

MIDDLESEX BOROUGH ZONING BOARD OF ADJUSTMENT  
RESOLUTION #2013-08

RESOLUTION OF THE ZONING BOARD OF ADJUSTMENT  
PURSUANT TO N.J.S. 40:55D-70. 1

WHEREAS, during the calendar year 2013, the Middlesex Borough Zoning Board of Adjustment carried out its function of considering applications and granting certain variances from the strict application of the Middlesex Borough Zoning Ordinance; and

WHEREAS, N.J.S. 40:55D-70.1 (Municipal Land Use Act) requires that, at least once a year, the Zoning Board of Adjustment shall:

- (A) Review its decisions on the applications and appeals for variance;
- (B) Prepare and adopt, by resolution, a report on its findings concerning the Zoning Ordinance provisions that were the subject of the applications before the Board;
- (C) Provide recommendations for the Zoning Ordinance amendments or revisions, if any; and

WHEREAS, the report of the applications made to the Zoning Board of Adjustment for 2013 has been prepared and submitted by the Clerk of the Zoning Board of Adjustment, outlining the various applications in 2013 and attached hereto as Exhibit "A"; and

WHEREAS, the Board has reviewed the matters as contained in the report and is cognizant of its obligation to make recommendations regarding Zoning Ordinance changes based on the variance applications; and

NOW THEREFORE BE IT AND IT IS HEREBY RESOLVED by the Zoning Board of Adjustment of the Borough of Middlesex that the attached list entitled Exhibit "A", properly sets forth all applications heard and decided by the Board during the calendar year 2013 ; and

BE IT FURTHER RESOLVED, that the Zoning Board of Adjustment of the Borough of Middlesex makes the following recommendations regarding possible changes to the Zoning Ordinance of the Borough of Middlesex:

(A) There have been repeated applications requesting rear yard and side yard set back relief when homeowners in the AR-2 Zone seek to improve their decks. In all cases, thus far, the relief has been granted; partially due to the fact that the current Homeowners Condominium Association rules require that the homeowner obtain approval from the Homeowners Association before any expansion. It is the recommendation of the Board that consideration be given to establishing individual unit set back requirements in the Zoning Ordinance as it relates to side and rear yard set back(s) for the individual units in the AR-2 Zone, where currently there are only gross area set back requirements.

Chairman Leon *YES*  
Member McNulty *ABSENT*  
Member Cannone *ABSENT*

Member DeVuyst *YES*  
Member Thompson *MOVED YES*  
Member Anello *YES*

Member Lopa *2nd YES*  
Member Vietri *YES*  
MEM. Hoyt *YES*

*[Signature]*  
Secretary, Planning Bd      12/04/2013  
Date

*[Signature]*  
Clerk, Planning Bd.      12/4/13  
Date

**EXHIBIT A**

**Borough of Middlesex  
Zoning Board of Adjustment  
1200 Mountain Avenue, Middlesex, N.J. 08846**

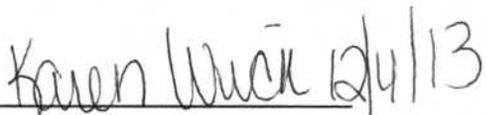
**2013 ZONING BOARD OF ADJUSTMENT REPORT PURSUANT TO N. J.S. A.  
40:55D-70.1**

1. Z2012-08 900 South Ave. LLC 900 South Ave Block 269 Lot 1 denied use variance.
2. Z2013-04 Rick 102 Union Ave Block 127 Lot 8 approved rear and side yard setback variance.
3. Z2013-01 DeAngelis, LLC 402 First St. Block 39 Lot 39 approved lot width variance.
4. Z2013-03 DRL Realty 320 Lincoln Blvd. Block 343 Lot 1 approved use variance.
5. Z2013-07 Linda Gallo 5 Hickory Ct. Block 209 Lot 72 approved rear and sideyard setback variance.

Chairman Leon-yes  
Member McNulty-yes  
Member Gannone-yes

Member DeVuyst-yes  
Member Thompson-yes  
Member Anello-yes

Member Lopa-moved- yes  
Member Vietri-2<sup>nd</sup>-yes  
Member Hoyt-yes

  
Zoning Board Clerk