

**IN THE MATTER OF
APPLICATION NO. PB22-06
OF CRAIG & LAURA DOMANSKI
BLOCK 141 LOT 1**

**RESOLUTION DISMISSING APPLICATION
WITHOUT PREDJUDICE**

WHEREAS, CRAIG & LAURA DOMANSKI, hereinafter the "Applicant", has proposed the development of property located at 102 Central Avenue, in the Borough of Atlantic Highlands, County of Monmouth, and State of New Jersey which property is further known and designated as Block 141, Lot 1 on the Tax Map of the Borough of Atlantic Highlands; and

WHEREAS, the Applicant has applied to the Planning Board of the Borough of Atlantic Highlands for approval to install a 320 +/- square foot in-ground swimming pool with a concrete pool patio, retaining wall, six-foot waterfall and pool equipment on an existing undersized lot with the following nonconforming elements:

- a. Lot area of 6,500 square feet where 7,500 square feet is required (Section 150-29 (A) 2)(Exhibit 5-2).
- b. Lot frontage and width for a corner lot of 50 feet along Center Avenue where 75 feet is required (Section 150-29 (A) 2)(Exhibit 5-2).
- c. Front yard setback of 16.28 feet along Center Avenue and 5.68 feet along Avenue C where 20 feet is required (Section 150-29 (A) 2)(Exhibit 5-2).
- d. Corner lot depth of yard abutting streets less than the minimum front yard depth required (Section 150-50.A).
- e. Lot shape diameter of 30 feet where 45 feet is required (Section 150-29 (A) 2)(Exhibit 5-2).
- f. First floor area of 800 square feet where 900 square feet is required (Section 150-29 (A) 2)(Exhibit 5-2).

In addition the following variances are required:

- a. Accessory structure placed on a non-conforming lot that does not conform to the minimum lot area requirements (Section 150-49.1(3)(b)).
- b. Rear setback for accessory retaining wall of 2.8 feet where 5 feet is required (Section 150-29 (A) 2)(Exhibit 5-2).

- c. Detached accessory structure located in a front yard along Avenue C where accessory structures are not permitted in a front yard (Section 150-54.(A)(2).

The forgoing is contrary to the provision of the Development Regulations of the Borough of Atlantic Highlands; and

WHEREAS, the Applicant submitted the following Exhibits to the Planning Board for review:

1. Zoning Review of Zoning Officer Michelle Clark, dated September 9, 2021.
2. Application for Variance of Craig & Laura Domanski, dated September 29, 2021, received March 10, 2022.
3. Location Plan of Pool Town, dated July 14, 2021.
4. Topography Plan prepared by Martin G. Miller, III, dated July 14, 2021 revised November 23, 2021; and

WHEREAS, the application was scheduled for a hearing at the September 1, 2022 Planning Board meeting; and

WHEREAS, the Applicant contacted the Planning Board secretary and requested that the application be withdrawn without prejudice as the Applicant is not ready to proceed with the application at this time; and

WHEREAS, at its meeting conducted on September 1, 2022 the Planning Board considered the request and having not commenced the hearing and having made no determination as to the merits of the application the Planning Board finds that the application can be dismissed without prejudice.

NOW THEREFORE, BE IT RESOLVED by the Planning Board of the Borough of Atlantic Highlands on this 6th day of October 2022, that the request for dismissal without prejudice of **CRAIG & LAURA DOMANSKI** be and is hereby granted and the application is dismissed without prejudice.

BE IT FURTHER RESOLVED that nothing herein shall excuse compliance by the Applicant with any and all other requirements of this municipality or any other governmental entity.

BE IT FURTHER RESOLVED that a written copy of this Resolution, certified by the Secretary of the Planning Board to be a true copy, be forwarded to the Applicant, the Code Enforcement Official of the Borough of Atlantic Highlands, and the Construction Code Official of the Borough of Atlantic Highlands. A written copy of the certified Resolution shall also be filed in the office of the Administrative Officer of the municipality, which copy shall be made available to any interested party and available for public inspection during normal business hours.

BE IT FURTHER RESOLVED that a proper notice of this decision be published once in the official newspaper of the municipality or in a newspaper in general circulation within the Borough.

OFFERED BY: MR. HAWLEY

SECONDED BY: MR. McGOLDRICK

ROLL CALL:

YES: ZUZULOCK, HAWLEY, PEPE, McGOLDRICK, NEFF, JOSKO, KRUPINSKI, MAJEWSKI

NO: DOUGHERTY

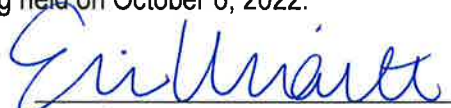
ABSTAIN: NONE

ABSENT: CACCAMO, CROWTHER, KURDES, BERTH



**Chairperson, Planning Board
Borough of Atlantic Highlands**

I certify that the above is a true and exact copy of the Resolution passed by the Planning Board of the Borough of Atlantic Highlands at its meeting held on October 6, 2022.



**Secretary, Planning Board
Borough of Atlantic Highlands**