

**EASTAMPTON TOWNSHIP LAND USE PLANNING BOARD  
RESIDENTIAL APPLICATION SUPPLEMENTAL INFORMATION PACKAGE**

**Submitted by Attorneys for Applicant**

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**Date:** December 6, 2023

**Applicant:** Walter and Kim Tafe (collectively the "Applicant")

**Applicant's Telephone Number:** 609-668-1874

**Applicant's Email Address:** [wktafe@live.com](mailto:wktafe@live.com)

**Attorney for Applicant:**

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**Block:** 1401.02 **Lot:** 2

**Property Address:** 19 Durham Lane, Eastampton, NJ

**Size of Lot:** approximately 182.00- x 220.00- ( 40,040 SF/ 0.919 acres) pre-existing non-confirming condition)

**Existing dwelling:** 2.5 story framed Dwelling 3 bedrooms, 2.5 baths, 1,716,97 sq. ft.

**Property Zoning District:** RU-L- Rural Residential Low Density District (section 540-16 of the Township code)

Homeowners Association Approval (if applicable): N/A

SEPTIC/PUBLIC SEWER (please circle one) WELL/PUBLIC WATER (please circle one)

**Property Owner(s):** Walt and Kim Tafe (husband and wife).

**Contractors Name:**

GALLAHER + SONS CONSTRUCTION CO, INC.  
277 E. Clinton Street  
Clayton, NJ 08060  
609.517.2314  
[ggallaher1@verizon.net](mailto:ggallaher1@verizon.net)

**PROJECT DESCRIPTION**

The Applicant has resided in a 2.5 story framed single-family detached dwelling located at 19 Durham Lane, Eastampton, NJ, currently consisting of 3 bedrooms, 2.5 baths. The Applicants proposes to construct an addition to their home (Approx. 24 feet in length x 18 feet in width or approximately 438 sq. ft) for a master bedroom, master bathroom and walk-in closet. The proposal includes new wooden steps with riser down to the grade as required by Code. The proposed addition's height will be 16 feet, 9 inches.

The Township's zoning officer denied the applicant a zoning permit and required the applicant to this application for the following bulk variances:

- 1) **Lot Area** 5 Acres is required; existing 0.919 acres; proposed is no changes. This is a pre-existing non-conforming condition;
- 2) **Lot Width:** 200ft is required; existing is 182 feet; proposed is no change. This is a pre-existing non-conforming condition
- 3) **Side Yard Setback:** 50 feet is required; existing is 57.3 feet ; proposed is 39.21 feet.

A residential dwelling is a permitted use in the RU-L zoning district. The requested bulk variances and any necessary bulk variances can be granted under N.J.S.A. 40:55D-70 (c) of the Municipal Land Use Law. The Applicant will demonstrate (1) that they will suffer undue

hardship if the variance is not granted (positive criteria); and (2) that the variance will not result in a substantial detriment to the public good or the zoning plan ( negative criteria).

The existing single-family structure already has pre-existing non-conforming conditions related to Lot Area, Lot Width and Side Yard setback. The proposed additional will not significantly change such non-conforming conditions. The positive criteria for granting the variances may be granted under Subpart c (1) since existing conditions make exceptional practical difficulties to comply with the bulk requirements under the zoning ordinance. See Davis Enters. v. Karpf, 105 N.J. 476, 493, 523 A.2d 137 (1987) (in discussing the existence of a nonconforming structure on an unusually shaped lot, Justice Stein said: "The existence of a nonconforming structure may justify a variance from maximum land-coverage requirements.". "...the strict enforcement of the zoning ordinance, in view of that property's unique characteristics, imposes a hardship that may inhibit *the extent* to which the property can be used." Id.)

Additionally, the positive criteria for granting the variances may be granted under Subpart c He has resided at the subject property for 12 years, which was built in 1981 He has resided at the subject property for 12 years, which was built in 1981 He has resided at the subject property for 12 years, which was built in 1981 He has resided at the subject property for 12 years, which was built in 1981 He has resided at the subject property for 12 years, which was built in 1981 He has resided at the subject property for 12 years, which was built in 1981 He has resided at the subject property for 12 years, which was built in 1981 He has resided at the subject property for 12 years, which was built in 1981 He has resided at the subject property for 12 years, which was built in 1981 He has resided at the subject property for 12 years, which was built in 1981 (2) since it would advance purposes of zoning under section 540-2 of the Eastampton Land Use ordinance by (i) promoting a desirable visual environment through good civil design and (i) promote the general safety and welfare of

the citizens of the Township by promoting a safe and accessible senior citizen housing and allowing for a handicap accessible bedroom and bathroom.

The Applicant have resided at the subject property for 12 years, which was built in 1981. Walter Tafe, is a senior citizen (68 years old) and is a 100% disabled veteran.. Walter's disability includes severe back and hip injuries that occurred during his 30 years of active military duty. Since his military retirement, Walter Tafe had three surgical procedures in an attempt to relieve his pain. Walter suffers from spasms and arthritis in the lower back. He is schedule for additional medical surgery next summer. The proposed master bedroom suite will provide Walter Tafe with a safer and more accessible environment given is current disability, and allow him to recover at home from is additional medical surgery. He desires to avoid the need to reside at a rehabilitation facility, particularly given the poor pass history of COVID cross-contamination within rehabilitation facilities located in New Jersey. The proposed addition to his existing home will strengthen the family unit, enabling his daughter and grandchild to more frequently visit the Tafes, rather than travel to an assisted living or rehabilitation facility.

The applicant will demonstrate that the variance will not result in a substantial detriment to the public good or the zoning plan (the negative criteria). The Applicant will demonstrate there is adequate off-street parking, since only two adults reside at this property. The proposed addition will not negatively impact the stormwater management, since the proposed new gutters system will prevent any runoff onto the adjacent property. The design and appearance of the addition will be consistent with the characteristics of the neighborhood.