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March 3, 2023  
70623 00

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

Re: Application Review: Bulk Variance  
23-1601701: Beam Garage Building  
323 Burrs Mill Road  
Block 1601, Lot 7.01

Dear Board Members,

We have received an application to construct an 1,825 SF detached garage structure on the above residentially developed property. We offer the following comments:

**General Information**

Owner / Applicant: Ms. Halley Lyn Beam  
323 Burrs Mill Road  
Southampton, NJ 08088

**Submitted Materials**

The application included the following documents:

1. Southampton Township Planning Board & Zoning Board Application Form.
2. Zoning Permit Denial Letter, prepared by Zoning Officer dated 10/4/22.
3. Plan of Survey, Lot 7.01, Block 1601, Southampton Township, Burlington County, N.J., prepared by John McLinchey, PLS, PP dated 7/28/1997 Sheet 1 of 1.
4. Architectural Plans unsigned and undated 6 Sheets.

**Completeness Review**

We recommend that the Board find the application COMPLETE for its review and consideration of approval.

**Zoning Requirements: Agricultural Production (AP) District**

*Use Requirements:*

1. Detached garages for single-family detached dwellings are a permitted accessory use in this zone. We note that the existing dwelling contains a built-in garage.

*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	Existing	Proposed	Status
<b>Lot</b>				
Min. Lot Frontage (FT)	250	200	200	PE
Max. Total Lot Clearing (%)	15	100	100	PE
<b>Max. Total Impervious Coverage (%)</b>	<b>10</b>	<b>13.9</b>	<b>22.3</b>	<b>V</b>
<b>Accessory Structure (New Garage)</b>				
<b>Behind the Dwelling's Footprint</b>	<b>Yes</b>		<b>No</b>	<b>V</b>
Min. Rear Yard Setback: (FT)	25		148.5	C
Min. Side Yard Setback: (FT)	6		21.75	C

C = Conforming; PE = Pre-Existing condition; and V = Variance required.

2. Our review of the property's current conditions and historic aerial photography from 1980 indicates that this 1-acre lot was completely cleared of native vegetation at the time of its development before the CMP's adoption in 1981.
3. A c(1) bulk variance is required from § 19-2.5.c.1(f) because the proposed development would increase the lot's total impervious from 13.9% to 22.3%.

The Applicant has the burden of proof to justify the variance, by testimony or other means. 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."
4. A c(1) bulk variance is required from § 12-4.1.b.1 because the Applicant proposes to construct the garage at the end of the existing driveway, which is about 12' forward of the rear of the existing dwelling. (See comment #3 for bulk variance proofs.)
  5. Because the property is within the AP District, which is a non-residential zone, the proposed garage development is not limited by its floor area or the number of vehicles it could contain.

### General Comments

6. Because the proposed development appears to comprise less than 1 acre of additional soil disturbance and less than 0.25 acres of impervious surfaces, it is not a "major development" requiring adherence to NJDEP's stormwater management rules.
7. Applicant should provide testimony regarding the following:
  - a. Whether it will park or store any commercial vehicles in or operate a business from the proposed garage. If so, a use variance would be required, per §12-4.1c. Our research indicates that a party supply rental business recently operated at this location.
  - b. The location of the property's existing private well and septic system and confirmation that the proposed development will be sufficiently separated from these facilities.
  - c. Whether there will be any sink or toilet facilities in the proposed garage. If so, any Board approval should be conditioned upon the County Health Department's approval of the property's existing septic system.
  - d. The existing and proposed drainage patterns around the proposed garage building and whether there are any existing site drainage issues, the locations of the proposed garage's downspouts and leaders and stormwater flow, and whether that runoff will have any impact on neighboring properties.

- e. The locations and types of any proposed exterior lighting and provisions to ensure there will be no glare to adjacent properties.
8. Pinelands Commission GIS mapping indicates that much of the property, including the location of the proposed garage, may be within a regulated freshwater wetland. (See map on next page.) We defer to the Township's Construction Code Official for their determination regarding whether the proposed development will require Commission approval.
9. The Applicant has requested the Board to allow it to maintain its existing temporary storage containers, which were not previously permitted by § 4-3.4, until such time as the new garage is erected. We defer to the Board Solicitor for clarification of this issue.

**Administrative Comments**

10. 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. NJ Pinelands Commission, if required,
  - b. Burlington County Health Department, if required,
  - c. Southampton Township Construction Office, and
  - d. 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.



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



Edward Fox, AICP, PP  
Zoning Board Planner

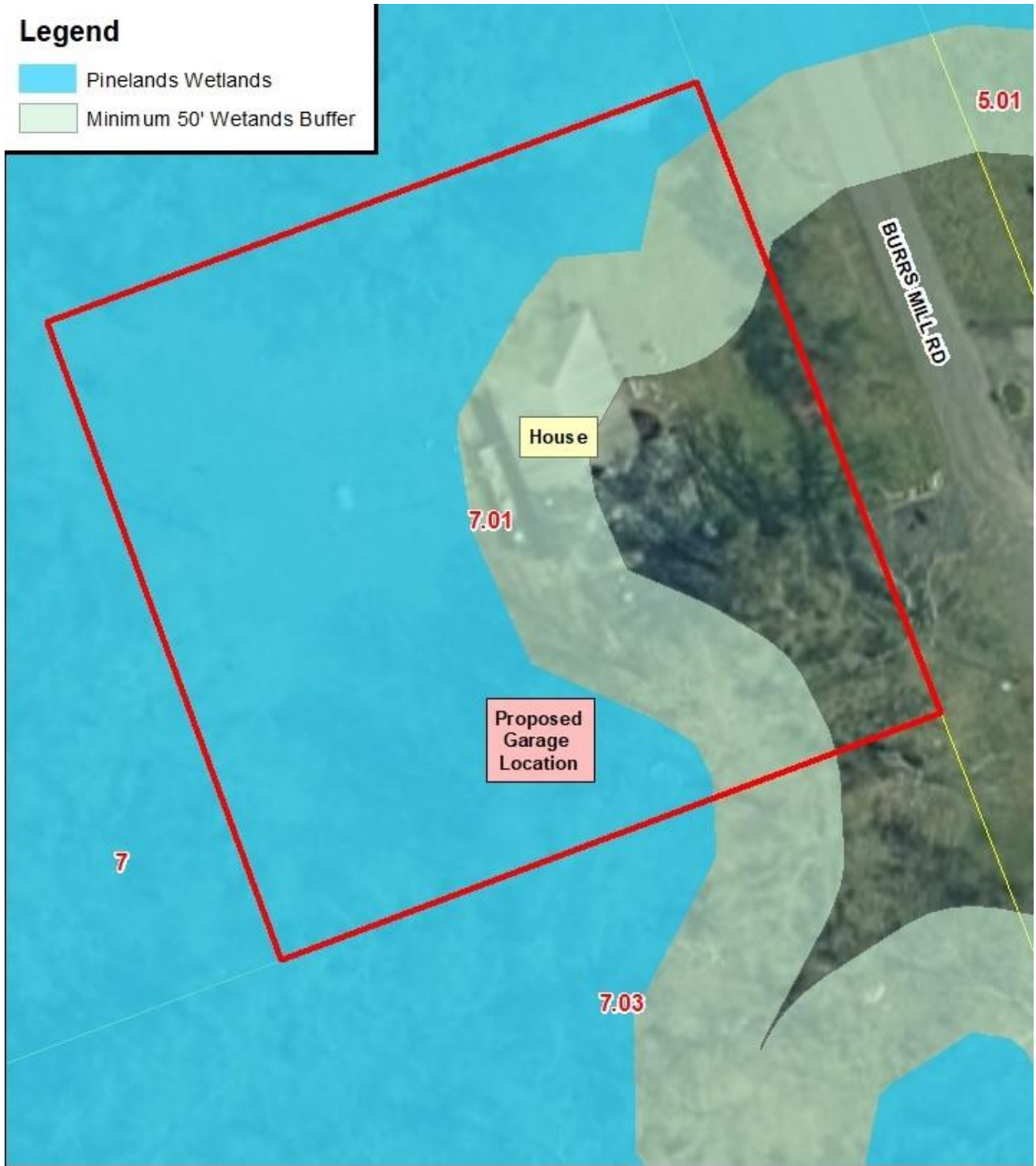
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*323 burrs mill rd\_beam\_garage\_eri review letter\_03.03.23*

- ec: Halley Lyn Beam, Applicant via email [hbeam2018@gmail.com](mailto:hbeam2018@gmail.com)  
Tom Coleman, Esq., Zoning Board Attorney [tomcoleman@rclawnj.com](mailto:tomcoleman@rclawnj.com)

### Legend

-  Pinelands Wetlands
-  Minimum 50' Wetlands Buffer



**323 Burrs Mill Road  
Block 1601, Lot 7.01  
Southampton Township, NJ**

