

PLANNING BOARD APPLICATION

CASE # 1.03-23

FOR OFFICIAL USE ONLY

Date of Application Received: 5-16-22

Date: _____ Date of Deposit

Fee Paid 5-16-22

Date: _____ Affidavit of Service

Time Period Expires _____

Date File Complete _____

Hearing Date 6-2-22

INFORMATION REGARDING APPLICANT

Applicant's Full Legal Name Michael & Doreen Murphy

Applicant's Mailing Address 101 Aviv Drive

Applicant's Phone Number 6097033308 e-mail address MMURPHYMCM@comcast.net

Applicant is a: Corporation Partnership Individual

Pursuant to N.J.S.A. 40:55D-48.1, the names and addresses of all persons owning 10% of the stock in a corporation or partnership must be disclosed. Attach list.

NATURE OF APPLICATION, check appropriate items:

- ☐ Appeal of action of administrative officer
- ☐ Interpretation of development ordinance or map
- ☒ Variance: "C" Variance (Hardship)
- ☐ "D" Use Variance
- ☐ "D" Non-Conforming Use
- ☐ Conditional use
- ☐ Subdivision - Minor
- ☐ Subdivision - Major
- ☐ Site Plan - Waiver
- ☐ Site Plan - Minor
- ☐ Site Plan - Major
- ☐ Other _____

Proposed use, Building, or Subdivision is contrary to:
List Article and Section of the Ordinance from which Variance is sought:

ART. VIII Section 215-05 Required _____ Proposed _____

ART. _____ Section A-5 Required _____ Proposed _____

ART. _____ Section _____ Required _____ Proposed _____

If additional space is needed, attach list to the application

INFORMATION REGARDING PROPERTY:

Address: 101 Haviv Drive

Tax Map BLK 1.03 LOT(S) 23 Dimension of Property 100 X 100

BLK _____ LOT(S) _____ Dimension of Property _____

Zoning District R-1A

Location approximately 0 feet from intersection of Haviv
and Glenwood

Last Previous Occupancy _____

	<u>Size Existing Building</u>	<u>Proposed Structure</u>
Front (feet)	_____	_____
Deep (feet)	_____	_____
Square (feet)	_____	_____
Height (feet)	_____	_____
Story	_____	_____
Building Coverage	_____	_____

SET BACKS ZONING REQ.**Present****Proposed**

Frontage

Y or N

Front Yard

Front Yard

Side

Side

Rear

Lot Size Area

Corner Lot

yes

Prevailing Setbacks of Building within one Block _____ ft.

Present use Industrial proposed use residential

Has there been any previous appeal or application involving these premises?

☒ Yes or ☐ No

If yes, when

July 10 2014

and to whom

City of Northfield

Nature of appeal or application

C Variance relief to construct fence & lot coverage

Disposition

Granted

Date

July 10 2014

Application for Subdivision

site plan - conditional use approval

The relationship of the applicant to the property in questions is:

Owner

☒

Tenant

☐

Purchaser under Contract (submit copy)

Other

☐

If the applicant is not the owner of the property, the applicant must obtain and submit a copy of this application signed by the owner in the space provided.

Owner's Authorization: I hereby certify that I reside at:

In the County of Atlantic State of NJ

and that I am the owner of all that certain lot, _____; Piece or parcel of land known as

Block 1.03 Lot(s) 23 commonly known as 101 Haver Drive

which property is the subject of the applicant, and said application is hereby authorized by me.

Owner's Signature [Signature]

Applicant's Attorney _____ Phone # _____

Address _____

Applicant's Engineer _____ Phone # _____

Address _____

Applicant's Architect _____ Phone # _____

Address _____

Applicant's Planner _____ Phone # _____

Address _____

Applicant's Verification:

I hereby certify that the above statements made by me and the information contained in the papers submitted in connection with application is true.

Applicants Signature [Signature]

Notice: The applicant is responsible to publish and serve notice of this application after receiving a hearing date from the Secretary of the Planning Board, ten (10) days prior to the hearing date.

**PLANNING BOARD OF THE CITY OF NORTHFIELD
COMBINED RESOLUTION OF MEMORIALIZATION
AND FINDINGS OF FACT AND DECISION**

APPLICANT: **MICHAEL & DEBRA MURPHY, h/w**
APPLICATION: **"C" Variance relief to construct fence and for lot coverage**
BLOCK AND LOT: **Block 1.03, Lot 23**
PREMISES: **101 Haviv Drive**
HEARING DATE: **July 10, 2014**
ACTION TAKEN: **GRANTED**

BE IT RESOLVED by the Planning Board of the City of Northfield that the annexed written decision and findings and conclusions resulting from this Board's action at its regular meeting with respect to the above-captioned matter be and are hereby adopted as Official.

AND BE IT FURTHER resolved that the Planning Board hereunto been adopted by a vote of a majority of the members of this Board who voted for such action previously taken and that no other members voted hereon.

THE FOREGOING is a true copy of a Resolution of Memorialization adopted by the Planning Board of the City of Northfield at its regular meeting of September 4, 2014.



ROBIN ATLAS
Planning Board Secretary

RESOLUTION AND FINDINGS OF FACT AND DECISION

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THIS BOARD, carefully considered the evidence presented by the Applicants, through their sworn testimony. Applicants were seeking a "C" Variance under N.J.S.A. 40:55D-70(c)(2) in order to construct a four-foot fence around an existing pool that had already been constructed. The variance was necessitated because the maximum allowable height within 25 ft of the property line was 3 ft while 4 ft was being proposed. The Board Engineer pointed out also that the Applicant would also be required to obtain a variance for lot coverage where 40% maximum was required and 42.2% was proposed. The Board took note of the testimony as well as the Application which contained a rough site plan showing the location of the fence. The Applicants adequately explained to the Board how the necessity for the fence arose. The Board Engineer clearly indicated that the fence was not in the site triangle.

The Board implied that in essence the relief being requested was de minimis. Thus, the Board analyzed the Application pursuant to the provisions of N.J.S.A. 40:55D-70(c)(2). The Board concluded that there were no detrimental effects in the event that the variances would be granted and that any such detrimental effects would be clearly outweighed by the positives to be gained. The Board found that this was a positive addition to the property in question, that the fence was esthetically pleasing and, thus, it advanced a purpose of the Municipal Land Use Law, namely the creation of a pleasing and esthetic visual environment.

The Board, therefore, unanimously voted to grant the two variances in question to allow the Applicants to construct the fence.

NOW, THEREFORE, BE IT RESOLVED by the Planning Board of the City of Northfield that the Application by Applicant be approved strictly subject to the following conditions:

(1) The recommendations contained in the Planning Board Engineer's letter regarding this Application are incorporated herein by reference as if set forth at length and shall be additional conditions of approval except to the extent inconsistent herewith.

(2) All findings and conclusions herein above set forth are incorporated herein by reference as conditions of approval as if specifically set forth at length.

(3) The terms and conditions contained herein shall be binding upon all successors, assignees, personal representatives, heirs, and all and every other person or entity taking possession or title of the premises in question.

(4) Review and approval of all other agencies exercising jurisdiction in this matter, by either affirmative action by any such agency, or by the required passage of time in lieu thereof.

(5) Additional conditions of approval contained in the foregoing findings are incorporated herein.

(6) All of the representations and statements made by the Applicant as well as the Applicant's representatives and witnesses shall be considered and deemed to be relied upon by this Board in rendering this decision and to be an express condition of this Board's action in approving the subject Application. This Planning Board resolution of approval shall be strictly applied and shall only grant approval for Applicant's written proposal.

May 13, 2022

City of Northfield Board Members:

It has come to our attention additional information is required for a fence variance.

Enclosed is an addendum containing additional information requested.

We are requested a six foot fence where our four foot fence currently stands as we have a dog that jumps the four foot fence. We have a six foot fence on the opposite side of the yard that he cannot breach.

We are located on the corner of Glenwood and Haviv Drive which is a high foot traffic area. Cooper is a mini labradoodle, who is loving and just wants to say hello to all, our concern isn't for him harming someone, but for others reactions of being scared for their dogs or traffic.

Attached is a copy of our survey and our original "C" variance approval from 2014.

Thank you for your time and consideration.

Best,

Michael and Debra Murphy

KNOWN AS LOT 23, BLOCK 1.03 AS SHOWN
ON THE CITY OF NORTHFIELD TAX MAP.

ALSO KNOWN AS LOT 23, BLOCK 1.03 AS
SHOWN ON A PLAN ENTITLED "MAJOR
SUBDIVISION PLAN, SUTTON AVENUE", FILED.

AREA = 10,002 SF, MORE OR LESS

CERTIFY TO:

-MICHAEL G. MURPHY

-SURETY TITLE COMPANY, LLC

-WFG NATIONAL TITLE INSURANCE CO.

-WELLS FARGO BANK, N.A., ITS SUCCESSORS

AND/OR ASSIGNS AS THEIR INTEREST MAY
APPEAR

For any issues of Title relating hereto and any other
pertaining to this survey, I hereby certify to its
accuracy (except) such easements, if any, that may be
located below the surface of the lands or on the
surface of the lands and not visible) as an
insurer for any insurer of title to insure the
title to the lands and premises shown thereon. This
responsibility is limited to the current matter as of
the date of this survey.

Only copies from the original of this survey
clearly marked with an original of the land
surveyor's embossed seal shall be considered to be
valid copies.

This certification is made only to the extent
permitted by the laws of the State of New Jersey
and does not constitute a warranty or liability
for any other purpose, either directly or indirectly.

Robert J. Monson

ROBERT J. MONSON
PROFESSIONAL LAND SURVEYOR
NJ LICENSE NO. 38389

PLAN OF SURVEY

101 HAVIV DRIVE
LOT 23, BLOCK 1.03, PLATE 1
CITY OF NORTHFIELD
ATLANTIC COUNTY, NEW JERSEY

SCALE: 1" = 20' DATE: 9/17/13

DRAWN BY: BD DRAWING NO. 9557

ROBERT J. MONSON, P.L.S.

800 ROSETREE DRIVE

WILLIAMSTOWN, NJ 08094

PHONE: (609) 728-1974 FAX: (609) 728-3038

GLENWOOD DRIVE

(50' WIDE)

HAVIV DRIVE
(50' WIDE)

4 ft. High Solid Vinyl fence with self closing & latching gates. Gates to open
out, away from the pool. Release mechanism to be placed on inside.
prohibit, of gate with top of mechanism to be no greater than 45 inches from
grade and a minimum of 3 inches from top of gate. Spacing shall not exceed
1/2 inch within 18 inches of release mechanism.

BLOCK 1.03

Existing 4' high
vinyl fence
variance picket
release



City of Northfield

Office of Housing / Zoning

1600 Shore Road - Northfield - New Jersey - 08225
(609)641-2832 Ext. 140

APPLICATION FOR FENCE PERMIT

PLEASE SUBMIT APPLICATION AND COPY OF SURVEY SHOWING FENCE LOCATION ON SITE.

BLOCK 103 LOT 23 ZONE R1-A Address: 101 Havin Drive

Name Michael & Debra Murphy Phone Number 609-703-3308 / 609-335-3504

Email for Permit: MMURPHMG@COMCAST.NET Is property a corner lot? yes

Fence Description (Style, Length, Height) White vinyl 6 foot high x 8 foot wide

Construction Will Be Done By: Homeowner undecided Contractor _____

Homeowner Signature [Signature]

Or Contractor _____

NAME OF CONTRACTOR

ALL FENCES MUST HAVE GOOD SIDE FACING OUT

Fence height- residential- 6 feet rear and sides to front of house; 3 feet for any fence in front of the house. Corner lots are considered to have 2 fronts. More information on fences can be found in the City Code, Chapter 215-95: <https://ecode360.com/8267841>

DO NOT WRITE BELOW THIS LINE

Fee: Residential \$50.00, Commercial \$130.00

Cash Or Check Number _____

Survey Received Yes _____ No _____

Application Approved Yes _____ No _____

Reason for denial _____

Date: _____

ZONING OFFICE