IN THE MATTER OF
APPLICATION NO. PB18-01
OF STEVEN KOZLOWSKI
BLOCK 19, LOT 1

RESOLUTION GRANTING
EXTENSION OF APPROVAL

WHEREAS, STEVEN KOZLOWSKI, hereinafter the "Applicant", has proposed the development of property located at 233 East Highland Avenue, in the Borough of Atlantic Highlands, County of Monmouth, and State of New Jersey which property is further known and designated as Block 19, Lot 1 on the Tax Map of the Borough of Atlantic Highlands; and

WHEREAS, the Applicant previously proposed, and by Resolution adopted September 13, 2018 received, variance approval on the subject of property to demolish an existing residential dwelling and to construct a new residential dwelling on the property including a two-story single family residence, attached garage, attached deck, driveway, sidewalk and a proposed septic system requiring variances for front yard setback of 7.5 ft. where 25 ft. are required, building coverage of 13% where 12% is permitted, steep slope Lot disturbance of 8,450 sq. ft. where 3,748 sq. ft. are permitted, and usable floor area ratio of 0.242 where 0.175 is permitted, contrary to the provisions of Chapter 150, Article V, Sections 150-29(A) and Section 150-29(E) and Exhibit 5-2 of the Development Regulations of the Borough of Atlantic Highlands; and

WHEREAS, the subject property is located in the R-3 Residential Zone District and single family residential homes with associated accessory structures are a permitted use in the zone; and
WHEREAS, the Applicant appeared before the Planning Board of the Borough of Atlantic Highlands on August 8, 2019, due notice of said meeting having been given in accordance with New Jersey Statutes, the Open Public Meetings Act and the Municipal Land Use Law and a quorum of the Planning Board being present, the application was heard; and

WHEREAS, pursuant to Chapter 150, Article III, Section 150-9.J. Variances expire within twelve months from the date of entry of the decision unless Construction shall have been actually commenced on each and every structure permitted by the variance; and

WHEREAS, pursuant to the aforesaid Section 150-9.J if the original Applicant submits a written request to the approving agency not less than thirty (30) days prior to the expiration of the original approval, the time limit may be extended by the approving agency for good cause shown for a period not to exceed two consecutive years commencing on the original date of expiration; and

WHEREAS, the variance approval previously granted shall expire pursuant to Section 150-9.J on September 12, 2018; and

WHEREAS, the original Applicant has submitted a written request for extension of approval by letter dated August 5, 2019 which date is not less than thirty (30) days prior to the expiration of the original approval; and
WHEREAS, the Planning Board of the Borough of Atlantic Highlands at its meeting conducted on August 8, 2019 considered the Applicant's request for extension of approval; and

WHEREAS, the Planning Board is satisfied that the Applicant has experienced unforeseen circumstances which have prevented the Applicant from commencing construction; and

WHEREAS, the Planning Board has found that there have been no changes to the Ordinance or changes to the character of the neighborhood surrounding the subject property such that the findings and conclusions contained in the Resolution adopted on September 13, 2018 supporting the grant of approval are unchanged and remain valid and the Planning Board having determined that it is appropriate at this time to grant the extension of approval.

NOW THEREFORE BE IT RESOLVED, by the Planning Board of the Borough of Atlantic Highlands on this 12th day of September 2019 that the application of Steven Koslowski for extension be and is hereby approved which approval is expressly conditioned upon compliance with the following terms and conditions:

1. This Resolution grants a two year extension of approval commencing on September 13, 2019 and concluding on September 12, 2021

2. All conditions of all prior Resolutions with respect to this application will be continuing conditions of this approval
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, 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: Dr. Cetron

ROLL CALL:
YES: Mr. Hawley, Mr. Caccamo, Dr. Cetron, Mr. Pepe, Mrs. Murray, Mr. Colangelo, Mr. Dougherty, Ms. Drew, Mr. McGoldrick

NO: None
ABSTAIN: None
ABSENT: Dr. Kloby, Mr. Fligor, Mr. Neff
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 September 12, 2019.

Secretary, Planning Board
Borough of Atlantic Highlands