

**IN THE MATTER OF
APPLICATION NO. PB24-17
OF TIMOTHY P. GORDON
BLOCK 15 LOT 3.02**

**RESOLUTION DISMISSING
APPLICATION WITHOUT
PREJUDICE**

WHEREAS, TIMOTHY P. GORDON, hereinafter the "Applicant", has proposed the development of property located at 12 Bayside Drive, in the Borough of Atlantic Highlands, County of Monmouth, and State of New Jersey which property is further known and designated as Block 15, Lot 3.02 on the Tax Map of the Borough of Atlantic Highlands; and

WHEREAS, the Applicant has applied for approval from the Planning Board of the Borough of Atlantic Highlands to construct a second story addition, expansion to the front of the existing home, add a rear deck and expand the existing driveway which requires relief from Chapter 150, Articles V and VII, Sections 150-29 and 150-78 of the Development Regulations of the Borough of Atlantic Highlands so as to permit the proposed construction requiring the following variances:

- A. Lot coverage of 15.5% where 12% is the maximum permitted (Section 150-29(A)(2) (Exhibit 5-2)
- B. Lot impervious surface coverage of 34.1% where 30% is the maximum permitted (Section 150-29(A)(2) (Exhibit 5-2)
- C. Lot coverage in steep slope area of 4,836.40 sq. ft. where 3,491.48 s. ft. is permitted (Section 150-78(E).
- D. Impervious coverage in a steep slope area of 4,836.40 sq. ft. where 4,063.05 sq. ft. is permitted (Section 150-78(E).

The foregoing is contrary to the provisions of Chapter 150, Articles V and VII, Sections 150-29 and 150-78 of the Development Regulations of the Borough of Atlantic Highlands; and

WHEREAS, the subject property is located in the R-3 Zone District and single-family residential home use is a permitted use in the zone; and

WHEREAS, the application was rescheduled to be heard at the June 5, 2025 Planning Board meeting; and

WHEREAS, the Planning Board has now received email correspondence from the Applicant's attorney requesting that they be removed from the agenda and advising that they are in the process of revising plans and have decided not to move forward with the project at this time; and

WHEREAS, at the meeting conducted on June 5, 2025 the Planning Board considered the request and having not commenced a hearing and having made no determination as to the merits of the application the Planning Board finds that the Applicants request for withdrawal of the application should be approved and that the application should be dismissed without prejudice.

NOW THEREFORE, BE IT RESOLVED by the Planning Board of the Borough of Atlantic Highlands on this 15th day of July, 2025, that the request of **TIMOTHY P. GORDON** for dismissal without prejudice and withdrawal of the Application be and is hereby approved and that 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:

SECONDED BY:

ROLL CALL:

YES:

NO:

ABSTAIN:

ABSENT:

**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 15, 2025.

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