

Board Member offered a motion to move on the adoption of the following Resolution:

RESOLUTION APPROVING THE BULK VARIANCE OR DESIGN  
WAIVER APPLICATION OF CAROLYN BROULLON, BLOCK 56,  
LOT 6, A/KA 12 MILLER STREET, BOROUGH OF HIGHLANDS

WHEREAS, the applicant Carolyn Broullon, is the owner of the above captioned property known located at 12 Miller Street, Highlands, New Jersey which property is located in the R-2.02 Zone; and

WHEREAS, the applicant has applied for a Bulk Variance/Design Waiver from the provisions of Borough Ordinance Section 21-65.27 which section permits a deck to extend no more than three feet from a property line. The applicant is requesting a deck extension on the second floor that will extend up to one foot from the property line; and

WHEREAS, all jurisdictional requirements have been met and proper notice has been given pursuant to the Municipal Land Use Act and Borough Ordinances, and the Board has jurisdiction to consider this application; and

WHEREAS, the Board considered this application at a public hearing held on June 9, 2016; and

WHEREAS, the details of the applicant's proposal are as follows:

1. The property currently has a single family residence and a deck on the second floor.
2. The deck as it presently exists is non-functional and cannot accommodate any type of chairs or table.
3. The proposed extension of the deck to within one foot of the property line will not be a substantial detriment to the zoning ordinance requirements; the neighbors and the Master Plan of the Borough.
4. The proposed extension will not encroach on any Borough Right of Way.
5. If the request is denied the applicant will suffer a true hardship.
6. The details of the proposed deck are set forth in application and the evidence introduced at the public meeting; and

WHEREAS, the Board adopts the foregoing as facts in addition to the following additional factual findings:

1. The proposal will allow the applicant to enjoy her deck.
2. The Board finds that the proposed expansion is a reasonable request as the basis for the Bulk Variance or Design Waiver and further; and

WHEREAS, the Board determined that the relief requested by the applicant is reasonable and 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 of the Borough of Highlands; and

WHEREAS, the Board after considering the testimony and exhibits has found the proposed Design Waiver to be acceptable with conditions.

NOW THEREFORE BE IT RESOLVED by the Land Use Board of the Borough of Highlands that the application for a Design Waiver from the Land Development Ordinances of the Borough of Highlands for the installation of a second driveway on the subject property is approved contingent on the following conditions being met:

1. All testimony, evidence and representations made by the applicant are incorporated herein.
2. Taxes, fees and escrow accounts shall be current.
3. The applicant shall comply with all of the comments and outstanding conditions set forth in the Board Engineer's letter dated June 8, 2016, which letter is incorporated herein in full by reference thereto.
4. The applicant shall obtain all outside agency approval if required in the above referenced letter.

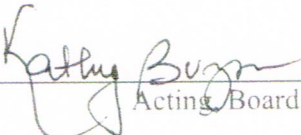
Seconded by Board Member and adopted on the following roll call vote:

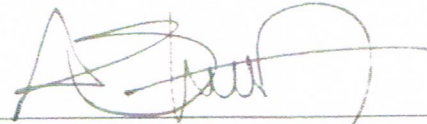
Ayes: All Members present and eligible to vote, voted in favor of the Resolution

Nays: None

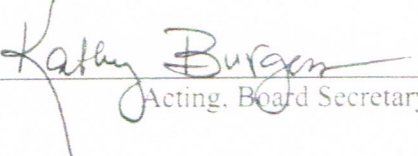
Abstain: None

July 14, 2016.

  
\_\_\_\_\_  
Acting Board Secretary

  
\_\_\_\_\_  
Andrew Stockton, Board Chairman

I certify this to be a true copy of the written Resolution adopted by the Land Use Board of the Borough of Highlands on July 14, 2016.

  
\_\_\_\_\_  
Acting Board Secretary