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Appeal of Zoning Decision/Need for Interpretation of Ordinance

1 message

Department, Zoning <zoning@bradleybeachnj.gov>

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I understand that there is an appeal of the zoning officer's decision on the agenda for April 20 related to 208 1/2 Newark Avenue. I look forward to the Land Use Board's decision as it relates to this appeal since lately I have been encountering several applicants that would like to build on lots that are either undersized in lot area, width or depth.

Sections cited for the upcoming appeal, and also for a recently denied application to construct a dwelling on a 45' wide lot include Section 450-26E and 450-12G.

Section 450-78 states "whenever the requirements of this chapter conflict with the requirements of any other lawfully adopted rules, regulations, ordinances or statutes, the most restrictive of those imposing the higher standards shall govern." Therefore, I have denied several applications with nonconforming lots for new construction.

Going forward, an interpretation of these requirements and any allowed deviations would be helpful as they relate to particularly new construction and existing nonconforming structures.

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