

RESOLUTION OF FINDINGS AND CONCLUSIONS
PLANNING/ZONING BOARD
OF THE BOROUGH OF SWEDESBORO
ERIC AND KATHLEEN BENNETT
BLOCK 53, LOT 4.01 – 1919 KINGS HIGHWAY
APPLICATION FOR USE VARIANCE
RESOLUTION NO. 2009- 6

WHEREAS, ERIC and KATHLEEN BENNETT, have applied to the Planning/Zoning Board of the Borough of Swedesboro for a Use variance to permit the conversion of an existing residential building located at 1919 Kings Highway, Swedesboro, New Jersey, which property is designated on the Tax Map of the Borough of Swedesboro as Block 53, Lot 4.01 into a photographic studio; and

WHEREAS, the Planning/Zoning Board of the Borough of Swedesboro has had an opportunity to:

- (1) Review the application as presented by the applicant;
- (2) Received the report of the Planning/Zoning Board Engineer in regard to the application;
- (3) Received the testimony of the applicant, applicant's engineer, Ms. K. Englehart and applicant's planner, Mr. T. Kernan;
- (4) Conducted a public hearing on the application; and

WHEREAS, the Planning/Zoning Board of the Borough of Swedesboro has received the following testimony:

- (1) The applicant testified that he has been a photographer since 1980 and owns the Perfect Day Photography Studio. He further testified that the structures and buildings

are to remain the same but one shed will be removed from the property. There will be up to three employees per day at the property. Typically, three to ten customers are at the site per week. Hours of operation will be from 10:00 a.m. to 9:00 p.m. seven days a week. There will be signage on the front that will comply with the local zoning ordinances. In addition a gazebo, eight feet in diameter will be constructed, the barns located on the property will be for storage only, level one barn will be used for parking.

(2) The applicant's planner, Mr. T. Kiernan testified that he has been a licensed Planner for 15 years. He stated that the site is especially suited for business because the street on which the property is located is a collector road and it suits small scale commercial businesses which would benefit public health and general welfare in that it meets a variety of needs for the people residing in the general area. He testified that in close proximity is also located a dentist and a chiropractor. He opined that the granting of the use variance would not impair the intent of the planning ordinance as it applies to the area in question.

(3) The applicant's engineer, Ms. K. Engelhart, testified that she is a licensed engineer with Sickles and Associates, presented a colored site plan showing the 16,500 square foot lot, stated that there will be five parking spaces, four plus a handicap spot and that there will be additional parking in the barn with two additional parking places available on Kings Highway.

(4) Mrs. Tomarchio, of South Street, testified in the public hearing that she has parking concerns. She referenced the 100 new Townhomes and traffic issues turning out of South Street onto Kings Highway. South Street has not been repaved; and

WHEREAS, the Planning/Zoning Board of the Borough of Swedesboro, has made the following factual determinations:

(1) The R-3 zone in which the property is located does encourage small scale service type commercial enterprises to benefit the residences of the zone.

(2) The area in question is a transitional area with commercial uses in close proximity.

(3) Due to the fact that the area in question is a “transitional neighborhood” the granting of the variance will not impair the intent of the Zoning Ordinance as it applies to the area in question and this property is particularly suited for the use as presented by the applicant.

NOW, THEREFORE, BE IT RESOLVED, by the Planning/Zoning Board of the Borough of Swedesboro, that the application for Use variance to permit the applicant to use the property as a photographic studio is hereby granted subject to the following conditions:

(1) The approval of this Use variance is contingent upon applicant obtaining site plan approval for the site in question.

(2) Applicant must obtain all other necessary approvals from applicable government agencies and bodies controlling applicant’s use of the property.

This RESOLUTION adopted at a regular meeting of the Planning/Zoning Board of the Borough of Swedesboro, held on May 11, 2009.

MEMORIALIZED RESOLUTION adopted at a regular meeting of the
Planning/Zoning Board of the Borough of Swedesboro held on June 8, 2009.

PLANNING/ZONING BOARD OF THE
BOROUGH OF SWEDESBORO

By: CHARLES HOMAN, CHAIRMAN

ATTEST:

Kimberly Schneider
SECRETARY

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