

Christopher J. Noll, PE, CME, PP
President & CEO

William H. Kirchner, PE, CME, N-2
Vice President

Rakesh R. Darji, PE, PP, CME, CFM
Vice President/Treasurer

Benjamin R. Weller, PE, CME, CPWM, S-3, C-3
Secretary



Joseph P. Orsino, Jr. CET, *Vice President*
Harry R. Fox, NICET III
G. Jeffrey Hanson, PE, CME
Joseph R. Hirsh, PE, CME, CPWM
C. Jeremy Noll, PE, CME, CPWM
Marc H. Selover, LSRP, PG

November 8, 2024
22200 65

Re: DeMeo – Addition
Bulk Variance
11 Clancy Court
Block 15.10, Lot 164
Application # Z24-19

Ms. Jennifer Newton, Board Secretary
Township of Evesham
984 Tuckerton Road
Marlton, NJ 08053

Dear Ms. Newton:

Our office has received a Bulk Variance application for rear yard setback relief for the proposed construction of a 216 SF addition/sunroom and a 224 SF concrete patio in the rear yard of the referenced parcel.

The property is a single-family dwelling. It is currently improved with a driveway, landscaping and patio. The zoning district is Senior Citizen Housing-2 (SEN-2). The single-family detached dwelling is a permitted use within the zoning district. The dwelling is located within the Legacy Walk at Evesham development.

Submitted Application Materials

We have received the following documents which were submitted in support of the application:

1. Township of Evesham Land Development Application.
2. Plan, undated, unknown preparer with hand written specifications of proposed improvements.
3. Architectural, prepared by DeMeo Construction Corp, dated September 9, 2024, 3 sheets

General Information

Owner: Marilyn and Mark Waltzer
11 Clancy Court

Applicant: DeMeo Construction Corporation

Zoning Review

The property is located in the Senior Citizen Housing-2 (SEN-2) zoning district. The requirements for this district are found in §160-74 and Attachment 18.

1. Per §160-74B(2), a single family detached units are a permitted use in this zoning district.
2. The following area and bulk requirements apply to this application:

Area and Bulk Requirements – SEN-2 Zoning District:
§160-74 and Attachment 18

Requirements	Required	Existing	Proposed	Status
Principle Structure				
Min. Lot Area	5,000 SF	5,536.3 FT	N/C	C
Min. Lot Width at Setback	50 FT	50.33 FT	N/C	C
Min. Front Yard Setback	15 FT	19.33 FT	N/C	C
Min. Rear Yard Setback	20 FT	26.79 FT	18.17 FT	V
Min. Side Yard Setback	6 FT	6.13 FT	N/C	C
Min. Side Yard Setback (both)	15 FT	12.27 FT	N/C	ENC
Max. Impervious Cover (Percent)	55 %	52.11%	57.77%	V

C = Conforming; N/C = No Change; V = Variance required; Unknown

Variations

- The Applicant will require a variance from §160-74D(8) and Attachment 18, which states that the minimum rear yard setback is 20 FT. The existing rear yard setback is 26.79 FT. The proposed improvements will provide a rear yard setback of 18.17 FT. *A variance will be required.*
- The applicant will require a variance from §160-74D(8) and Attachment 18, which states that the maximum impervious coverage in the zoning district is 55%. While the existing impervious coverage exceeds the permitted at 52.11%, the proposed improvements will increase the impervious coverage to 57.77%. *A variance is required.*

The Applicant has the burden of proof to justify the variance, by testimony or other means, by using either the c(1) or c(2) proofs.

For c(1) variations the Applicant must demonstrate that strict application of the zoning requirement would have “peculiar and exceptional practical difficulties to, or exceptional and undue hardship upon the Applicant arising out of:

- The exceptional narrowness, shallowness, or shape of a specific piece of property, or
- By reason of exceptional topographic conditions or physical features uniquely affecting a specific piece of property, or
- By reason of an extraordinary and exceptional situation uniquely affecting a specific piece of property or the structures lawfully existing thereon.”

For c(2) variations the Applicant must demonstrate that:

- The purposes of the Municipal Land Use Law (MLUL) would be advanced by a deviation from strict application of the zoning requirement;
- The variance can be granted without substantial detriment to the public good;
- The benefits of the deviation would substantially outweigh the detriment; and
- The variance will not substantially impair the intent and purpose of the zone plan and zoning ordinance.

General Comments

- The applicant should discuss current drainage patterns and any impact the proposed improvements will have on the existing drainage patterns. Drainage impacts from the proposed improvements should not impact the neighboring properties.
- The applicant should discuss access to the rear of the property in order to construct these improvements. It is noted that there is approximately 6.14 FT to the east and 6.13 FT to the west of access from the front of the property to the rear. There should be no impact on the neighboring parcel as a result of the movement of construction materials. Construction fencing, as a minimum, should be provided.

5. The applicant should provide any correspondence with the Home Owner's Association regarding the proposed improvements.
6. Grades should be provided at the corners of the proposed improvements.
7. A note should be provided on the plan that any damage to existing improvements as a result of the proposed construction activities will be repaired and/or replaced at the discretion of the Township Engineer. This would include curbing, sidewalk, driveway apron, road surface, etc.

Administrative

8. We reserve the right to make further comments in our review of plans should additional information become available to address this initial review.

Should you or the applicant have any questions, please do not hesitate to contact the undersigned.

Sincerely,



Rakesh R. Darji, PE, PP, CME, CFM
Zoning Board Engineer

RRD/mbs

cc: Matthew Wieliczko, Esq., Board Solicitor, via email mwieliczko@zwattorneys.com
Marilyn and Mark Waltzer, Owner, via email [\[REDACTED\].com](mailto:[REDACTED].com)
John F. DeMeo, DeMeo Construction Corp., Agent for the Applicant, demeoconstr@gmail.com