



CRANBURY TOWNSHIP

Middlesex County, New Jersey

DENIAL OF APPLICATION

August 26, 2022

Applicant's Name: John P. Repko

Subject Property: 46 Cranbury Neck Road **Block:** 23 **Lot:** 141 **Zone:** A-100

Dear Applicant:

Your application to RECONSTRUCT AND CONVERT EXISTING FARM BUILDINGS INTO A MULTI-PURPOSE FAMILY ENTERTAINING SPACE BUILDING, OFFICE/STUDIO BUILDING, AND STORAGE AND GREENHOUSE BUILDING at the above-referenced property was denied for the following reasons:

1. A "multi-purpose family entertaining space" building that includes a living, entertaining space for the homeowners, bathroom, and kitchenette, is not an expressly permitted accessory use in the A-100 zone, and, pursuant to § 150-14 (A)(9), only accessory uses and accessory buildings customarily incidental to the permitted principal uses and located on the same lot can be permitted.

To be considered a permitted accessory use, the proposed building and its use must be naturally and normally incident and subordinate to the principal use or customarily incident to such use, and must be minor in significance when compared to the primary use of the property. To be considered customarily incidental to the principal use, the proposed building and its use must be commonly, customarily and by long practice established as reasonably associated with the primary use. The fact that somewhat similar accessory incidental uses appear in only a small percentage alongside single-family uses in Cranbury Township does not necessarily determine the use to be customary for homeowners in Cranbury Township.

Therefore, due to a lack of factual record that indicates that the proposed accessory use is customary for homeowners in Cranbury Township, the proposed use cannot be determined to be considered an implied permitted accessory use, and a use variance from the Zoning Board of Adjustment shall be required. Moreover, if the proposed building is not determined by the board to be accessory to the principal single-family use of the lot, a use variance from the provisions of § 150-14 (A) and § 150-

Appeal information:

Appeals to the Zoning Board of Adjustment may be taken by any interested party affected by any decision of the Zoning Officer based on or made in the enforcement of the Zoning Ordinance or Official Map in accordance with the provisions of § 150-70 (E) of the Land Development Ordinance within 20 days of the issuance of the decision.

33 (F) of the Land Development Ordinance pertaining to the number of principal structures on residential lots shall be required.

2. Pursuant to § 150-11 (A)(1)(c)(2) of the Land Development Ordinance, farm buildings shall be located not less than 50 feet from a property line. Pursuant to § 150-14 (B)(1)(g) of the Land Development Ordinance, the minimum distance between lot lines and places of outdoor activity such as recreation areas and areas of assembly is 150 feet. Therefore, a variance shall be required to convert a farm building that is located approximately 135 ft. from the side property line into a “multi-purpose family entertaining space” building.
3. Please provide complete architectural drawings for the proposed conversion of a barn into an office/studio building, including floor plans for each level, in order to determine whether the proposed building is a permitted accessory structure. Only one dwelling unit shall be located on the lot, and no other structure or portion thereof shall contain a dwelling unit designed for human habitation. Pursuant to § 150-33 (F) of the Land Development Ordinance, in the A-100 Zone no more than one principal structure shall be permitted on each lot.
4. Historic Preservation Commission approval is required for the exterior modifications of the existing barn buildings.
5. Complete architectural plans for the conversion of each building shall be provided.

If you have any further questions, please do not hesitate to contact me at the phone number provided below.

Sincerely,

Andrei Alexeev

Andrei Alexeev
Zoning Officer
Township of Cranbury
23A N. Main Street
Cranbury, NJ 08512
609-664-3167

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