



Montgomery Township Zoning Hearing Board

Meeting Date: July 10, 2019

The agenda for the scheduled hearing is as follows:

1. Application #19060001 Target Corp. / Witchwood Drive - The applicant, Target Corp., is the owner of the 12.41 acre property located at 125 Witchwood Drive. The Target parcel adjoins a 9.98 acre parcel owned by KIR Montgomery 049, LLC, a Kimco Realty entity. The Target and Kimco parcels are part of a unified development improved with a retail shopping center, internal access driveways, and surface parking. The parcels were developed under the ECPOD, Expressway Corridor Preservation Overlay District Regulations.

The applicant proposes to install a double-sided internally illuminated freestanding sign, 120 square foot in size with an overall height of 15 feet at the corner of Witchwood Drive and Knapp Road on the adjacent Kimco parcel. The proposed sign includes a 64 square foot panel for Target and six smaller panels for additional tenants. The maximum size allowed is 100 square feet with a minimum setback of 33 feet from the edge of the road / curb line.

The applicant requests variances from the following provisions of the Code of Montgomery Township:

1. Section 230-127A to permit an off-premises free-standing monument sign on the adjacent parcel.
2. Section 230-127A(4)(b)[1] to permit a free-standing monument sign to exceed 5 feet in height and 34 square feet in size.
3. Section 230-127A(9) to allow the off-premises sign as shown on the sign plans.
4. Such other relief as the Zoning Hearing Board may deem necessary to permit the proposed sign in conformity with the application and exhibits.

2. Application #19060002 Marcelis / 101 Madison Court – The applicants, Mark and Marie Marcelis, are co-owners of the property located at 101 Madison Court within the Autumn Grove development. The property sits within the CA District (Curative Amendment) and follows the R-3 and R-5 regulations. The 11,341 square foot corner property is currently improved with a 1,726 square foot single family home, patio, and split rail fence. The applicants constructed a freestanding 16x16 foot pavilion / roof structure on the existing patio off the rear of the home 20 feet from the rear property line.

The applicants seek variances from the provisions of Sections 230-36A(1)(c) and Section 230-66C(3) regarding rear yard, where 40 feet is required, 30 feet is currently provided and request to allow a rear yard of 20 feet for the pavilion / roof structure in the CA Residential District through the R-3 and R-5 regulations of the Code of Montgomery Township.

3. Application #19060003 Raminani / 59 Douglass Road - The applicants, Lokadri and Vijaya Raminani, are co-owners of the property located at 59 Douglass Road. The 20,000 square foot property sits within the R-2 Residential District and is currently improved with a 2,709 square foot single family home, 375 square foot sunroom addition, and 150 square foot deck.

The applicant seeks a variance from the provisions of Section 230-33 of the Code of Montgomery Township in order to complete construction of a basement egress concrete stairwell along the side of their home 12 feet from the property line where a minimum of 15 feet is required.

4. Application #19030001 OSJ of Montgomeryville LLC / 988 Bethlehem Pike – **CONTINUED TO AUGUST 7, 2019 from the June hearing** - 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.**