Front Yard

Rear Yard

Building Height

****ACCESSORY BUILDING**

Side Yard, each

Existing Barn
 20' & 83'

Proposed Barn
 35' & 87'

Rear Yard

400+'

400+'

Distance to
 Other Buildings

60+'

70+'

Building Height

10'

<30'

MAXIMUM COVERAGE

Principal Building %

Accessory Building %

0.4%

1%

GROSS FLOOR AREA

Principal Building

Accessory Building

940 sq ft

2435sq ft both stories

**EXISTING
 CONDITION**

**REQUIRED BY
 ORDINANCE**

PROPOSED

**VARIANCE
 REQUIRED
 YES/NO**

PARKING
 No. of Spaces

N/A

SIGNS
 Size

N/A

Number

Type (free standing
 or building mounted)

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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.

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 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

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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.

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ESCROW FEES SUBMITTED

FINANCIAL RESPONSIBILITY STATEMENT

.....
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

Warren, Robert & Somers, Kimberly
(Name) (Daytime Phone)

(774) 263-1524

2706 N. Route 9, Ocean View, NJ 08230

(Billing Address)

(Signature) (Date)

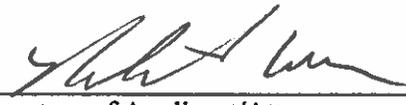
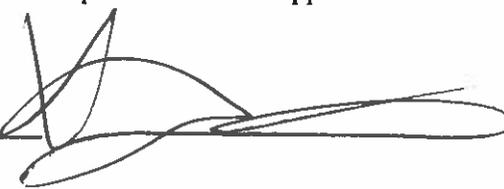


Note: The application will be deemed **incomplete** if all information above is not fully completed.

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Warren, Robert & Somers, Kimberly 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.


Signature of Applicant/Attorney  3/11/25

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 ___ day of __, 20__.

N/A
(Signature of property owner)

(Address)

(Telephone Number)

Sworn and subscribed before me:

This ___ day of __, 20__

Signature of Person authorized to take oaths - Notary

**PART III ADMINISTRATIVE COMPLETENESS
APPLICATION CHECKLIST**

(Please submit with your application document)

NAME OF APPLICANT: Warren, Robert & Somers, Kimberly
NAME OF OWNER: (Same)
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 _____

DESCRIPTION OF THE APPLICATION:

We are requesting the approval to re-build our barn and add a second story to the barn, which will encompass an In-Law Apartment.

Our current barn is completely rotting away. The previous owners, who built the barn over 30 years ago, did not build the barn on any type of foundation nor any type of slab. Thus, resulting in the entirety of the wood paneling/T1-11plywood siding, as well as, the base plates (2x4s) to completely rot and have major water damage. The barn sits next to a tennis court, put in after the build of the barn, again, by the previous owners, without proper pitch, run off or any drainage system. Thus, allowing all water to run directly into the barn itself, creating more damage. In addition, due to improper pitch and/or build of any slab, on any rainy day, water runs directly into the barn, filling stalls.

We are requesting to rebuild this barn, within comparable size to the current barn, with proper drainage, pitch and on a proper foundation; complying with all current setbacks.

In addition to the re-build of the barn itself, we are applying for the variance for an In-Law Apartment above.

My [Kimberly] Mother, who is 71 years old, lives on her own. She currently lives in Massachusetts and would like to be closer to family. By building the In-Law apartment, this will allow her to have her independence, but will allow her to have family essentially "next door".

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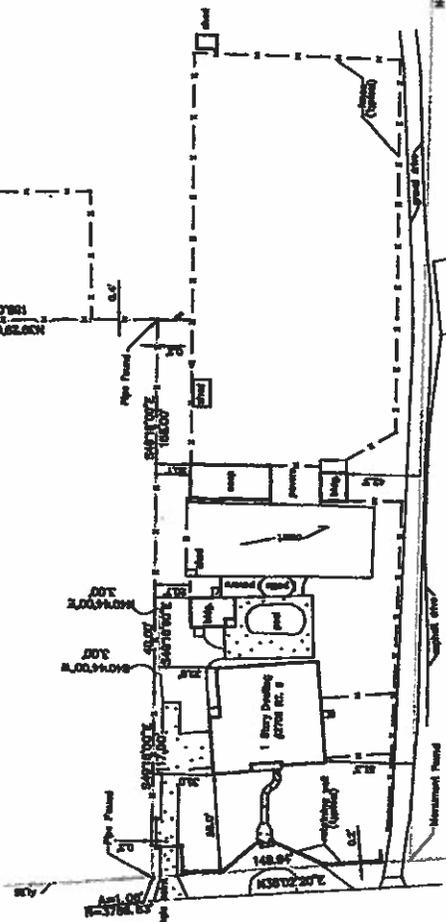
13. N/A

14. N/A

15. N/A



N.J. STATE HIGHWAY ROUTE 9
(of 146)



**BLOCK 237
LOT 7**
 23488 sq. ft. - Lot Area
 (5.4 Acre)
 S-25 - Building Coverage
 S-26 - Impervious Coverage

Lot 8.01

Lot 8.02

Lot 8

Lot 8

GARDEN STATE PARKWAY

GENERAL NOTES:

Objects are shown only by checking accordance with deed descriptions and zoning regulations. Objects that are not shown are shown only when they are shown on the plan and any responsibility or liability is the owner's alone and not the surveyor's.

This survey is subject to any documents of record, either recorded or unrecorded, that may affect the property. The surveyor is not responsible for any unrecorded documents or other conditions not shown on the plan. The surveyor reserves the right to modify this survey should any such information become available.

The surveyor's signature and seal are shown on this plan. The survey was prepared in accordance with the current regulations adopted by the New Jersey State Board of Professional Engineers and Land Surveyors. Only digital and metric copies of this survey shall be considered as true copies.

The boundaries of adjacent tracts of unimproved and/or undeveloped property, if any, are not included as a part of this survey. The surveyor is not responsible for any unimproved or undeveloped property that may be shown on the plan. The surveyor reserves the right to modify this survey should any such information become available.

This survey was prepared only for the use of the named parties. Surveyor shall not be held responsible for any use of this survey for any other purpose or any risk specifically named, for any business other than that named on the plan.

Robert Warner & Christopher Somers

In accordance with the terms of the contract, the surveyor is not responsible for any unimproved or undeveloped property that may be shown on the plan. The surveyor reserves the right to modify this survey should any such information become available.

Paul Koelling

PAUL M. KOELLING
 LAND SURVEYOR
 P.L.S. N.J. LICENSE NO. 246304328800

SURVEY OF PREMISES
 SITUATE IN
 TOWNSHIP OF DENNIS
 COUNTY OF CAPE MAY, N.J.
 45704 ROUTE 9
 BLOCK 237 LOT 7

PAUL KOELLING & ASSOCIATES, LLC
 2101 SHORE ROAD
 LINWOOD, NJ 08221
 Phone (609) 927-0273
 FAX (609) 927-0273
 E-MAIL: paul@koelling.com

Date: April 21, 2025
 by KOELLING
 SCALE: 1" = 80'

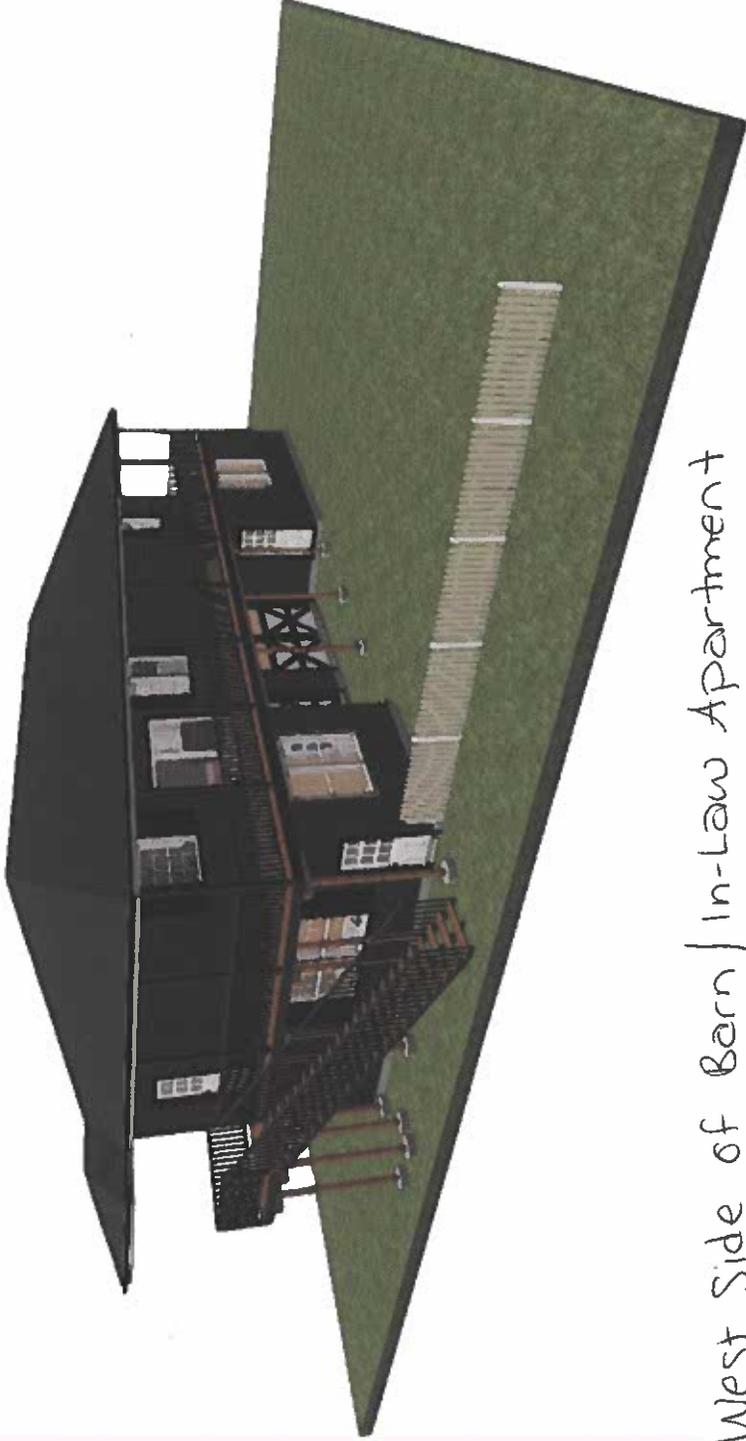
Property is located in a FEMA Flood Zone 1 (Moderate to High Flood Hazard) N/A to (XAN088)



Front of Proposed Barn / In-Law Apartment : faces South

** Please note support beams/posts under the deck are automatically installed with the program used for renderings. Due to material used; we hope to eliminate shown posts with the use of I-beam or the like.

Setback from front of Barn to side yard will be approx. 87'



West Side of Barn / In-Law Apartment

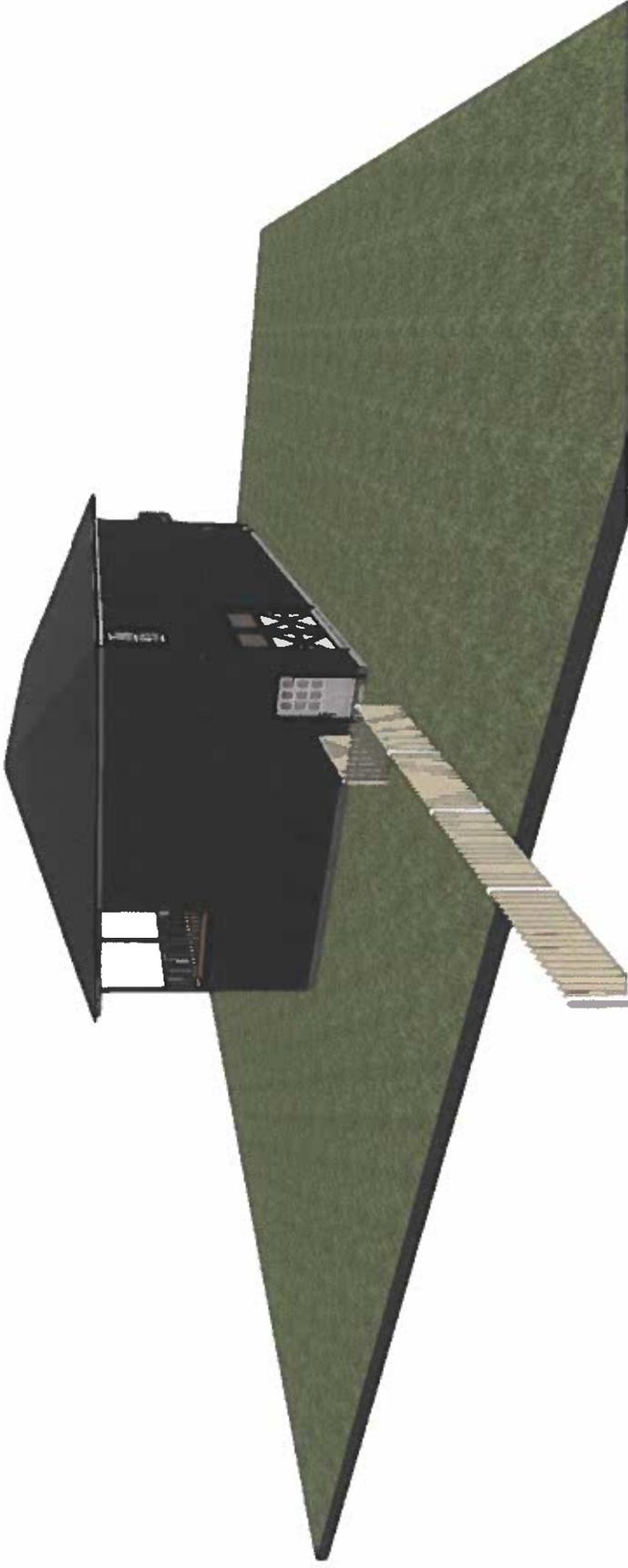
Setback from west side to the front of the property will be $>100'$



Rear of the Barn / In-Low Apartment

Faces North

Setback will be 35'



East Side of the Barn / In-Low Apartment

Setback will be >400'



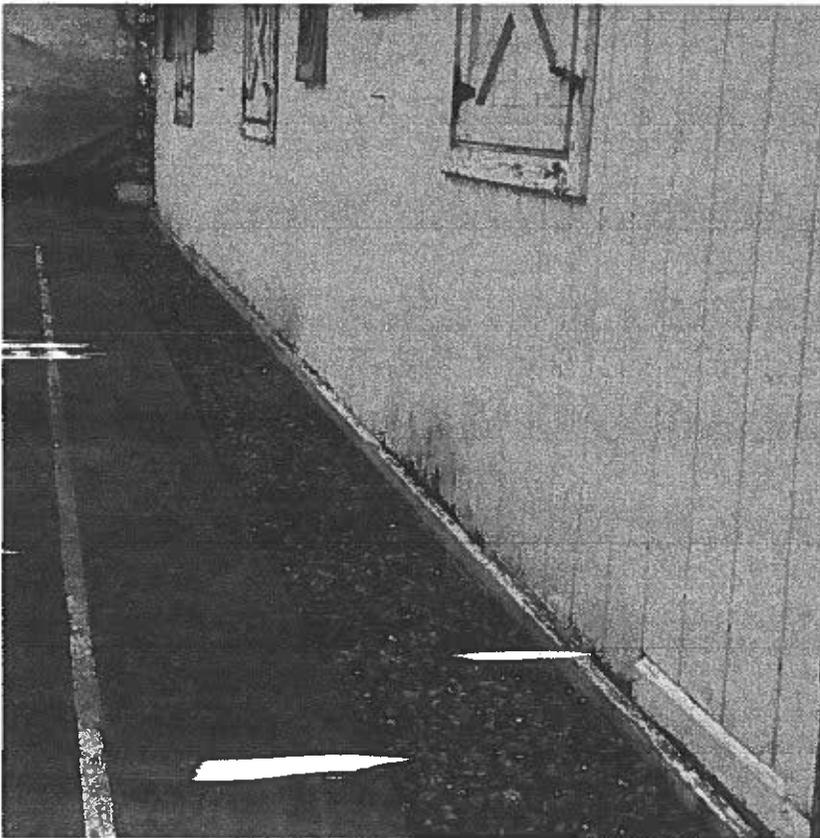
Floor Plan for Second Story In-Law Apartment



↑ current Barn

* Proposed New Barn will be turned 90° from current barn.

* Grey Shed will be relocated



← Base Rot

