



## Montgomery Township Zoning Hearing Board

**Meeting Date: October 2, 2019**

*The agenda for the scheduled hearing is as follows:*

**1. Application #19080003 Giorno Properties III / 111 Domorah Drive** – The applicant is the owner of the 2.24 acre property located at 111 Domorah Drive within the LI – Limited Industrial District. The property is currently improved with an 8,520 square foot single story building, outdoor fenced storage yard, and associated parking. The owner/applicant operates a fencing company, The Fence Guys, at this location. The applicant submitted an application requesting the following relief from the Code of Montgomery Township:

1. Variances by Estoppel from the provisions of Sections 230-111 and 230-112 of the Code of Montgomery Township in order to continue the outdoor sales and storage of fences and fencing material and supplies.
2. In the alternative, variances from the provisions of Sections 230-111 and 230-112 of the Code of Montgomery Township in order to allow the continued use of the property for the outdoor sales and storage of fences and fencing materials and supplies.
3. In the alternative, applicant respectfully submits that the use of the property for the outdoor sales and storage of fences and fencing materials and supplies is a natural expansion of its permitted use.

An email was received August 20, 2019 by the attorney amending the application withdrawing any reference to “outdoor sales” and the use of the term “storage” is meant to reference outdoor displays.

**2. Application #19030001 OSJ of Montgomeryville LLC / 988 Bethlehem Pike** – The applicant purchased the 5.47 acre property located at 988 Bethlehem Pike. The property is currently improved with a 37,576 square foot building, parking lot, and associated improvements and follows the HLI II Overlay District (Highway Limited Industrial II) regulations. The building was formerly occupied by the Babies R Us specialty retail store. The applicant proposes to operate an Ocean State Job Lot discount retail store. Per Section 230-227B(1) of the Code of Montgomery Township, a “specialty retail use” is a retail use that does not sell general merchandise. A specialty retail use is characterized by an inventory materially limited to one specific market and generates less traffic volume than a retail store that carries general merchandise including large volume discount merchandise stores. The applicant requests relief from the following provisions of the Code of Montgomery Township in order to allow the proposed discount retail store:

1. Variance from Section 230-227 – *Use Regulations*
2. Interpretation of Section 230-230 – *Conditional Use Standards and criteria* – If the variance is granted, a Conditional Use is not required or in the alternative, a variance from the Conditional Use requirement.
3. Variance from Section 230-134 – *Required Parking* – to allow 163 parking spaces rather than the required 188 parking spaces. (455 parking spaces exist for entire development)

**\*\*Copies of the Application(s) and accompanying documents are on file in the Township’s Planning and Zoning Department and may be seen upon request.**