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April 1, 2022  
70606 00

Attn: Ms. Maryalice Brown, Secretary  
Southampton Township Zoning Board  
5 Retreat Road  
Southampton, NJ 08088-3591

Re: **Bulk Variance**  
**22-903-9: Tippin Garage**  
140 Landing Street  
Block 903, Lot 9

Dear Board Members,

We have reviewed an application for a c(2) Bulk Variance for the property referenced above to construct a detached 40' x 60' detached garage in addition to a 2-car garage attached to their proposed dwelling. The property is currently an arable field in the Rural Residential (RR) zone. Bulk variances are required for the proposed detached garage but not for the proposed dwelling. The application included the following documents:

1. Application Cover Letter prepared by Richard F. Roy, Jr., Esq. of Boudwin, Ross, Roy, Leodori PC of Mount Laurel, NJ, dated March 23, 2002.
2. Southampton Township Planning Board & Zoning Board Application Form with Appendix A-4 Bulk Variance;
3. Plot Plan / Grading Plan prepared by Brian S. Peterman, PE of Peterman Maxcy Associates, LLC of Gibbsboro, NJ, dated 03/17/22; and
4. Pole Barns (Architectural) Plans prepared by Jack S. Smith, RA of Bishop & Smith Registered Architects, 1344 Chews Landing Road, Gloucester Township, NJ 08021, undated, not signed or sealed, comprising the following:
  - a. Floor Plan, Sheet A-1 of 4;
  - b. Foundation Plan, Sheet A-2 of 4; and
  - c. Cross Section "A", Sheet A-3 of 4.
  - d. Elevations, Sheet A-4 of 4.
5. NJDEP Freshwater Wetlands Letter of Interpretation (LOI) dated 10/05/21.

**General Information**

**Applicant/Owner:** Michael P Tippin, Sr. & Debbie J. Tippin  
341 Red Lion Road  
Southampton, NJ 08088

**Attorney:** Richard F. Roy, Esq.

Boudwin, Ross, Roy, Leodori PC  
10000 Midlantic Drive, Suite 100E  
Mount Laurel, NJ 08054

**Engineer:** Brian S. Peterman, PE  
Peterman Maxcy Associates, LLC  
189 S. Lakeview Drive, Suite 101  
Gibbsboro, NJ 08026

**Zoning Requirements: Rural Residential (RR) Zone**

*Use Requirements:*

1. Single-family detached dwellings are a permitted use in this zone.
2. The proposed development includes a 2-car garage attached to the proposed dwelling and a detached garage with 2 bay doors. Detached garages are a permitted accessory use in this zone when they meet certain bulk standards. (See below.)

*Dimensional Requirements:* The last column in the following table indicates how the proposed development on this lot conforms to the area and bulk requirements in this zone.

	Required	Proposed	Status
<b>Lot</b>			
Min. Lot Density (Units / Acre)	0.5	0.09	C
Min. Lot Area (Acres)	2	11.53	C
Min. Lot Frontage (Feet)	100	770	C
Max. Principal Building Coverage: (Percent)	10	0.7	C
Max. Accessory Building Coverage: (Percent)	15	0.5	C
Max. Total Impervious Coverage (Percent)	20	1.2	C
<b>Principal Structure (Dwelling Unit)</b>			
Min. Front Yard Setback: (Feet)	100	410.6	C
Min. Rear Yard Setback: (Feet)	50	170.8	C
Min. One / Both Side Yard Setback: (Feet)	30 / 60	200 / 671	C
<b>Accessory Structure (Detached Garage)</b>			
Min. Front Yard Setback:	Behind DU	Yes	C
Min. Rear Yard Setback: (Feet)	25	65	C
Min. Side Yard Setback: (Feet)	6	280	C
<b>Garage Requirements per §12-4.1c</b>			
Max. Garage Parking per Lot	3	≥4	V
Max. Detached Garage Size; (Square Feet)	1,260	2,400	V

C = Conforming.

3. **The proposed detached plan requires two bulk variances: one for providing more than 3 garaged vehicles spaces, and another for providing a detached garage larger than 1,260 SF in area.**

**Bulk Variance Proofs**

The Applicant must provide testimony to justify the requested variances by using either the c(1) or c(2) proofs. For c(1) variances 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:

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

For c(2) variances the Applicant must demonstrate:

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

#### **General Comments**

4. The Applicant should provide testimony regarding the following:
  - a. Whether there will be any utilities, such as electricity and water, provided to the proposed garage. Any such installations shall require additional approvals from the Township Construction Code Official and the County Health Department.
  - b. Whether the Applicant will park or store any commercial vehicles. §12-4.1.c. indicates that detached residential garages may not be used to park or store any commercial vehicles. **If so, a use variance would be required.**
  - c. The general type of soil and existing drainage patterns around the proposed garage building, whether there are any existing drainage issues in the proposed garage and driveway areas, the locations of the downspouts and leaders for the building, and whether that runoff will have any impact on neighboring properties.
  - d. The locations and types of any proposed exterior lighting and provisions to ensure there will be no glare to adjacent properties.
  - e. The proposed general configuration and surface material for the new driveway.
5. We recommend that any Board approval be conditioned on the Board Engineer’s approval of a grading plan for the proposed development.

#### **Outside Agency Approvals**

6. Any approval is subject to applicant obtaining all required permits and approvals, including the following, and satisfying the review letters of the Board's Professionals.
  - a. Burlington County Health Department (well and septic system, if required)
  - b. Southampton Township Construction Office
  - c. Any and all others that may be required

We reserve the opportunity to further comments as additional information becomes available.

Should you or the Applicant have any questions, please feel free to contact the undersigned.

Sincerely yours,



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



Edward Fox, AICP, PP  
Zoning Board Planner

RRD/ EF

cc: Richard F. Roy, Esq., Applicant's Attorney via email [rroy@brrllaw.com](mailto:rroy@brrllaw.com)  
Brian S. Peterman, PE, Applicant's Engineer via email [bpeterman@petermanmaxcy.com](mailto:bpeterman@petermanmaxcy.com)  
Thomas Coleman, Esq., Zoning Board Attorney [tomcoleman@rclawnj.com](mailto:tomcoleman@rclawnj.com)

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**140 Landing Street  
Block 903, Lot 9  
Southampton Township, NJ**

