



984 Tuckerton Road • Marlton • NJ 08053 • 856-983-2900 • [Township Code](#)

Use this form for **Residential** variance/s for pools, sheds, fences, or additions.

Application Fee is Nonrefundable.

HPC App #: _____

Application Checklists: Attachments to Chapter 94 Land Use Regulations

Proposed Use: Residential

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Township of Evesham.

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4. ROADWAY JURISIDCTION:

☐ NJ State ☐ County Route ☒ Municipal Road

5. PROPERTY DIMENSIONS:

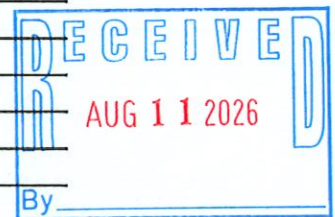
a. Total Area in square feet or acres: 5,850 SF

b. Frontage in feet: 65'

c. Corner property: Yes ☐ or No ☒

6. SITE PLAN INFORMATION: SEN-1 DISTRICT

	Existing	Proposed	Required
a. Minimum Lot Area (sf) or acres	5,850	5,850	5,000
b. Building coverage limit (%)	N/A	N/A	N/A
c. Front Yard Setback (ft)	15	15	15
d. Side Yard Setback (ft)	6	6	6
e. Rear Yard Setback (ft)	10	10	10
f. Frontage (ft)	65	65	50
g. Impervious coverage limit (%)	0.57	0.57	0.55
f. Clearing Limits (%)	57	57	50



Type of Building Construction: ☐ Brick ☐ Frame ☒ Other

Architectural Style: Aluminum pergola

NOTES: The homeowner wishes to install a 215 sf aluminum pergola over an existing 215 sf patio on the rear of the property, within the rear yard setback, adjacent to lands owned by the HOA

Existing "Impervious coverage" is 57%; no additional coverage is required but existing patio already exceeds reg. limit

7. VARIANCES: Complete for variance applications. Public Notice (15-16) must be completed by the applicant in compliance with the requirements of the New Jersey Municipal Land Use Law. A copy of the public notice and proof of service are required.

A. Briefly describe each variance requested and provide Zoning Code Section from which relief is being sought: 160, Attachment 17, Table 17: SEN-1 Performance Regulations: the applicant and owner wish to install a 215 sf aluminum pergola over an existing patio that is within the rear yard setback, adjacent to land owned by their HOA - with the permission of their HOA (attached letter) Code 160-73(D)(8)

B. If a "d" variance is requested, what are the special reason(s) which support your application: (This type of variance can only be heard by the Zoning Board of Adjustment)

C. If a "c" variance is requested, what are the exceptional property conditions which prevent you from complying with the zoning ordinance? Property backs up to HOA Common Ground, then DEP declared wetlands transition and wetlands



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D. If a "c" variance is requested and you contend there are no exceptional property conditions, how will the Municipal Land Use Act be advanced if the variance were to be granted and how would the benefits of a variance outweigh any detriment? _____

E. Supply a brief statement of facts showing why the requested variance can be granted without substantial detriment to the public good and without substantial impairment to the intent and purpose of the Township's zoning plan and zoning ordinance: _____

The majority of houses on this block have patios within the rear yard setback; several have roofs over their patios that were approved by the township, and the HOA has approved the pergola over this patio per the attached letter. The land adjacent to the rear of the property is owned by the HOA as common ground, but beyond that is wetland transition and wetlands as declared by the DEP

8. INTERPRETATION - APPLICATION: For Zoning Board of Adjustment only.

Attach a statement of contentions and provide Code Section(s) in question.

9. APPEAL DECISION OF ZONING OFFICER OR BUILDING INSPECTOR - APPLICATION:

Attach a statement which includes the following: (1) Description of the order, determination or decision being appealed (hereinafter called "adverse ruling"), (2) Name and Title of enforcing officer, (3) Date adverse ruling was issued, (4) Date applicant received adverse ruling, (5) Why you allege the adverse ruling is in error, (6) The relief you are seeking, and (7) If the adverse ruling is upheld, do you request that a variance be considered?

10. OTHER AGENCIES OR PRIOR APPROVALS REQUIRED:

Agency	Yes or No	Date Submitted
A. Burlington County Planning Board	N/A	
B. Burlington County Soil Conservation	N/A	
C. Pinelands Commission	N/A	
D. NJ Department of Transportation	N/A	
E. NJ Department of Environmental Protection	N/A	
F. Other: (Describe)	N/A	

11. SUBMISSION ITEMS: Plans, surveys, photos, reports, & other items included with application.

Item/Exhibit	Date/Last Revision	Prepared By
Engineered shop drawings	5/4/2026	Distinctive Outdoor Structures
Modified Plot Plan (shows location of proposed pergola over existing patio)	5/4/2026	KMJ Inc.



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12. SUPPLEMENTAL INFORMATION:

A. Have there been any previous applications for this property filed with the Planning Board or Zoning Board?

Planning Board:

Yes ☐

No ☒

Zoning Board: Yes ☒

☐

B. Describe any deed restrictions affecting the property: none

C. Describe any proposed deed restrictions: none

D. Describe any easements or rights of way affecting the property: none

E. Describe any easements or rights of way proposed by the applicant: none

13. CORRESPONDENCE: In addition to the applicant, to whom should Township and/or the Board Professional/s correspondence be sent?

Name: James Ufheil and Catherine McGill

Address: 24 Hibiscus Drive, Marlton, NJ 08053

Name: _____

Address: _____

Name: _____

Address: _____

14. APPLICANT PROFESSIONAL & EXPERT WITNESS LIST:

A. Name & Profession (Attorney, Engineer, Planner etc): _____

Zachary DiSantis, Project Manager

Mailing Address: 316 Stump Road, North Wales, PA 19454

Phone #: 215-699-5754 Email: ZacharyD@distinctiveos.com

B. Name & Profession (Attorney, Engineer, Planner etc): _____

Mailing Address: 316 Stump Road, North Wales, PA 19454

Phone #: _____ Email: _____

C. Name & Profession (Attorney, Engineer, Planner etc): _____

Mailing Address: _____

Phone #: _____ Email: _____



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15. CERTIFICATIONS:

A. TAX COLLECTOR CERTIFICATION ([Proof of Payment](#))

It is hereby certified that all taxes, municipal liens, and utility charges for the address and block and lot below are paid and current as of open 3100th taxes

Address: 24 Hibiscus Dr grace period is 8-10-26

Block/s: 11.49

Lot/s: 18

Property Owner: JAMES UFHEIL + CATHERINE MCGILL

Rosario McGilley, CTC 8-3-26
Evesham Township Tax Collector Signature and Date

B. APPLICANT CERTIFICATION:

The undersigned certify they are the applicant(s) named in the foregoing application or the undersigned certify they are legally authorized to submit the foregoing application and may sign this Certification on behalf of the applicant. The undersigned certify the information stated in the foregoing application and submissions made therewith are true and correct. If any of the foregoing statements are willfully false, the undersigned understand they are subject to punishment.

James Ufheil 8/2/26
Applicant Signature Date

Print Name: James Ufheil
Print Title: _____

Catherine McGill 8/2/26
Applicant Signature Date

Print Name: Catherine McGill
Print Title: _____

C. OWNER CERTIFICATION:

The undersigned hereby certify that he/she/it/they is/are the owner(s) of the property which is the subject of the foregoing application and that the applicant named therein has been authorized to submit said application to the Planning Board or Zoning Board of Evesham Township. The undersigned certify he/she/it/they is/are said owner(s) or is/are legally authorized to sign this certification on behalf of the owner. The undersigned realize that if any of the foregoing statements are willfully false, he/she/it/they is/are subject to punishment

James Ufheil 8/2/26
Owner Signature Date

Print Name: James Ufheil
Print Title: _____

Catherine McGill 8/2/26
Owner Signature Date

Print Name: Catherine McGill
Print Title: _____



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RECEIVED

AUG 03 2026

226-24

"c" variance

D. AGREEMENT TO PAY FEES: This agreement, made and entered on 07 2026, by and between the Township of Evesham, a Municipal Corporation of the State of New Jersey (hereinafter TOWNSHIP) and James Ufheil and Catherine McGill homeowner (hereinafter DEVELOPER), is made upon the following terms & conditions.

INFORMATION AND CONTACT/S: Entity responsible for escrow

Project Name: 24 Hibiscus Drive pergola

Applicant Name: James Ufheil and Catherine McGill

Escrow Contact Name: James Ufheil

Applicant/entity name responsible for the escrow must match the name submitted on the W9

Phone #: [REDACTED] Email: [REDACTED]

Applicant Mailing Address: 24 Hibiscus Drive, Marlton, NJ 08053

Notice: DEVELOPER agrees that all notices or refunds shall be mailed to the following address (note if different to above):

1. Agreement to Pay Fees: DEVELOPER hereby covenants and agrees to pay all charges and fees imposed by the TOWNSHIP in connection with the application for development filed contemporaneously herewith. Such fees include, but are not limited to, application fees, attorney review fees, engineer review fees planner review fees, copy costs and postage applicable to this application.

2. Escrow Deposit: TOWNSHIP hereby acknowledges receipt of \$ 1000, said sum being a cash deposit to be placed in a TOWNSHIP trust account to cover the cost of the aforementioned review and inspection fees. Such sum shall be charged periodically as fees and charges accrue and the balance of the escrow sum, if any, after all charges and fees have been paid shall be returned to DEVELOPER.

3. Additional Payments: The DEVELOPER agrees to pay any additional sum required to pay charges and fees not covered by the escrow deposit within fifteen (15) days after the date of receipt of a notice of deficiency by the appropriate Township Office. The DEVELOPER understand and agrees to pay such sum notwithstanding any dispute as to the reasonableness of the fees and charges.

4. Contest of Reasonableness: DEVELOPER agrees that the reasonableness and/or accuracy of any fee or charge may be challenged within seven (7) days of receipt of the professional's billing advice copy and in accordance with the Code of the Township of Evesham. DEVELOPER understands and agrees that the aforesaid procedures shall be the sole and exclusive method of challenging the reasonableness and/or accuracy of charges and fees and hereby waives any longer statute or limitations.

5. Notice: See Developer information and contact/s above

6. Transferability: DEVELOPER understands and agrees that this contract agreement is not transferable, in whole or in part, nor can the DEVELOPER relieve himself/herself from obligation as stated in this contract agreement until such time as said DEVELOPER provides an acceptable dated replacement contract agreement to relieve said DEVELOPER of any further obligation as stated in this contract agreement. This transfer of obligation shall commence on the later of the date of the acceptance by the TOWNSHIP of this replacement contract agreement.

7. Collection: Should the DEVELOPER fail to pay any amount required to be paid hereunder when due, TOWNSHIP shall be entitled to pursue all remedies at law or equity. Interest shall accrue at rate of 18% per annum simple interest on all sums unpaid after the due date. The TOWNSHIP may collect a reasonableness attorney fee which shall not be less than \$300.00 should litigation for the purpose of collecting any sum be commenced.

James Ufheil
Signed Developer

8/2/26
Date