

FILE NO: ZB 20 -6704

DATED: April 13, 2020

TO: MDLN Corporation

Dear Sir or Madam:

Your request for (a building permit to construct or make alterations to) (permission to use) the premises hereinafter described has been denied for the reasons set forth below:

1. Property is located at Block 178 Lot 293 & 294
165 Amboy Road, Morganville, New Jersey 07751
2. Property is located in a IOR Industrial Office Research Zone.
- 3a. The Zoning Ordinance Area, Yard, and Building Requirements are:
Lot Area 5 Acres Frontage 300' Width 300' Depth 300'
Front Yard Setback 80 feet Side Yard Setback 70' (principal structure)
And 50' (accessory structure) Rear Yard Setback 80' (principal)/ 60 (accessory)
Land Coverage 35%Total Building)/60% Total Impervious Other: FAR: 0.35
- 3b. Any previously granted variances for the subject property ZB 16-6567 Use Variance granted for adult medical daycare
- 4a. Proposed construction involves the following (describe the proposed construction)
To use suites 600-604 for private school use (Smart Start Academy)
for office use only
- 4b. Your request involves the following use or change of use: Schools are a conditional use if they are stand alone buildings on a lot of not less than a ten acre lot plus one additional acre for each 100 pupils. This lot does not meet the conditions of the conditional use and therefore requires a use variance. This lot does not meet any of the conditions of the conditional use.
- 4c. Deviations from the Ordinance Requirements due to proposed construction
Lot Area 13.08 acres Frontage _____
Front Yard Setback _____ Side Yard Setback _____
And _____ Rear Yard Setback _____
Land Coverage _____ Other _____
5. The Zoning Ordinance does not permit the proposed use in the zone.
 The Zoning Ordinance requires a Conditional Use Permit for this proposed use.
 Applicant needs a Hardship Variance.
 Other
6. Additional Remarks 220-104 Private and parochial schools - Conditions of the conditional use not met and therefore requires a use variance.



Zoning Officer

*Township of Marlboro, NJ
Monday, January 13, 2020*

Chapter 220. Land Use and Development

Article IV. Zoning: Conditional Permit Procedures and Requirements

§ 220-104. Private and parochial schools; private or public institutions of higher learning.

[Amended 5-25-1995 by Ord. No. 22-95]

Private and parochial schools, including private or public institutions of higher learning or private trade or vocational schools, may be permitted, provided that:

- A. The curriculum of the proposed school shall be approved by the New Jersey Department of Education.
- B. The minimum lot area for an elementary school shall be 10 acres, plus one additional acre for each 100 pupils. The minimum lot area for an intermediate school or trade or vocational school shall be 20 acres, plus one additional acre for each 100 pupils. The minimum area for a high school shall be 30 acres, plus one additional acre for each 100 pupils. The minimum area for an institution of higher learning shall be 50 acres, plus one additional acre for each 100 students. No more than 10% of the site shall be covered by buildings.
- C. A front and rear yard, each with a depth of not less than 150 feet, and two side yards, each with a width of not less than 100 feet, shall be provided. No parking or play area shall be allowed within 75 feet of any street or property line.
- D. Off-street parking shall be provided in the following ratio: Elementary and intermediate schools shall provide one parking space for each staff member or employee, plus two parking spaces for each classroom, plus adequate space for buses and delivery vehicles. High schools shall provide one parking space for each staff member or employee, plus five spaces for each classroom, plus adequate space for buses and delivery vehicles. Trade or vocational schools shall provide one parking space per 100 square feet of gross floor area. Institutions of higher learning shall provide one parking space per 150 square feet of gross floor area.
- E. A driveway shall not open onto a public street within 150 feet of an intersection of such street with another public street. In determining the suitability of proposed or existing driveways upon the site, the approving agency shall consider such factors as grade and site clearance; the number and pattern of driveways; the number, location of design of ingress and egress points; the volume of traffic which may be anticipated on the site and on adjoining roads; and the condition and width of pavement of adjoining roads.

- F. Illumination for night athletic activities shall be shielded from view of adjoining streets and residential areas.
- G. The application shall include a complete set of architectural plans and specifications of existing and proposed buildings and structures and a statement setting forth in general terms the proposed courses of instruction. This statement shall indicate the grade levels of the pupils to be housed in the building or buildings, the planned pupil capacity of such building or buildings and the contemplated eventual enrollment of the school.