

March 7, 1966

A meeting of the Zoning Board of Adjustment was held on the above date with Mr. Warner, Chairman presiding. Mr. Magnus and Mr. Pellet were present. Mr McNulty and Mr. Honeyman were absent.

Mr. Hyman, real estate agent represented Mr. Lustig

2066 The Chairman stated that the Board had inspected the site in question and called for action by the Board

Mr. Pellet offered the following Resolution, seconded by Mr. Magnus and carried by roll call vote showing all in favor.

WHEREAS Jules Lustig has applied to the Board of Adjustment of the Township of Roxbury for approval of a Midas Muffler Shop to be located on Route 46, Kenvil, in the Township of Roxbury, which premises are designated as Block 39, lot 16, and are located in a limited Industrial District Zone, as Board of Adjustment approval is required for all public garages as a special exception, and for a variance from the provisions of 1704(g) as said premises are located within 1,500 feet from the building line of another public garage, and

WHEREAS the Board of Adjustment of the Township of Roxbury held a public hearing on the matter on March 2, 1966 and does hereby make the following findings of fact:

1. The applicant has drawn his plans to conform with all requirements requested by the Planning Board.
2. All other provisions of Articles 1702 and 1704 have been complied with by the applicant.
3. No variance for signs is requested at this time.
4. The premises in question will be used as a Midas Muffler Shop and not for the sale of gasoline or related products.
5. There is a Volkswagen repair shop about 650 feet East of the premises, a Gulf Gas Station approximately 500 feet West of the premises and a Sunoco Station approximately 600 feet West of the premises.
6. The operation of the Midas Muffler establishment would be odor free, noise free and waste free. A provision has been made for storage of waste products outside the building, to be located in a small shed until trucked away.
7. All work is to be performed inside of the building and therefore will not detract from adjacent surroundings.
8. There will be no adverse safety factor, as there is to be no sale of gasoline or related products upon the property.
9. The State Highway Department has given approval for the highway cuts.
10. Only the portion of the building facing East will be used as a Midas Muffler Shop for the rest of the property no variance is granted.
11. The work is limited to the installation of brakes, front end work, shocks and mufflers.
12. There are to be three lifts and all work is to be done inside of the building.
13. The application has consented to hours of operation to be 8:00 A.M. to 6:00 P.M. during the week and will be closed on Sundays so that there would be no work performed on Sunday.
14. There were no objections from anyone in the audience relating to the applicant.
15. There is no other type operation like this in the Township of Roxbury and it would serve the general welfare of the Township by having such an operation located within the Township.
16. Though the item is classified as a public garage under Section 325 of the Zoning Ordinance, it is felt by the Board that the installation of mufflers, tail pipes, brakes and front end work can be performed on the premises without substantial detriment to the public good and to the Zoning Ordinance of the Township of Roxbury, notwithstanding the fact that the above mentioned Service Stations are located within 1500 feet thereof.

NOW, THEREFORE, based upon the foregoing findings of fact, this Board hereby approves the application for a special exception use, to use the premises as a Midas Muffler Shop and does hereby grant a variance from the provisions of 1704(g), as such relief can be granted without causing substantial detriment to the general welfare, the Zoning Ordinance and zoning plans of the Township of Roxbury, and upon the conditions that the hours of operation be limited to those as set forth above and that no work is to be performed on the premises on Sunday.

There was no further business and the meeting was adjourned at 8:45 P.M.

Respectfully submitted,
Ruth H. Thiele

2NaHB