

BOROUGH OF LITTLE SILVER
480 Prospect Avenue
Little Silver, New Jersey
(908) 842-2400

ISSUED TO:

Laurine E. O'Neil
36 Woodbine Avenue
Little Silver, New Jersey 07739

Telephone No. 842-0805

TYPE OF DEVELOPMENT:

- 1) Residential X
2) Non-residential
3) Other

LOCATION OF PROPOSED DEVELOPMENT:

Street 36 Woodbine Avenue

City & State Little Silver, New Jersey

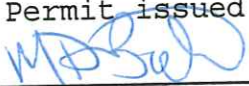
Lot No. 12 & 13 Block No. 26

Development Application No. 693

Approved by: Zoning Board Date: October 15, 1998

Conditions, if any: See Resolution Attached

Development Permit issued on: October 22, 1998

By: 

Michael D. Biehl

Title: Zoning Officer/Administrator/Clerk

RESOLUTION OF FINDINGS AND CONCLUSIONS
ZONING BOARD OF ADJUSTMENT
BOROUGH OF LITTLE SILVER

RESOLUTION

WHEREAS, Laurine O'Neil has applied to the Board of Adjustment of the Borough of Little Silver for permission to construct a 12' by 18' freestanding shed on the property at 36 Woodbine Avenue, Lots 12 and 13, Block 26 in the R-3 Zone which violates the minimum required lot area of 20,000 square feet where 10,450 square feet are provided, the minimum required front yard setback of 30 feet where 24.5 feet are provided, the minimum required rear yard setback for a principal structure of 50 feet where 25 feet are provided, the minimum required rear yard setback for an accessory structure of 15 feet where 6.5 feet are proposed, the minimum required side yard setback for a principal structure of 15 feet on each side where 24.8 feet and 9.8 feet are provided and the minimum required side yard setback for an accessory structure of 15 feet on each side where 82.5 feet and 5.5 feet are proposed; and

WHEREAS, on September 17 and October 15, 1998 at a meeting of the Board of Adjustment of the Borough of Little Silver due notice having been given the adjoining property owners and published in accordance with R.S. 40:55D-12, as appears by affidavits filed with the Board, and a quorum being present, the aforementioned appeal and application was heard; and

WHEREAS, the Board, after carefully considering the testimony and exhibits presented by the applicant, including: Marked on

September 17, 1998 - A-1, Package including key map, survey, brochure describing proposed shed; A-2 through A-6, photos of the site; Marked on October 15, 1998 - A-1 and A-2, Photos of the Smith property; and

WHEREAS, the Board has made the following factual findings: The location of the shed and the existing buffering minimizes any adverse aesthetic impact; and

WHEREAS, Mr. Smith, 39 Silverton Avenue, neighboring property owner, appeared; and

WHEREAS, the Board has determined that the relief requested by the applicant 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 Little Silver; and

To deny the application would create a hardship upon the applicant;

NOW, THEREFORE, BE IT RESOLVED by the Board of Adjustment of the Borough of Little Silver on this 15th day of October 1998 that the application of Laurine O'Neil for a variance to construct a 12' by 18' freestanding shed in accordance with the application be granted upon the following conditions:

1. That this variance will be deemed to be void by abandonment if a building permit is not issued within one year from the date hereof.

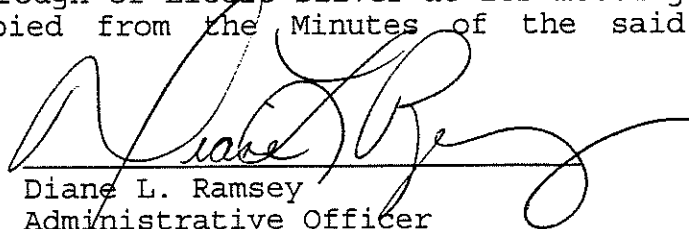
The above Resolution was Moved by Mr. Finley, Seconded by Mr. Santelle and on Roll Call, the following vote was taken:

Affirmative: Mr. Juska, Mrs. Reid, Mr. Finley, Mr. Santelle

Negative: None

Abstentions: None

The foregoing is a true copy of a Resolution adopted by the Board of Adjustment of the Borough of Little Silver at its meeting on October 15, 1998 as copied from the Minutes of the said meeting.



Diane L. Ramsey
Administrative Officer

Dated: October 15, 1998

BOROUGH OF LITTLE SILVER
MONMOUTH COUNTY, NEW JERSEY
APPLICATION FOR DEVELOPMENT PERMIT

TO BE ASSIGNED BY BOROUGH

DEVELOPMENT
APPLICATION NC 693

APPLICANT

1. NAME OF APPLICANT(S) <i>Laurine E O'Neil</i>	2. TELEPHONE <i>732-342-0805</i>
3. MAILING ADDRESS <i>36 Woodbine Ave, Little Silver, NJ 07739</i>	
4. AGENT FOR SERVICE AND NOTICE (IF OTHER THAN APPLICANT)	5. TELEPHONE
6. AGENT'S MAILING ADDRESS	

DEVELOPMENT

7. LOCATION - STREET ADDRESS <i>36 Woodbine Ave, Little Silver, NJ 07739</i>			
8A. LOT(S) AND BLOCK(S) NUMBER(S) <i>12+13 Block 26</i>	8B. ZONE <i>R-3</i>	8C. CURRENT USE <i>RESIDENTIAL</i>	
9. OWNER'S NAME AND ADDRESS (IF DIFFERENT THAN APPLICANT) <i>same</i>			
10. DESCRIBE PROPOSED DEVELOPMENT (ATTACH PLANS, MAPS, STATEMENTS & OTHER INFORMATION TO DESCRIBE DEVELOPMENTS) <i>A 12' x 18' freestanding shed</i>			
11. DEVELOPMENT NAME (IF ANY)			
12. CHECK (✓) IF PROPOSED	A. NEW BUILDING CONSTRUCTION ☐	B. INTERIOR RENOVATIONS ☐	C. EXTERIOR RENOVATIONS ☒
D. SUBDIVISION ☐	E. SITE IMPROVEMENTS OR REVISIONS ☐	F. SIGN ☐	G. FENCE ☐
H. REMOVAL OR DEMOLITION ☐	I. CHANGE IN OCCUPANCY ☐	J. CHANGE IN USE ☐	K. OTHER-ATTACH DESCRIPTIONS ☐
SIGNATURE OF APPLICANT OR AGENT <i>Laurine E. O'Neil</i>		DATE	
TYPE OR PRINT NAME OF APPLICANT OR AGENT <i>Laurine E. O'Neil</i>			

ZONING OFFICER REVIEW

13. ACTION REQUIRED	A. PLANNING BOARD ☐	B. BOARD OF ADJUSTMENT ☒	C. BOARD ACTION NOT REQUIRED ☐
14. APPLICATIONS REQUIRED			
A. MINOR SUBDIVISION ☐	F. APPEALS ☐		
B. MAJOR SUBDIVISION ☐	G. INTERPRETATIONS ☐		
C. SITE PLAN ☐	H. BULK VARIANCE(S) ☒		
D. CONDITIONAL USE PERMIT ☐	I. USE VARIANCE ☐		
E. SIGN ☐	J. DIRECTION FOR BUILDING PERMIT ISSUANCE ☐		
NOTE: PLANNING BOARD MAY NOT GRANT MORE THAN ONE AREA VARIANCE			
15. NOTICE OF PUBLIC HEARING REQUIRED ☒	16. Fee \$ <i>320</i>	17. Fee Paid ☒	
18. OTHER REQUIRED APPROVALS (OR COMMENTS)			

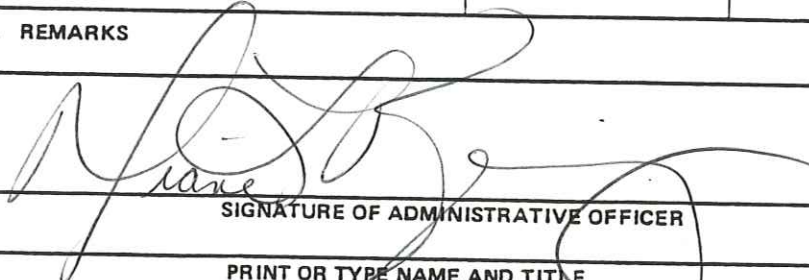
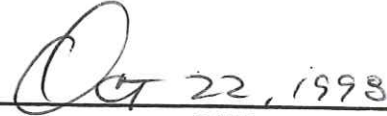
RECEIVED
JUN 18 1998
BOROUGH OF LITTLE SILVER
LITTLE SILVER, N.J. 07739

DEVELOPMENT PERMIT APPLICATION

PAGE 2 of 2

NAME OF APPLICANT(S) ✓ Laurine E O'Neil	DEVELOPMENT APPLICATION NO.
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DISPOSITION

19. APPLICATION COMPLETE		DATE		CERTIFIED BY	
20. PLANNING BOARD		HEARING SCHEDULED ☐	DATE	BOARD APPROVAL GRANTED	DATE
21. BOARD OF ADJUSTMENT		HEARING SCHEDULED ☒	DATE 9/17/98	BOARD APPROVAL GRANTED X	DATE 10/15/98
22. BOARD ACTION CONTAINS CONDITIONS TO BE MET PRIOR TO PERMIT				CONDITIONS MET	DATE
See Resolution					
23. PLAT MAP(S) SIGNED BY BOARD				DATE	NOT REQUIRED ☐
24. REPRODUCTIONS DISTRIBUTED				DATE	NOT REQUIRED ☐
25. DECISION MAILED		DATE	26. PROOF OF TIMELY PUBLICATION RECEIVED		DATE
27. REMARKS					
 SIGNATURE OF ADMINISTRATIVE OFFICER PRINT OR TYPE NAME AND TITLE  DATE					
28. DEVELOPMENT PERMIT ISSUED		DATE 10/22/98	BY M. J. [Signature]		
29. DEVELOPMENT PERMIT DENIED					
DATE		BY			

TO THE BOARD OF ADJUSTMENT OF THE BOROUGH OF LITTLE SILVER:

An application is hereby made for a **HARDSHIP VARIANCE** from the terms of Article X and Sections 7.E.1,3,4.a,4.b,5.a,5.b of the Zoning Ordinance so as to permit the placement of a 12' x 18' freestanding shed.

- 10.7.E.1: The minimum required lot area is 20,000 square feet where 10,450 square feet are provided.
- 10.7.E.3: The minimum required front yard setback is 30 feet where 24.5 feet are provided.
- 10.7.E.4.a: The minimum required rear yard setback for a principal structure is 50 feet where 25 feet are provided.
- 10.7.E.4.b: The minimum required rear yard setback for an accessory structure is 15 feet where 6.5 feet are proposed.
- 10.7.E.5.a: The minimum required side yard for a principal structure is 15 feet on each side where 24.8 feet and 9.8 feet are provided.
- 10.7.E.5.b: The minimum required side yard setback for an accessory structure is 15 feet on each side where 82.5 feet and 5.5 feet are proposed.

DESCRIPTION OF PROPOSED STRUCTURE OR USE

Premises affected are known as Lots 12 & 13, Block 26; 36 Woodbine Avenue, Little Silver, New Jersey.

Applicant: LAURINE E. O'NEIL

Applicant's address: 36 Woodbine Avenue, Little Silver, NJ 07739

INTEREST IN PREMISES: Owner

Size of lot: 104.6 feet deep by 100 feet wide = 10,460 square feet

	PRESENT	PROPOSED
Size of Buildings: (length, width and square footage)	House: 54' x 60' = 17,500 sq. ft.; Shed 0	<u>12' x 18' = 216 square feet</u>
Percentage of Lot Covered by Building:	House - 59.77% Shed 0%	<u>2% Shed + 59.77% House = 61.77%</u> House & Shed 1 story; Shed
Height of Building: (stories and feet)	House 1 story; 14' 10" at peak Shed 0	<u>6 feet front & back - 10' at peak</u> House: 14' 10" at peak
Front Set Back: (feet from front property line and limit of right-of-way)	House 24' 5"; Shed 0	<u>N/A</u>
Side Set Back (feet from side curb)	House 24' 8" & 9' 8"; Shed 0	<u>N/A</u>
Improved Road Frontage: (feet along front curb)	House 100'; Shed 0	<u>N/A</u>
Side Yard Set Back: (feet from side property line to structure)	House 24' 8"; Shed 0	<u>5 ft. 6", Shed; House 24' 8"</u>
Rear Yard Set Back: (feet from rear property line to structure)	House 37'; shed 0	<u>6 ft 4 inches, Shed; House 37'</u>

Use of Property:
(residential/business)

residential

Residential

Has there been any previous appeal involving these premises? NO If so, state character of appeal and date of disposition. N/A

I purchased my ranch house in Little Silver because it was necessary for me to have a one-floor home. I have a knee condition that makes it painful to go up and down stairs, and sometimes to even walk. I am under the care of an orthopaedic doctor and have handicap parking for my car. I am giving you this background information because it has a bearing on my shed. This house has no basement, which I did not consider important since I cannot use stairs. When I moved here from a larger home, it soon became obvious that I did not have the space to store some of my family heirlooms and treasures that would not fit in my new house. My children took as much as they could use and store but I still had things that I cannot part with. Since the storage space in the garage is also very meager, the only answer was a shed. This shed would be used for storage of lawn equipment, seasonal furniture and "family treasures," plus overflow from the house. There is an absence of storage space!! and I desperately need accessible storage space. I really feel this shed is a necessity.

The location of the shed is in the only space available, considering the size of the lot. If it is moved much more, it will be on the asphalt driveway. When I purchased the house this area was filled with fire wood, much of it rotting and inhabited with insects and large vermin. It took two weeks to get it all cleaned out and filled.. Now *that* was an eyesore! I had the shed custom built as a temporary, movable structure. The shed is painted beige, the same color as my house. The roof and shutters are dark green, the same color as my house. An existing fence will be relocated at the foot of my driveway and will conceal most of the shed from the street and there will be landscaping (bushes and flowers) in front of the fence. There are fences in place on two other sides of the shed and the only "open" view of the shed is where it looks onto my back driveway. The view from there is looking at an attractive, little structure with shuttered windows on either side of the doors. There are five 4x4 pressure treated skids that form the foundation of shed. This keeps it from touching the ground and reduces tendency of dampness.



LAURINE E. O'NEIL

Signature of Applicant

Date:

June 18, 1988

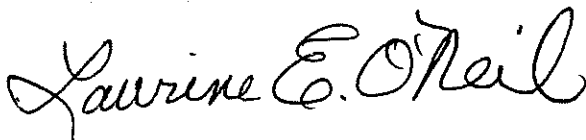
Laurine E. O'Neil
36 Woodbine Avenue
Little Silver, NJ 07760

TO THE BOARD OF ADJUSTMENT OF THE BOROUGH OF LITTLE SILVER:

On September 17th, 1998, I appeared before your Planning Board to apply for a variance for a free-standing shed on my property. My neighbor, Christopher Smith, who lives behind me on Siverton Avenue, objected to seeing the shed from his back yard. The Board suggested that Mr. Smith and I work out a settlement.

Mr. Smith suggested that I plant some evergreens to hide the back of the shed. I have complied with his wishes. I purchased three 17 foot tall Juniper evergreens that are now planted between the fence and the shed, on my property. The nurseryman told us to trim the top of the trees so that they will spread and get thicker, rather than grow taller. With the permission of Mrs. Smith, I took pictures of the fence, trees and shed from their back yard. The shed is no longer visible! It has totally disappeared!! Both Ann and Christopher Smith are delighted.

Respectfully submitted,

A handwritten signature in cursive script that reads "Laurine E. O'Neil". The signature is fluid and elegant, with the first letters of each word being capitalized and prominent.

Laurine E. O'Neil

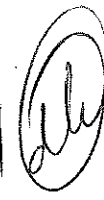
I purchased my ranch house in Little Silver because it was necessary for me to have a one-floor home. I have a knee condition that makes it painful to go up and down stairs, and sometimes to even walk. I am under the care of an orthopaedic doctor and have handicap parking for my car. I am giving you this background information because it has a bearing on my shed. This house has no basement, which I did not consider important since I cannot use stairs. When I moved here from a larger home, it soon became obvious that I did not have the space to store some of my family heirlooms and treasures that would not fit in my new house. My children took as much as they could use and store but I still had things that I cannot part with. Since the storage space in the garage is also very meager, the only answer was a shed. This shed would be used for storage of lawn equipment, seasonal furniture and "family treasures," plus overflow from the house. There is an absence of storage space!! and I desperately need accessible storage space. I really feel this shed is a necessity.

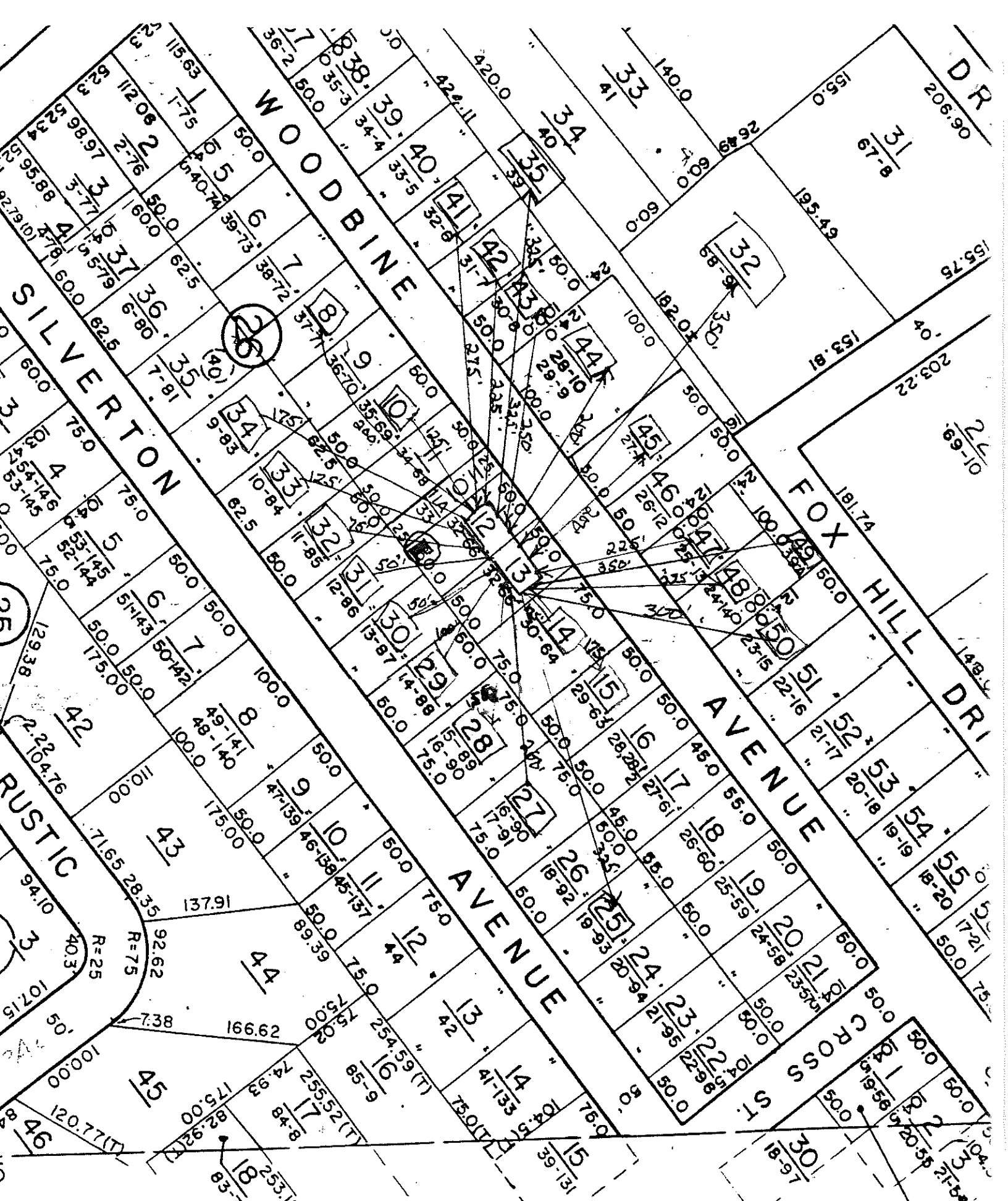
The location of the shed is in the southwest corner of my property, the only space available, considering the size of the lot. If it is moved much more, it will be on the asphalt driveway where we park our cars. When I purchased the house this area was filled with fire wood, much of it rotting and inhabited with insects and large vermin. It took two weeks to get it all cleaned out and filled. Now *that* was an eyesore! I had the shed custom built as a temporary, movable structure. It is an attractive little building with shuttered windows on either side of the door, which faces my house. The shed is painted beige, the same color as my house. The asphalt roof and shutters are dark green, the same color as my house. A fence has been located next to the shed at the foot of my driveway and conceals most of the shed from the street. (Many neighbors can't believe there is a shed there because it is so hidden!) A large, full mulberry tree is behind the fence and I have planted large flowering bushes, two almost as tall as the fence, as well as perennials next to the fence. There are fences in place on two other sides of the shed and there are five large maple trees, one a double, between the fence and the shed. The only "open" view of the shed is where it looks onto my back driveway. Perennials are planted there too. *My* view is looking at an attractive, little structure with green shuttered windows on either side of the door. There are five 4x4 pressure treated skids that form the foundation of the shed. This keeps it from touching the ground and reduces the tendency of dampness and rot.



LAURINE E. O'NEIL
Signature of Applicant

Date: Aug 6, 1998

A-1 



Footage marked from site of shed to neighboring houses

(22)

REFUSAL OF PERMIT
OFFICE OF THE ZONING OFFICER
OF THE BOROUGH OF LITTLE SILVER

Date: April 8, 1998

To: Laurine O'Neil
36 Woodbine Avenue
Little Silver, New Jersey 07739

Your application for a permit to construct a 12' by 18' freestanding shed on the property at 36 Woodbine Avenue, Lots 12 and 13, Block 26 in the R-3 Zone is hereby denied for noncompliance with the provisions of the following Sections of Article X of the Municipal Zoning Ordinance for the following reasons:

- 10.7.E.1: The minimum required lot area is 20,000 square feet where 10,450 square feet are provided.
- 10.7.E.3: The minimum required front yard setback is 30 feet where 24.5 feet are provided.
- 10.7.E.4.a: The minimum required rear yard setback for a principal structure is 50 feet where 25 feet are provided.
- 10.7.E.4.b: The minimum required rear yard setback for an accessory structure is 15 feet where 6.5 feet are proposed.
- 10.7.E.5.a: The minimum required side yard setback for a principal structure is 15 feet on each side where 24.8 feet and 9.8 feet are provided.
- 10.7.E.5.b: The minimum required side yard setback for an accessory structure is 15 feet on each side where 82.5 feet and 5.5 feet are proposed.

Information on procedures for an appeal of this decision to the Board of Adjustment can be obtained from the Borough Clerk's Office. It should be noted that under State Statute, notice of appeal of this decision must be filed with this office not later than sixty-five (65) days from the date of this notice.



Michael D. Biehl
Zoning Officer

cc: Secretary, Board of Adjustment