

IN THE MATTER OF THE APPLICATION OF

LANEE ROSADO

**FOR APPROVAL OF BULK VARIANCES
FOR THE PROPERTY LOCATED AT**

**517 AUDUBON AVENUE
BOROUGH OF AUDUBON, NJ
BLOCK 148.03 – LOT 14**

**BOROUGH OF AUDUBON
JOINT LAND USE BOARD
RESOLUTION OF
MEMORIALIZATION**

RESOLUTION NUMBER 2026-02

WHEREAS, Lanee Rosado, whose address is 517 Audubon Avenue, Audubon, New Jersey 08106, hereinafter referred to as the “Applicant”, is the owner of the property located at 517 Audubon Avenue, Audubon, New Jersey, which is also designated on the Tax Map of the Borough of Audubon as Block 1148.03, Lot 14, hereinafter referred to as the “Property”; and

WHEREAS, the Property is located in the (R) Residential Zoning District; and

WHEREAS, the Property consists of an irregularly shaped interior lot which is forty four feet (44’) wide at the frontage along Audubon Avenue but has a rear lot line width of 62.12 feet, a western lot line extending 145 feet to the rear lot line and an eastern lot line extending 145.55 feet to the rear lot line, upon which is situated a one and one-half story, single family residential dwelling; a rear enclosed patio; a detached garage; a patio; a driveway; walkways; and associated site improvements; and

WHEREAS, the Property currently includes a preexisting, nonconforming condition, *to wit*: the lot coverage on the Property is 43.5% where, pursuant to Ordinance § 113-382(3)(c)(2), the maximum permitted lot coverage is forty percent (40%); and

WHEREAS, the Applicant proposes the construction of an inground pool and surrounding concrete apron with overall dimensions of fourteen feet by twenty-eight feet (14' x 28'), together with a surrounding concrete apron three feet (3') in width; and a concrete pad for the installation of pool equipment, which would occupy a total of four hundred and twenty-five (425) square feet and thereby increase the lot coverage at the Property from 42.5% to 53%; and

WHEREAS, pursuant to Ordinance § 113-382(3)(c)(2), the maximum permitted lot coverage in the R Zoning District is forty percent (40%); the existing lot coverage at the Property is 44.7% and the Applicant's proposal will result in lot coverage at the Property totaling 49.2% and the Applicant, therefore, requires bulk variance relief pursuant to N.J.S.A. 40:55D-70(c) permitting an excess over the maximum permitted lot coverage in order to install the pool as proposed; and

WHEREAS, pursuant to Ordinance § 113-449, no pools shall be located within front or side yards or within rear setback lines, the pool proposed by the Applicant is located partially in a side yard area, encroaching 1.9 feet into the required 11.9 foot side yard setback at the Property and the Applicant, therefore, requires bulk variance relief pursuant to N.J.S.A. 40:55D-70(c) permitting a pool to be partially located in a side yard area; and

WHEREAS, Steven M. Bach, PE, RA, PP, CME Engineer for the Joint Land Use Board of the Borough of Audubon, has submitted a report dated March 6, 2026 which report, and the requirements noted therein, are incorporated herein by reference, and

WHEREAS, the Application came before the Joint Land Use Board of the Borough of Audubon for Public Hearing on Wednesday, March 11, 2026 with the following members being

present: Mayor Robert Jakubowski; Commissioner David Alemi; Chairman, David Thompson; Vice-Chairman, Mark Owens; Steve Connelly; Dan Gaspari; Paul Hartstein; James Rossell, Jr.; and Michael Sullivan; along with Steven Bach, P.E., C.M.E., R.A., C.M.E., Engineer for the Joint Land Use Board; Matthew P. Madden, Esquire, Solicitor for the Joint Land Use Board; and Stephanie Jennetta, Secretary for the Joint Land Use Board; and

WHEREAS, the Applicant submitted with this application the following upon which the Board relied, in part, in rendering its decision:

- a. Borough of Audubon Land Development Application dated February 20, 2026.
- b. Property Survey prepared by Francis A. Draves, III, P.L.S., entitled “Plan of Survey, Borough of Audubon, Camden Co., New Jersey, Block 148.03, Lot 14” dated September 30, 2025.
- c. Plan entitled “Pool Grading Plan, Lot 14, Block 148.03” prepared by James E. Maccariella, Jr., P.E. dated December 17, 2025.
- d. Proofs of Service and Publication of Public Notice; and
- e. Notice of Hearing to Property Owners.

WHEREAS, the Board duly considered the application in detail; and

WHEREAS, appearing at the public meeting to testify on behalf of the application was Lanee Rosado, owner of the Property and the Applicant herein, who was sworn in and testified and responded to the questions from the members of the Joint Land Use Board and Board Professionals; and

WHEREAS, testimony was taken from the Applicant regarding the application, with such testimony being provided as follows:

1. The Applicant would like to install a pool for family get togethers and to assist her with the exercises needed for certain ailments from which she suffers.
2. The Applicant will comply with the terms and conditions contained within the review letter prepared by the Board Engineer, including the installation of a stormwater recharge system and ensuring that the required fencing is installed.
3. The Applicant seeks variance relief because the pool is located partially in a side yard area and because the pool will cause an increase in lot coverage over the maximum permitted by Ordinance.
4. The pool will be constructed in accordance with the plans submitted with the application.
5. The Applicant has no objections to complying with the terms and conditions of the engineering review letter prepared by Steven M. Bach, PE, RA, PP, CME dated March 6, 2026.
6. The Applicant intends to install a storage and infiltration system which will offset all coverage on the Property which is in excess of forty percent (40%).
7. The Applicant acknowledges that a plan for such infiltration must be submitted to and approved by the Board Engineer before construction permits will be issued for the project.
8. The Applicant believes the pool will be a great improvement to the home.

WHEREAS, the meeting was opened to the public and, there being no members of the public who appeared to question the Applicant or provide comments on the application, the public portion of the hearing was duly closed; and

WHEREAS, the application was reviewed and discussed at length at the meeting, and

WHEREAS, upon Motion duly made by David Thompson and seconded by Dan Gaspari with respect to the approvals sought and described herein, the Joint Land Use Board of the Borough of Audubon unanimously approved the application by a vote of nine (9) in favor and zero (0) opposed based upon the sworn testimony of the Applicant and the conditions as set forth above and hereafter.

The voting on the application was as follows:

Mayor Jakubowski:	Yes
Commissioner Alemi:	Yes
David Thompson:	Yes
Mark Owens:	Yes
Steve Connelly:	Yes
Dan Gaspari:	Yes
Paul Hartstein:	Yes
James Rosell, Jr.:	Yes
Michael Sullivan:	Yes

NOW THEREFORE, The Joint Land Use Board of the Borough of Audubon makes the following findings of fact and conclusion of law, to wit:

1. The application and public notices are in proper order as required by statute and ordinance.
2. The Applicant is the owner of the Property and, thus, has standing to pursue the relief described herein.
3. The Applicant seeks bulk variance relief pursuant to N.J.S.A. 40:55D-70(c) permitting (a) lot coverage totaling 53% where, pursuant to Ordinance § 113-382(3)(c)(2), the

maximum permitted lot coverage in the R Zoning District is forty percent (40%); and (b) permitting an inground pool to be partially located in a side yard area, being located ten feet (10') from the eastern lot line.

4. The Applicant has demonstrated the requisite proofs in accordance with the Municipal Land Use Law and the Borough of Audubon land development ordinance for the granting of the bulk variances described herein. Specifically, the applicant has demonstrated that the proposal benefits the general welfare in that it advances certain purposes of the Municipal Land Use Law and that the benefits in granting the requested relief substantially outweigh any detriments; and that the granting of such variance relief will not substantially impair the intent and purpose of the zone plan and zoning ordinance and that the granting of same will not operate as a substantial detriment to the public good.

5. The Applicants' testimony, as set forth above, is hereby incorporated in these findings of fact.

6. The Joint Land Use Board of the Borough of Audubon grants approvals for the bulk variances described herein; the installation of the pool described herein and as described in the Applicant's submissions.

NOW THEREFORE BE IT RESOLVED that the Application of Lanee Rosado for bulk variance approvals permitting 53% lot coverage and for the pool, to be located partially in a side yard area as aforesaid are hereby approved as noted above.

BE IT FURTHER RESOLVED that the approvals are expressly conditioned upon (a) the Applicant complying with all testimony, submissions and representations made at the time of the

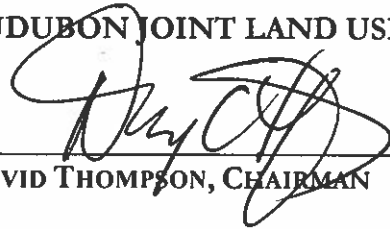
public hearing; and (b) the Applicant obtaining any and all necessary permits and outside agency approvals; (c) the Applicant complying with any and all comments and conditions identified within the report dated March 6, 2026 prepared by Steven M. Bach, P.E., P.P., C.M.E.; (d) the Applicant designing an infiltration system to offset the excess lot coverage, with the design and specifications for such system submitted to and subject to the review and approval of the Board Engineer in advance of permits being issued for the project; (e) the Applicant submitting a grading plan to the Board Engineer which shall be subject to the review and approval of the Board Engineer in advance of permits being issued for the project.

BE IT FURTHER RESOLVED that the Applicant comply with all the other terms and conditions of the Zoning Ordinance and Building Code of the Borough of Audubon, and the Statutes of the State of New Jersey.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the Applicant following its adoption.

The foregoing is a true and memorializing resolution adopted by the Borough of Audubon Joint Land Use Board and is in accordance with its decision at its regular monthly meeting of March 11, 2026.

AUDUBON JOINT LAND USE BOARD



DAVID THOMPSON, CHAIRMAN

Dated: April 8, 2026

CERTIFICATION

I hereby certify that the foregoing resolution is a true memorialization of the Joint Land Use Board hearing on this matter held on March 11, 2026, as memorialized by the Joint Land Use Board of the Borough of Audubon at the regular meeting of the Joint Land Use Board held on April 8, 2026.

Dated: April 8, 2026


STEPHANIE JENNETTA, SECRETARY