

**IN THE MATTER OF
APPLICATION NO. PB 18-03
OF ALLA GAMZA
BLOCK 127 LOT 15**

**RESOLUTION APPROVING
WITHDRAWAL AND DISMISSAL
WITHOUT PREJUDICE**

WHEREAS, ALLA GAMZA, hereinafter the "Applicant", has proposed the development of property located at 53 Center Avenue, in the Borough of Atlantic Highlands, County of Monmouth, and State of New Jersey which property is further known and designated as Block 127, Lot 15 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 a approval to construct a second floor addition to the rear of an existing dwelling requiring a variance to permit principal side yard setbacks of 3.7 ft. (one side) and 16.4 ft. (combined), contrary to the provisions of Chapter 150, Article V, Section 150-29 of the Development Regulations of the Borough of Atlantic Highlands; and

WHEREAS, the subject property is located in the R-1 Zone District and single family homes with associated accessory structures are a permitted use in the Zone; and

WHEREAS, the application was deemed incomplete and the Applicant was requested to submit additional materials in order to render the application complete and ready for hearing; and

WHEREAS, by letter dated June 18, 2018 the Applicant has advised the Planning Board that he no longer wishes to move forward with the Planning Board application for the subject

premises at this time and has requested that the application be withdrawn; and

WHEREAS, the Planning Board finds that the application has not been deemed complete and has not been placed on an agenda for public hearing. The Planning Board further finds that, since the Applicant wishes to withdraw the application at this early stage of the process with the Planning Board not having deemed the application complete, not having considered any plans or evidence in connection with the application, it is appropriate to grant the Applicant's request for withdrawal without prejudice as the Planning Board has taken no testimony and has not considered any evidence and has taken no action in connection with the application.

NOW THEREFORE, BE IT RESOLVED by the Planning Board of the Borough of Atlantic Highlands on this 12th day of July, 2018 that the withdrawal of the application of **ALLA GAMZA** be and is hereby approved and the application is hereby 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: **Dr. Cetron**

SECONDED BY: **Mr. Hawley**

ROLL CALL:

YES: Mr. Illiano, Mr. Hawley, Mr. Caccamo, Dr. Cetron,
Mr. Colangelo, Ms. Hoffman, Mr. Neff, Mr. Pepe, Mr. McGoldrick

NO: None

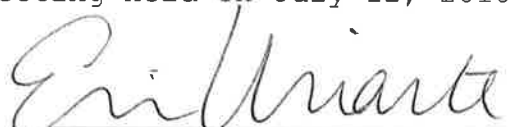
ABSTAIN: None

ABSENT: Mr. Fligor, Mrs. Murray, Mr. Illarraza



**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 July 12, 2018.



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