

LAND DEVELOPMENT

Appendix A-4  
C Variance (Bulk Variance)

CHECKLIST C VARIANCE

Revised 4-13-2004  
Revised 12-8-2004

SUBMISSION CHECKLIST  
TOWNSHIP OF SOUTHAMPTON, NEW JERSEY  
APPLICATION FOR BULK VARIANCES-(C) VARIANCE  
ZONING BOARD OF ADJUSTMENT

(ORIGINAL AND 15 COPIES OF ALL INFORMATION SUBMITTED, MUST BE PROVIDED BY APPLICANT.)

BLOCK 2401.01 LOT(S) 29

APPLICANT/DEVELOPER'S NAME Robert Curry

PROPERTY LOCATION ADDRESS: 48 Falcon Dr.

DATE OF SUBMISSION: \_\_\_\_\_

- Required Application.
- Required Application Fee and Escrow Deposit. (See attached Fee and Escrow Ordinance.)
- Certification by the Tax Collector that all taxes on said property are paid to date.
- Current Survey (Within one year of date of application.) showing proposed development.
- Architectural elevations for proposal.
- Escrow Agreement.
- LEISURETOWNE APPLICATIONS ONLY: Copy of Letter of Approval from the Architectural Review Committee of the Leisuretowne Association.
- Written request for any waiver(s).

This checklist is not a substitute for any specific submission requirement of our Ordinances. See Ordinances for details. For any of the above requirements not submitted, a statement requesting a waiver and reason(s) must be submitted.

All applications received by the Zoning Board will be reviewed for completeness. No application will proceed to the Board until deemed complete by the review staff.

Pursuant to N.J.S.A. 40:55D-70(c) "The Zoning Board of Adjustment shall have the power to: (1) Where: (a) by reason of exceptional narrowness, shallowness or shape of a specific piece of property, or (b) by reason of exceptional topographic conditions of an extraordinary and exceptional situation uniquely affecting a specific piece of property or the structures lawfully existing thereon, the strict application of any regulation pursuant to Article 8 of this act

## LAND DEVELOPMENT

(40:55D-62 et seq.) would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardship upon, the developer of such property, grant, upon an application or an appeal relating to such property, a variance from such strict application of such regulation so as to relieve such difficulties or hardship; (2) where in an application or appeal relating to a specific piece of property the purposes of this act would be advanced by a deviation from the zoning ordinance requirements and the benefits of the deviation would substantially outweigh any detriment, grant a variance to allow departure from regulations pursuant to Article 8 of this act; provided, however, that the fact that a proposed use is an inherently beneficial use shall not be dispositive of a decision on a variance under this subsection and provided that no variance from those departures enumerated in Subsection d of this section shall be granted under this subsection; and provided further that the proposed development does not require approval by the planning board of a subdivision, site plan or conditional use, in conjunction with which the planning board has power to review a request for a variance pursuant to Subsection a of § 47 of this act (40:55D-60); and. . .”

Answer these questions in your reasons for granting of the relief:

1. Does my property have a unique shape, physical feature, etc.?
2. Is my proposal in character with my neighborhood?
3. Will my proposal affect the character of my neighborhood?
4. Will my proposal be an advancement or detriment to the zoning ordinances, Master Plan and my neighborhood?

TOWNSHIP OF SOUTHAMPTON  
5 Retreat Road  
Southampton, New Jersey 08088  
609-859-2786  
FAX 609-388-5532

The application, with supporting documentation, must be filed with the Office of the Planning and Zoning Board Administrator. Determination of completeness will be made within forty-five (45) days. Any additional information provided will be subject to a forty-five (45) days determination of completeness. After a meeting is scheduled, any documents submitted must be delivered to the Board and professionals no later than fifteen (15) days prior to the meeting scheduled.

PLANNING BOARD & ZONING BOARD APPLICATION FORM

Date Filed: 10/21/21 Application No. \_\_\_\_\_  
Planning Board: \_\_\_\_\_  
Zoning Board of Adjustment: \_\_\_\_\_  
Application Fees: \_\_\_\_\_  
Scheduled for: Review for Completeness: \_\_\_\_\_ Hearing: \_\_\_\_\_

1. SUBJECT PROPERTY:

Property Location Address: 48 Falcon Dr. Southampton

Tax Map: Page \_\_\_\_\_ Block 2401.01 Lot(s) 29

Page \_\_\_\_\_ Block \_\_\_\_\_ Lot(s) \_\_\_\_\_

Dimensions: Frontage 195 Depth 295 Total Area \_\_\_\_\_

Zoning District RD PL

2. APPLICANT/OWNER/DEVELOPER:

Name: Robert Curry

Address: 48 Falcon Dr. Southampton

Telephone No: 609-790-6976 Fax No.: \_\_\_\_\_ Email: rcurry48@comcast.net

Applicant is a: Corporation \_\_\_\_\_ Partnership \_\_\_\_\_ Individual X

Corp., Partnerships & LLC's, please provide a W-9 form.

3. DISCLOSURE STATEMENT:

Pursuant to N.J.S. 40:55D-48.1, the names and addresses of all persons owning 10% of the stock in a corporate applicant or 10% interest in any partnership applicant must be disclosed. In accordance with N.J.S. 40:55D-48.2 that disclosure requirements applies to any corporation or partnership which owns more than 10% interest in the applicant followed up the chain of ownership until the names and addresses of the non-corporate stockholders and partners exceeding the 10% ownership criterion have been disclosed. (Attach pages as necessary to fully comply.)

Name \_\_\_\_\_ Address \_\_\_\_\_ Interest \_\_\_\_\_

Name \_\_\_\_\_ Address \_\_\_\_\_ Interest \_\_\_\_\_

Name \_\_\_\_\_ Address \_\_\_\_\_ Interest \_\_\_\_\_

Name \_\_\_\_\_ Address \_\_\_\_\_ Interest \_\_\_\_\_

4. If Owner is other than the applicant, provide the following information on the Owner(s):

Owner's Name: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone No: \_\_\_\_\_ Fax No.: \_\_\_\_\_

5. APPLICATION REPRESENTS A REQUEST FOR THE FOLLOWING: SUBDIVISION:

- \_\_\_\_\_ Minor Subdivision Approval
- \_\_\_\_\_ Subdivision Approval (Preliminary)
- \_\_\_\_\_ Subdivision Approval (Final)

Number of lots to be created \_\_\_\_\_ Number of proposed dwelling units \_\_\_\_\_  
 (including remainder lot) (if applicable)

**SITE PLAN:**

- \_\_\_\_\_ Minor Site Plan Approval
- \_\_\_\_\_ Preliminary Site Plan Approval {Phases (if applicable) \_\_\_}
- \_\_\_\_\_ Final Site Plan Approval {Phases (if applicable) \_\_\_\_\_}
- \_\_\_\_\_ Amendment or Revision to an Approved Site Plan
- \_\_\_\_\_ Area to be disturbed (square feet) \_\_\_\_\_
- \_\_\_\_\_ Total number of proposed dwelling units \_\_\_\_\_
- \_\_\_\_\_ Request for Waiver from Site Plan Review and Approval

Reason for request: \_\_\_\_\_

- \_\_\_\_\_ Informal Review (Planning Board only)
- \_\_\_\_\_ Appeal decision of an Administrative Officer (N.J.S. 40:55D-70a)
- \_\_\_\_\_ Map or Ordinance Interpretation of Special Question (N.J.S. 40:55D-70b)
- \_\_\_\_\_ Variance Relief (hardship) (N.J.S.40:55D-70c(1))
- \_\_\_\_\_ Variance Relief (substantial benefit) (N.J.S.40:55D-70c(2))
- \_\_\_\_\_ Variance Relief (use) (N.J.S. 40:55D-70d)
- \_\_\_\_\_ Conditional Use Approval (N.J.S.40:55D-67)
- \_\_\_\_\_ Direct issuance of a permit for a structure in bed of a mapped street, public drainage way, or flood control basin (N.J.S. 40:55D-34)
- \_\_\_\_\_ Direct issuance of a permit for a lot lacking street frontage (N.J.S.40:55D-35)

6. Attach in paragraph form, an explanation of the exact nature of the application and the changes to be made, including proposed use of the premises, and why any variances or waivers should be granted: (Attach separate sheet) *letter - Don*

7. **PROPERTY INFORMATION:**

Restrictions, covenants, easements, association by-laws, existing and proposed on the property:

Yes(attach copies) \_\_\_\_\_ No  \_\_\_\_\_ Proposed \_\_\_\_\_

**Note: All deed restrictions, covenants, easements, association by-laws, existing and proposed must be submitted for review and must be written in easily understandable English in order to be approved.**

Present use of the premises: \_\_\_\_\_

8. **APPLICANT'S ATTORNEY:** \_\_\_\_\_

Address: \_\_\_\_\_

Telephone No: \_\_\_\_\_ Fax \_\_\_\_\_

email: \_\_\_\_\_

9. APPLICANT'S ENGINEER: James Maccariello  
Address: 38 Country Squire lane  
Telephone No.: 609-560-1845 Fax \_\_\_\_\_  
email: macc5@comcast.net

10. APPLICANT'S PLANNING CONSULTANT: \_\_\_\_\_  
Address: \_\_\_\_\_  
Telephone No.: \_\_\_\_\_ Fax \_\_\_\_\_  
email: \_\_\_\_\_

11. APPLICANT'S TRAFFIC ENGINEER: \_\_\_\_\_  
Address: \_\_\_\_\_  
Telephone No.: \_\_\_\_\_ Fax \_\_\_\_\_  
email: \_\_\_\_\_

12. List any other Expert who will submit a report or who will testify for the Applicant: (Attach additional sheets as may be necessary)  
Name: Aloha Pool & Spa Service (Tim Sherlock)  
Field of Expertise: owner of Aloha Installing pools for more than 25 years  
Address: 660 Stokes Rd. Medford NJ 08055  
Telephone No.: 609-714-3338 Fax 609-714-8288  
email: tim@aloha.poolservice.com

13. Section(s) of Ordinance from which a variance is requested: Ch 19 Pinelands Dev. 19-2.6 Rural dev. zone C. Development standards 1. Residential Impervious Cover of 10%

14. Waivers Requested of Development Standards and/or Submission Requirements: (attach additional pages as needed)

15. Attach a copy of the Notice to appear in the official newspaper of the municipality (The Central Record or The Burlington County Times or the Courier Post) and to be mailed to the owners of all real property, as shown on the current tax duplicate, located within the State and within 200 feet in all directions of the property which is the subject of this application. The Notice must specify the sections of the Ordinance from which relief is sought, if applicable.  
The publication and the service on the affected owners must be accomplished at least ten (10) days prior to the date scheduled by the Administrative Officer of the hearing.  
An affidavit of service on all property owners and a proof of publication must be filed at least three (3) days prior to meeting before the application will be complete and the hearing can proceed.

16. Is a public water line available? N/A

17. Is public sanitary sewer available? N/A

18. Does the application propose a well and septic system on site? NO

19. Have any proposed new lots been reviewed with the Township Engineer to determine appropriate lot and block numbers? N/A

20. Are any off-tract improvements required or proposed? N/A

21. Is the subdivision to be filed by Deed or Plat? N/A

22. What form of security does the applicant propose to provide as performance and maintenance guarantees? \_\_\_\_\_

23. Other approvals which may be required and date plans submitted:

	Yes	No	Dates Plans Submitted
Burlington County Board of Health	_____	X	_____
Burlington County Planning Board	_____	X	_____
Burlington County Soil Conservation District	_____	X	_____
NJ Dept. of Environmental Protection	_____	X	_____
Pinelands Commission	_____	X	_____
Stream Encroachment Permit	_____	X	_____
Wetlands Permit	_____	X	_____
Other	_____	X	_____
NJ Dept. of Transportation	_____	X	_____
Public Service Electric & Gas Company	_____	X	_____
County 9-1-1 Coordinator, Street Name Approval	_____	X	_____

24. Certification from the Tax Collector that all taxes due on the subject property have been paid. yes

25. List of Maps, Reports and other materials accompanying the application (attach additional pages as required for complete listing).

26. The applicant hereby requests that copies of the reports of the professional staff reviewing the application be provided to the following of the applicant's professionals: Specify which reports are requested for each of the applicant's professionals or whether all reports should be submitted to the professional listed.

Applicants Professional	Reports Requested
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Attorney \_\_\_\_\_

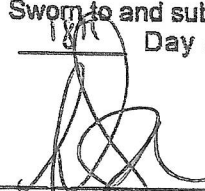
Engineer \_\_\_\_\_

### CERTIFICATION

27. I certify that the foregoing statements and the materials submitted are true. I further certify that I am the individual applicant or that I am an Officer of the corporate applicant and that I am authorized to sign the application for the Corporation or that I am a general partner of the partnership applicant.

(If the applicant is a corporation, this must be signed by an authorized corporate officer. If the applicant is a partnership, this must be signed by a general partner.)

Sworn to and subscribed before me this \_\_\_\_\_ Day of October, 2021.

  
\_\_\_\_\_  
Notary Public

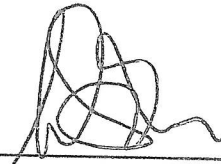
  
\_\_\_\_\_  
Signature of Applicant

Andrew Solon  
NOTARY PUBLIC  
STATE OF NEW JERSEY  
ID # 50125312  
MY COMMISSION EXPIRES March 23, 2025

28. I certify that I am the Owner of the property which is the subject of this application, that I have authorized the applicant to make this application and that I agree to be bound by the application, the representations made and the decision in the same manner as if I were the applicant.  
(If the owner is a corporation, this must be signed by an authorized corporate officer. If the owner is a partnership, this must be signed by a general partner.)

Sworn to and subscribed before me this  
18 Day of October, 2021.

Andrew Solon  
NOTARY PUBLIC  
STATE OF NEW JERSEY  
ID # 50125312  
MY COMMISSION EXPIRES March 23, 2025

  
\_\_\_\_\_  
Notary Public

  
\_\_\_\_\_  
Signature of Owner

29. I understand that the sum of \$ 1000 has been deposited in an escrow account. In accordance with the Ordinance of the Township of Southampton, I further understand that the escrow account is established to cover the cost of professional services including engineering, planning, legal and other expenses associated with the review of submitted materials and the publication of the decision by the Board. Sums not utilized in the review process shall be returned under the procedures in the ordinance. If additional sums are deemed necessary, I understand that I will be notified of the required additional amount and shall add that sum to the escrow account within fifteen (15) days. I understand that no further review of my application will be made until such time as my escrow account is current.

10.18.21  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Signature of Owner

30. I agree to be responsible for all bills against this development's escrow account. In the event that this project is sold or my interest is transferred to another party, my obligation can only be relieved if all outstanding escrow bills are paid and the new principal obligates himself to the responsibility of all future bills in an agreement with the Township.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature Developer/Applicant

## ESCROW AGREEMENT

THIS AGREEMENT made this 21 day of October, 2021

between

Robert Corry  
(name of applicant)

hereinafter referred to as "Applicant", and the PLANNING BOARD OR ZONING BOARD OF ADJUSTMENT of the TOWNSHIP OF SOUTHAMPTON, hereinafter referred to as the "Board".

WHEREAS, Applicant is currently seeking to make an application to the PLANNING BOARD or ZONING BOARD OF ADJUSTMENT of the TOWNSHIP OF SOUTHAMPTON, and;

WHEREAS, the Board desires to establish an escrow whereby work required to be performed by professionals employed by the Board will be paid by the Applicant as required under the provisions of the Ordinances of the TOWNSHIP OF SOUTHAMPTON, and;

WHEREAS, both parties feel it is appropriate to reduce this understanding to written form.

WITNESSETH:

IT IS mutually agreed between the parties that:

**1. PURPOSES.**

The Board authorizes its professional staff to review, inspect, report and study all plans, documents, statements, improvements and provisions made by the Applicant in conforming to the requirements of the Ordinances of the Township. The Board directs its professional staff to make all oral and/or written reports to the Board or its conclusions and findings derived from the review, study, investigation and like or similar duties performed as elsewhere authorized. The Applicant agrees to pay all reasonable professional fees incurred by the Board for the performance of the duties outlined above.

**2. ESCROW ESTABLISHED.**

Applicant and the Board in accordance with the provisions of this agreement hereby create an escrow to be established by the Board in a depository selected by the Township Committee.

**3. ESCROW FUND.**

Applicant by execution of this agreement shall pay to the Township Treasurer, to be deposited in the depository referred to in Section 2, such sums as are required by Schedule 1, which is attached hereto and made a part hereof by reference. Execution of this agreement by the Board acknowledges receipt of the sums referred to under this paragraph.

**4. INCREASE IN ESCROW FUND.**

If during the existence of this escrow agreement the funds held by the escrow holder shall be insufficient to cover any voucher or bill submitted by the professional staff and reviewed and approved by the Board, Applicant shall within fifteen (15) days from the date of receipt of written notice, deposit additional sums with the escrow holder to cover the amount of the deficit referred to above. The written notice referred to in this paragraph shall be sent to:

**5. TIME OF PAYMENT.**

The professionals referred to in this agreement, upon the conclusion of their services or periodically during the performance of their services, shall submit vouchers conforming to the requirements established by the Board and/or Township Committee for vouchers or the type and kind referred to under this paragraph. Said vouchers shall include the amounts of all fees and costs incurred as a result of the services set forth under Paragraph 1 of this agreement.

**6. BOARD OF REVIEW.**

The Township Committee shall review the vouchers submitted by the professionals to determine whether the services have been performed in the manner and to the degree required by this agreement. Upon:



making a determination that said services have been performed properly, the Treasurer shall process said vouchers in the same manner and under the same terms as are normally employed for vouchers submitted for performance for the Board. At the conclusion of this processing the amounts specified in said vouchers shall be deducted by the escrow holder from the escrow established pursuant to this agreement.

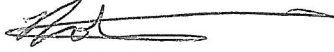
7. APPLICANT'S OBJECTION.

The Applicant shall have the right to make periodic inquiries of the records maintained by the escrow holder to determine the status of the escrow at any point in time. Where the Applicant objects to the payment of any voucher from the escrow fund, he shall have the right to appeal, upon three (3) days written notice to all professionals, to the *TOWNSHIP COMMITTEE* (Board) to determine whether the payments or payment are objected to be proper. The standards of review to be utilized by the *TOWNSHIP COMMITTEE* (Board) in determining whether said payments are proper and whether the fees incurred are reasonable and whether the work has been performed properly.

8. INTEREST ALLOCATIONS.

Any and all interest which would result from or arise out of the deposits being made and held in escrow by the Applicant shall revert to the use of the escrow holder as compensation for the services rendered in connection with this escrow agreement.

IN WITNESS WHEREOF, the parties hereto have set their hands and seal the date first written above.



(Applicant)

\_\_\_\_\_  
Administrative Officer of  
Planning and Zoning

making a determination that said services have been performed properly, the Treasurer shall process said vouchers in the same manner and under the same terms as are normally employed for vouchers submitted for performance for the Board. At the conclusion of this processing the amounts specified in said vouchers shall be deducted by the escrow holder from the escrow established pursuant to this agreement.

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IN WITNESS WHEREOF, the parties hereto have set their hands and seal the date first written above.

Robert Curry

\_\_\_\_\_

(Applicant)

Administrative Officer of  
Planning and Zoning

Southampton Township  
5 Retreat Road  
Southampton, NJ 08055

REQUEST FOR CERTIFIED PROPERTY OWNERS WITHIN 200 FEET

DATE 10/21/21

I Robert Curry HERBY REQUEST A CERTIFIED LIST OF  
PROPERTY OWNERS WITHIN 200 FEET OF  
BLOCK 2401.01, LOT (S) 29 QUAL \_\_\_\_\_ ALSO  
KNOWN AS 48 Falcon Dr. (STREET LOCATION)

I AM AWARE THAT THERE IS A FEE OF \$10.00 FOR THE CERTIFIED LIST I AM  
REQUESTING.

NOTIFY ME BY MAIL \_\_\_\_\_ FAX \_\_\_\_\_ EMAIL X WHEN COMPLETE.

NAME: Robert Curry

ADDRESS: 48 Falcon Dr.  
Southampton NJ 08088

  
\_\_\_\_\_  
SIGNATURE

609-790-6976  
PHONE

\_\_\_\_\_  
FAX

Rcurry48@Comcast.net  
EMAIL

October 12, 2021

To Whom It May Concern,

Carol and Rob Curry, at 48 Falcon Drive, Southampton, Nj wish to put in an in-ground pool in our back yard. This decision was made largely due to the impact on Covid and its impact on our desire to limit our travel. Having an in-ground pool will allow family to stay in place and gather safely. Should you have any further questions or concerns, we can be reached at 609-859-1935.

Sincerely Yours,

Carol and Rob Curry



# TOWNSHIP OF SOUTHAMPTON

5 RETREAT ROAD  
SOUTHAMPTON, NJ 08088

Melissa J. Chesla, Tax Collector  
Calista Shontz, Tax Clerk

Phone # 609-859-3231  
Fax # 609-859-3202

Date: October 12<sup>th</sup>, 2021

To Whom It May Concern:

This is to certify that taxes on Block 2401 01 Lot 29, assessed to  
Robert + Carol Curry, have been paid through the  
3<sup>rd</sup> quarter of 2021.

Next payment due by November 10<sup>th</sup>, 2021 in the amount of  
\$ 1,724.82.

Respectfully,

Melissa J. Chesla, C.T.C.  
Tax Collector

