

Planning & Zoning Board of Adjustment  
5 Retreat Road, Southampton, NJ 08088  
planning@southamptonnj.org  
zoning@southamptonnj.org

MEMORANDUM

TO: PROFESSIONAL STAFF

- \_\_\_\_\_ PLANNING BOARD ATTORNEY
- \_\_\_\_\_ PLANNING BOARD ENGINEER
- \_\_\_\_\_ PLANNING BOARD PLANNER
- \_\_\_\_\_ ZONING BOARD ATTORNEY
- \_\_\_\_\_ ZONING BOARD ENGINEER
- \_\_\_\_\_ ZONING BOARD PLANNER

DATE: August 10, 2022

RE: APPLICATION INFORMATION

The following information is for new applications to either the Planning Board or Zoning Board of Adjustment

PROJECT ID: 22-2905031  
 PROJECT NAME: Batista Inground Pool / Court / Pavillion  
 CATEGORY CODE: ZNBKVRJ  
 SITE ADDRESS: 52 Constitution Drive  
 APPLICANT'S NAME: Adriano + Barbara Batista  
 APPLICANT'S ADDRESS: 52 Constitution Drive  
Southampton NJ 08088

The information above must be used on all invoices. Copies should be given to your Accounts Receivable Department, reviewers and inspectors. Any invoice or voucher received by the Township without this information will be returned. Copies of all invoices are to be mailed to the applicant at the same time as they are forwarded to the Township.

All invoices are to be sent to the Finance Officer by the **24<sup>th</sup>** of the month for payment at the next month's regular Township Committee meeting (third Tuesday of the month).

Following these instructions will eliminate the chance of hearing postponements due to deficient balances. Projects that have been approved by the Planning or Zoning Board and have gone to "bond" or Engineer Inspections, must be verified by the Finance Officer for possible new Project ID's given at receipt of "Performance Bond and Performance Engineer's Inspection" by the Township Clerk.

Charges to an applicant's escrow account should only be for review of the application, not for a special hearing before one of the Boards. Review N.J.S. 40:55D-53 for any questions regarding proper billing to an applicant's escrow account.

Cc: Nancy K. Gower, CMFO

Original

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 2902.03 LOT(S) 31

APPLICANT/DEVELOPER'S NAME Batista Barbara / Adriano

PROPERTY LOCATION ADDRESS: 52 Constitution Dr.

DATE OF SUBMISSION: 6/13/2022

- 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



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 Secretary and the Board Professionals. 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 the Board Professionals no later than fifteen (15) days prior to the meeting scheduled.

**PLANNING BOARD & ZONING BOARD APPLICATION FORM**

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

**1. SUBJECT PROPERTY:**

Property Location Address: 52 Constitution Dr. Southampton NJ

Tax Map: Page \_\_\_\_\_ Block 2902-03 Lot(s) 31

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

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

Zoning District \_\_\_\_\_

**2. APPLICANT/OWNER/DEVELOPER:**

Name: Barbara Batista & Adriano Batista  
Address: 52 Constitution Drive Southampton 08088  
Telephone No: 917282 5293 Fax No.: \_\_\_\_\_ Email: Tygerita@AOL.com  
Applicant is a: Corporation \_\_\_\_\_ Partnership \_\_\_\_\_ Individual   
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.: \_\_\_\_\_

9. APPLICANT'S ENGINEER: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 Telephone No.: \_\_\_\_\_ Fax \_\_\_\_\_  
 email: \_\_\_\_\_
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: \_\_\_\_\_  
 Field of Expertise: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 Telephone No.: \_\_\_\_\_ Fax \_\_\_\_\_  
 email: \_\_\_\_\_
13. Section(s) of Ordinance from which a variance is requested: \_\_\_\_\_
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?
19. Have any proposed new lots been reviewed with the Township Engineer to determine appropriate lot and block numbers? not applicable
20. Are any off-tract improvements required or proposed? not applicable
21. Is the subdivision to be filed by Deed or Plat? N/A



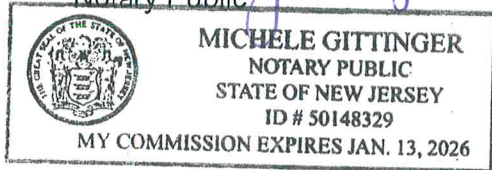
28. I certify that I am the Owner of the property which is the subject of this application, that I have authorized the applicant to make this application and that I agree to be bound by the application, the representations made and the decision in the same manner as if I were the applicant.  
(If the 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

9 Day of August, 2022.

Michele Gittinger  
Notary Public

Barbara Evelyn Batista  
Signature of Owner



29. I understand that the sum of \$ 1,000 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.

8/11/2022  
Date

Barbara Evelyn Batista  
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

June 14, 2022

RE: 52 Constitution Drive  
Southampton, NJ 08088

Dear. Southampton Township Zoning Committee,

We are writing this letter to request approval of a Zoning Variance to increase the impervious lot coverage allowed, so that we may add an in-ground pool and concrete patio to the private back yard of our single family home and in the future an outdoor kitchen and recreational court for our children. Adding an in-ground pool and concrete patio to our back yard will create quality time with our loved ones and help us build memories that will last a lifetime. We are a family of four with a large extended family who spend a lot of time together. Not only does a pool encourage togetherness, but it allows the working couple an added balance. After a long day of work, you can look forward to coming home and relaxing by the pool. Having a paradise for a backyard makes your long work hours and high taxes all worth it.

Not only will this in-ground pool serve as a recreational resource for us and our family, but it will also serve as a safety zone and provide tranquility. With all the things going on in the world in terms of both health (COVID-19) and violence, having my two children and family in the privacy of my own back yard provides, not only a sense of relief for us, but it allows us a piece of mind and a very healthy mental state. Another reason for this pool is for therapeutic purpose. My husband drives for NJ Transit and sits on the bus from 12-15 hours a day. Water therapy is beneficial for sprains, strains and tears. In fact, The American College of Sports and Medicine recommends swimming or walking in water among four preferred rehabilitation to exercises for injuries to ligaments, muscles and tendons and overall mobility.

To give you a synopsis of our location. Our home is situated on 1 acre of land (one of the reasons we purchased) and is extremely far away from all our neighbors and their property lines. We can assure you that approving our request will not cause any harm to any of our neighbor's properties. If anything it will increase their property value like it will ours in the future. Many of our neighbors have in-ground pools, outdoor kitchens, recreational courts, fountains and wrap around concrete driveways.

All in all, we are asking that you approve our request and allow us to build an in-ground pool and concrete patio, so that we can spend quality time with our family, relax, destress and improve our overall health. Again, having a paradise in our backyard will decrease the anxiety of going to public pools and or beaches and will allow us to create a safe haven for ourselves and our family and in general give us a peace of mind.

We thank you for your attention to this matter and hope to hear from you soon.

Regards,

A handwritten signature in cursive script that reads "B. Batista". The signature is written in dark ink and is positioned above the printed name.

Mr. and Mrs. Batista

# TOWNSHIP OF SOUTHAMPTON

ZONING OFFICIAL  
5 RETREAT ROAD  
SOUTHAMPTON NJ 08088  
(609) 859-2786

## DENIAL OF PERMIT

May 16, 2022

RE: APPLICATION FOR ZONING

Dear KS Pools and Patios,

Your application for a permit to construct a fiberglass inground pool and concrete patio surround property located at 52 Constitution Drive, in Southampton Township, Block: 2902.03 Lot: 31 is hereby denied for noncompliance with the provisions of the Municipal Zoning Ordinance for the following reason(s):

**The application submitted for an in-ground pool and concrete patio does not meet the required 10% impervious lot coverages for this zone. Your existing impervious coverage is 13% and you are proposed impervious is 15%.**

The property is located in the "RC PL" Rural Community Pinelands zone which permits the following:

Chapter 19. Pinelands Development

19-2.7. Rural Community Zone.

c. Development standards.

1. Residential.

**(g) Impervious coverage: standard - 10% maximum.**

---

Information on procedures for an appeal of this decision to the Board of Adjustment and/or Planning Board can be obtained from the Secretary of the Board by emailing the secretary at [zoning@southamptonnj.org](mailto:zoning@southamptonnj.org) for the Zoning Board or [planning@southamptonnj.org](mailto:planning@southamptonnj.org) for the Planning Board.

It should be noted that under State Statute, notice of appeal of this decision must be filed with the appropriate Board not later than twenty (20) days from the date of this notice.

Please contact the Board Secretary with any questions regarding the procedure process. All applications and forms are located on our website.

[https://www.southamptonnj.org/government/construction\\_\\_\\_zoning.php#outer-33](https://www.southamptonnj.org/government/construction___zoning.php#outer-33)

Planning Board & Zoning Board Application Forms



Denise Schmied,  
Zoning Officer



