

MIDDLE TOWNSHIP ZONING BOARD

APPLICATION FORM

Block: 335.01

Lot(s): 5.02, 5.03 & 11

Name and address of applicant:

Frederick Langford & Laguna Oaks Development, LLC  
212 Crest Road, Cape May Court House, NJ 08210

Applicant's telephone number:

Home: \_\_\_\_\_  
Work: 609-927-1177

Applicant's fax number:

Home: \_\_\_\_\_  
Work: 609-926-9721

Applicant's e-mail address: fredlangford-architect@gmail.com

Property owner's name, address, telephone number(s) and fax number(s) if different from #1 and #2 above:

same as above

Relationship of applicant to owner:

Same. Frederick Langford is the owner of Block 335.01 Lot 5.02 and Laguna Oaks Development, LLC is the designated developer for Block 335.01, Lot 5.03

**If holder of contract to purchase attach copy of contract**

If other than owner, explain status, sign (and have notarized), the Consent To Application by Owner portion of this application form. This is located at the bottom of the **Verification of Application** page.

N/A.

List the names, addresses, telephone, fax numbers, professions, and e-mail addresses of ANY and ALL professionals employed by the applicant in completing the application to the Zoning Board and/or intended to be called as witnesses at the hearing on the application.

Name:	Address:	E-mail:	Phone:	Fax:
<u>Robert Watkins, PE, PP</u>	<u>3122 Fire Rd, EHT NJ 08234</u>	<u>bob@mottassociates.net</u>	<u>609-569-1551</u>	<u>609-569-1521</u>
<u>Mott Watkins Associates, LLC</u>				
<u>Frederick Langford, RA</u>	<u>212 Crest Road, CMCH, NJ 08210</u>	<u>fredlangford-architect@comcast.net</u>		
<u>Stephen Nehmad, Esq.</u>	<u>4030 Ocean Heights Ave, EHT NJ 08234</u>	<u>snehmad@npdlaw.com</u>	<u>609-927-1177</u>	<u>609-926-9721</u>

If applicant is a corporation or partnership, list all stockholders or partners owning 10% or more of the corporation or partnership and list their respective names, addresses, e-mail addresses, and telephone numbers:

Name: Frederick Langford Address: 212 Crest Road, Cape May Court House, NJ E-mail: fredlangford-architect@comcast.net Phone: 609-927-1177 (attorney)

Location of premises:

Street address: 600 Bayberry Drive/ Bay Breeze Boulevard  
Tax Block: 335.01 Tax Lot(s): 5.02, 5.03 and 11  
Tax Map Sheet No.: 37 & 3504

Zoning District in which premises is located: R

- B Business
- CD Coastal Development
- HV Hildrith Village
- R Residential
- RB Residential Business
- RC Rural Conservation
- SR Suburban Residential
- TB Town Business
- TC Town Center
- TP Town Professional
- TR Town Residential
- VC Village Commercial
- VR Village Residential

Type of application presented: (designate all types of approvals sought)

- \_\_\_\_\_ Appeal from decision of Zoning Official (N.J.S.A. 40:55D-70a)
- \_\_\_\_\_ Interpretation of Zoning Ordinance or Zoning Map (N.J.S.A. 40:55-70b)
- \_\_\_\_\_ Hardship variance (N.J.S.A. 40:55D-70c(1))
- xxx Flexible (C) variance/balancing benefits and detriments (N.J.S.A. 40:55D-70c(2))
- \_\_\_\_\_ Use variance (N.J.S.A. 40:55D-70d)
  - \_\_\_\_\_ 1) Use or principal structure
  - \_\_\_\_\_ 2) Expansion of non-conforming use
  - \_\_\_\_\_ 3) Deviation from conditional use standard
  - \_\_\_\_\_ 4) Increase in permitted floor area ratio
  - \_\_\_\_\_ 5) Increase in permitted density
  - \_\_\_\_\_ 6) Height of principal structure greater than 10 feet or 10% of maximum height permitted
- \_\_\_\_\_ Permit to build in street bed (N.J.S.A. 40:55D-34)



**PRINCIPAL BUILDING**

Side Yard Each	<u>see plans</u>	<u>50 ft/100 ft</u>	<u>see plans</u>	<u>No</u>
Side Yard Total	<u>see plans</u>	<u>100 ft/200 ft</u>	<u>see plans</u>	<u>No</u>
Front Yard	<u>see plans</u>	<u>20 ft/100 ft</u>	<u>see plans</u>	<u>No</u>
Rear Yard	<u>see plans</u>	<u>50 ft/100 ft</u>	<u>see plans</u>	<u>Yes</u>
Building Height (max.)	<u>&lt;35 ft</u>	<u>35 ft</u>	<u>see plans</u>	<u>No</u>

**ACCESSORY BUILDING**

Side Yard, Each	<u>conforms</u>	<u>50 ft</u>	<u>150 ft</u>	<u>No</u>
Rear Yard	<u>conforms</u>	<u>50 ft</u>	<u>N/A</u>	<u>No</u>
Distance to Other buildings	<u>see plans</u>	<u>50 ft</u>	<u>see plans</u>	<u>Yes</u>
Building Height (max)	<u>NA</u>	<u>NA</u>	<u>NA</u>	<u>No</u>

**MAXIMUM COVERAGE**

Building Coverage (%)	<u>see plans</u>	<u>35%/10%</u>	<u>see plans</u>	<u>No</u>
Lot Coverage (%)	<u>see plans</u>	<u>50%/15%</u>	<u>see plans</u>	<u>No</u>

**BUFFER**  
(Describe type)

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	EXISTING CONDITION	REQUIRED BY ORDINANCE	PROPOSED	VARIANCE REQUIRED YES/NO
<b>PARKING</b> No. of spaces	<u>                    </u>	<u>Based on RSIS</u>	<u>Will comply</u>	<u>No</u>

**SIGNS**

(List all separately)

Size N/A \_\_\_\_\_

Number N/A \_\_\_\_\_

Type (Free-Standing or Building Mounted) N/A \_\_\_\_\_

**OTHER REGULATIONS**

Is a public water line available? XXX \_\_\_\_\_  
 Yes \_\_\_\_\_ No \_\_\_\_\_

Is a public sanitary sewer line available? XXX \_\_\_\_\_  
 Yes \_\_\_\_\_ No \_\_\_\_\_

Has there been any previous appeal, request or application to this Board or to the Planning Board involving these premises? If yes, state which Board, state the nature of application, date of application, date of hearing and result received from Board.

Yes, please see enclosed Resolution 18-2315SP.

List any adjoining lands owned by applicant and or by owner of parcel subject to the application.

Supply tax block(s) \_\_\_\_\_ and lot(s) \_\_\_\_\_

**JUSTIFICATION FOR RELIEF SOUGHT**

A short summary of the reasons why the applicant is entitled to the relief sought from the Zoning Board is to be provided on a **separate sheet(s) of paper** and enumerated with the appropriate paragraph number under which the relief is sought (paragraph numbers 1-11 inclusive).

See **APPENDIX** of this form for information concerning proofs necessary to secure approvals for applications of the type noted in paragraphs 1-11 inclusive.

1. Attach to this application a statement of facts showing why the variance relief sought can be granted without substantial detriment to the public good and without substantially impairing the intent and purpose of the Middle Township Zoning Plan and Zoning Ordinance. State why the variance can be granted without substantial harm to the neighborhood and without significant overturning of the Township Zoning Plan. In cases of a use variance, supply an enhanced quality of proof that the variance sought is not inconsistent with the intent and purpose of the Master Plan and Zoning Ordinance. This proof must reconcile the proposed use variance and the Zoning Ordinance's omission of the use form those permitted in the Zoning District in question.

2. Attach to this application a statement specifying the hardship/exceptional conditions of the specific property involved justifying the granting of a variance pursuant to N.J.S.A. 40:55D-70c(1).
3. Attach to this application a statement setting forth the facts supporting the contention that the purposes of the Municipal Land Use Law would be advanced by a deviation from the Zoning requirements in question and the benefits of that deviation would substantially outweigh any detriment pursuant to N.J.S.A. 40:55D-70c(2).
4. Attach to this application a statement setting forth the "special reasons" for granting this variance pursuant to N.J.S.A. 40:55D-70d.
5. Attach to this application a statement setting forth specifically the determination of the Zoning Official from which an appeal has been filed and the basis for the appeal. (N.J.S.A. 40:55D-70a)
6. Attach to this application a statement setting forth specifically the Zoning Ordinance section and provisions and/or the portion of the zoning map for which an interpretation from the Zoning Board is sought. Set forth the interpretation sought by the applicant. (N.J.S.A. 40:55D-70b)
7. Conditional Uses. Attach to this application, a statement setting forth how the application meets the standards for approving a Conditional Use. Conditional uses must meet general requirements listed in the Middle Township Zoning Ordinance (Section 250-26.1) as well as those applicable to the respective, specific use noted in Section 250-27 through 250-46 inclusive.
8. Attach specific reasons for applications pursuant to N.J.S.A. 40:55D-34 (Issue a permit for structures to be in the bed of a street).
9. Attach specific reasons for applications pursuant to N.J.S.A. 40:55D-36 (Permit to erect structure on lot not abutting approved street).
10. Attach statement of waivers from which specific individual Subdivision/Site Plan Ordinance standards are sought and the proposed alternative.
11. Attach statement of reasons for requesting waiver of site plan itself and of any adverse effect that may result.

**MIDDLE TOWNSHIP ZONING BOARD OF ADJUSTMENT**  
**NOTICE OF HEARING ON APPLICATION FOR DEVELOPMENT**

Applicant's Name: \_\_\_\_\_

Address: \_\_\_\_\_

Owner's Name: \_\_\_\_\_

Address: \_\_\_\_\_

Subject Property – Street Address: \_\_\_\_\_

Subject Property – Tax Map Block: \_\_\_\_\_ Lot(s): \_\_\_\_\_

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PLEASE TAKE NOTICE that on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, at 7:00 PM, prevailing time, at the Middle Township Municipal Building, located at Boyd and Mechanic Streets, Cape May Court House, NJ 08210, the Middle Township Zoning Board of Adjustment will hold a hearing on the application for development of the undersigned.      Applicant seeks all required approvals and relief so as to permit

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

at the subject premises noted above. Specifically, the following variances and approvals are sought: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

A copy of the said application and accompanying documents will be on file with the Secretary of the Middle Township Zoning Board/Zoning Officer and may be inspected, during normal business hours, in the Middle Township Zoning Office, Middle Township Municipal Building, Boyd and Mechanic Streets, Cape May Court House, New Jersey, by all interested parties at least ten (10) days prior to the said hearing. Further, any interested party may appear in person or by attorney at said hearing and participate therein in accordance with the rules of the Middle Township Zoning Board. This notice is sent pursuant to the requirements of the Municipal Land Use Law.

\_\_\_\_\_  
Applicant

MIDDLE TOWNSHIP ZONING BOARD

SUBDIVISION INFORMATION FORM TO BE COMPLETED AND FILED WITH APPLICATION

GENERAL INFORMATION

Number of existing lots: 2

Number of lots after subdivision: 5

Area of entire tract: 128.78 ac.

Is a public water line available? xxx YES NO

Is a public sanitary sewer line available? xxx YES NO

List any "off tract" improvements required of proposal:

Minimal off tract improvements along Bayberry Drive right of way.

Soil borings must be supplied for all subdivisions.

Drainage calculations must be supplied for major subdivisions.

At the time of an application for final approval a list specifying the estimated cost of site improvements prepared by Developer's Engineers shall be filed.

APPLICATION PROCEDURES AND SUBDIVISION DETAILS, IN ADDITION TO THOSE REQUIRED BY ZONING BOARD FORMS.

Where there is any conflict between the Zoning Board Form requirements and the requirements hereinafter noted, the more stringent of the requirements shall be applicable.

- Minor Subdivision
Subdivision/Site Plan Ordinance Checklist Numbers 1, 2, 3
Major/Preliminary Subdivision
Subdivision/Site Plan Ordinance Checklist Numbers 1, 2, 4
Major/Final Subdivision
Subdivision/Site Plan Ordinance Checklist Numbers 1 & 5
Waiver of Designated Procedures and/or Standards
Subdivision/Site Plan Ordinance Checklist Numbers 1, 2, 12



**MIDDLE TOWNSHIP ZONING BOARD  
SITE PLAN INFORMATION FORM TO BE COMPLETED AND FILED WITH  
APPLICATION**

**GENERAL INFORMATION**

Present use: Golf Course/ Single Family Units / Vacant Land

Proposed use: Golf Course / Single Family Units/ Townhouses

Size of proposed building: \* \_\_\_\_\_ (depth) \* \_\_\_\_\_ (width) \* \_\_\_\_\_ (height)  
\* \_\_\_\_\_ (#of stories) \* \_\_\_\_\_ (total sq. footage) <sup>45</sup> \_\_\_\_\_ (# of units involved)

**Architectural floor plans and elevations of all buildings and structures must be supplied.**

Is a public water line available? xxx YES \_\_\_\_\_ NO

Is a public sanitary sewer line available? xxx YES \_\_\_\_\_ NO

List any "off-tract" improvements required of proposal:

Minimal off tract improvements along Bayberry Drive.

\* See Fairways Major Site Plan Phase 2A, dated November 1, 2018, by Mott Watkins Associates, LLC.

Soil borings **must** be supplied for all site plans.

Drainage calculations must be supplied for site plans.

At the time of an application for final approval a list specifying estimated cost of site improvements list prepared by Developer's Engineer shall be filed.

**APPLICATION PROCEDURES AND SITE PLAN DETAILS, IN ADDITION TO  
THOSE REQUIRED BY ZONING BOARD FORMS.**

Where there is any conflict between the Zoning Board Form requirements and the requirements hereinafter noted, the more stringent of the requirements shall be applicable.

Minor Site Plan

Subdivision/Site Plan Ordinance Checklist Numbers 1, 2, 6

Major Site Plan/Preliminary

Subdivision/Site Plan Ordinance Checklist Numbers 1, 2, 8

Major Site Plan/Final

Subdivision/Site Plan Ordinance Checklist Numbers 1, 2, 8, 8A

Waiver Designated Procedures and/or Standards

Subdivision/Site Plan Ordinance Checklist Numbers 1, 2, 12

Waiver of Site Plan in its Entirety

Subdivision/Site Plan Ordinance Checklist Numbers 1 & 11

**APPLICANT'S OFFER TO ABUTTING PROPERTY OWNERS**

**UNDERSIZED LOT CASES**

To: Mr./Mrs. \_\_\_\_\_ Owners of Block \_\_\_\_\_ Lot \_\_\_\_\_  
Street Address: \_\_\_\_\_

Re: Application # \_\_\_\_\_

Dear Mr. / Mrs. \_\_\_\_\_

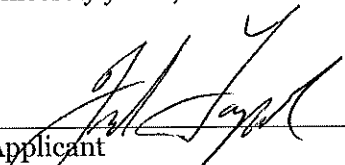
I have made application to the Middle Township Zoning Board of Adjustment for a variance(s) to construct a single-family residence (or other structure as herein designated \_\_\_\_\_) on Block \_\_\_\_\_, Lot \_\_\_\_\_, which abuts your property. This letter is to inquire whether you would be interested in selling me your lot or a portion of your lot in order to make my lot conform or more nearly conform with the current Middle Township Zoning Ordinance. In the alternative, you may have an interest in purchasing my lot at the "fair market value" which in this instance means a building lot price as if the variance had been granted.

It is my intention to demonstrate to the Middle Township Zoning Board that a "hardship" exists as I am unable to either acquire land or sell my land at its fair market value.

If you have any interest in selling your lot, or a portion of your lot to me or in purchasing my lot, please indicate on the enclosed response letter your position with respect to this application. The Middle Township Zoning Board hearing on the undersigned's variance application is scheduled for \_\_\_\_\_ at which time a copy of this letter and any response from you will be offered into evidence.

Enclosed is a stamped-return addressed envelope for your convenience. You may, of course, attend the Zoning Board hearing and give testimony concerning your position.

Sincerely yours,

  
\_\_\_\_\_  
Applicant

Applicant's Address

212 CREST RD CAPE MAY COURT HOUSE N.J. 08210

Applicant's Telephone Number (Home) 609-465-8000 \$  
(Work) 609-425-4200 \$

CERTIFIED MAIL-RRR # \_\_\_\_\_  
AND ORDINARY MAIL

CC: Zoning Board of Adjustment Secretary

**RESPONSE OF ABUTTING PROPERTY OWNERS  
UNDERSIZED LOT CASES**

Re: Applicant \_\_\_\_\_  
Block \_\_\_\_\_ Lot(s) \_\_\_\_\_  
Township of Middle

- 1) We have an interest in purchasing the Applicant's property  
(yes or no) \_\_\_\_\_
  
- 2) We are willing to pay \$ \_\_\_\_\_
  
- 3) We have an interest in selling our property  
(yes or no) \_\_\_\_\_
  
- 4) We are willing to sell our property for \$ \_\_\_\_\_
  
- 5) We have an interest in selling a portion of our property consisting  
of \_\_\_\_\_ square feet (yes or no) \_\_\_\_\_
  
- 6) We are willing to sell the property described in  
#5 for \$ \_\_\_\_\_
  
- 7) We will be in attendance at the Zoning Board hearing on the application to give our  
testimony (yes or no)

\_\_\_\_\_  
Signature 

\_\_\_\_\_  
Signature

Dated: 31 MAR 20

Note: You may send a copy of this response directly to the Zoning Board Secretary as follows:

Township of Middle  
Attn: Zoning Office  
33 Mechanic St  
Cape May Court House, NJ 08210