

February 10, 2022

**VIA HAND DELIVERY AND EMAIL**

Borough of Haddonfield Zoning Board  
Haddonfield Borough Hall  
ATTN: Tavis A. Karrow, Zoning Board Secretary  
242 Kings Hwy East  
Haddonfield, NJ 08033

Re: **Tequesta Properties, Inc.**  
**Application for Use Variance Approval and Waiver of Site Plan**  
**227 Kings Highway East / Block 18, Lot 5**  
**Borough of Haddonfield, Camden County, New Jersey**  
**Our File: TEQ.001.10112**

Dear Mr. Karrow:

On behalf of our client, Tequesta Properties, Inc. (the “Applicant”), enclosed please find the following, which we are submitting in connection with the above-captioned Application for Use Variance Approval and Waiver of Site Plan Review, for improvements proposed at 227 Kings Highway East, in the Borough of Haddonfield:

- 1) Borough of Haddonfield Land Use Application, and Application Addendum – one (1) original and twenty (20) copies;
- 2) Architectural Floor Plans, prepared by Thomas Baglivo, AIA, of Baglivo Associates, consisting of two (2) sheets, dated January 26, 2022 – twenty (20) copies;
- 3) Property Survey of Existing Conditions, prepared by Steven R. Kelly, PLS, PP, dated September 16, 2019 – twenty (20) copies;
- 4) Photograph of Existing Exterior Conditions – twenty (20) copies;
- 5) Our Firm’s Check (No. 414308), in the amount of \$400.00 made payable to “Borough of Haddonfield,” intended to address the Application Fee for this matter;
- 6) Our Firm’s Check (No. 414312), in the amount of \$1,500.00 made payable to “Borough of Haddonfield,” intended to address the Legal Review Escrow Fee for this matter; and

Mr. Karrow  
February 10, 2022  
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Our Firm's Check (No. 414309), in the amount of \$2,000.00 made payable to "Borough of Haddonfield," intended to address the Engineering Review Escrow Fee for this matter.


The Applicant is requesting that the Haddonfield Borough Zoning Board approve a Use Variance to permit the existing commercial building located at 227 East Kings Highway to be renovated to accommodate three (3), two (2) bedroom residential units. As part of the proposed improvements, no changes to the building footprint are required. The Applicant will demonstrate through the submission of exhibits and testimony that the site's access, circulation, available parking, and overall functionality are more than sufficient to facilitate the proposed use.

We would appreciate it if you could please place this Application on the Zoning Board's **March 15, 2022** meeting agenda. Unless we hear from your office otherwise, we will arrange to serve and publish the appropriate notice of that hearing and, thereafter, will provide you with our Affidavit of Service of Notice, along with an Affidavit of Publication from *The Courier Post* newspaper.

Should you have any questions, or require any additional information, please do not hesitate to contact me.

Very truly yours,

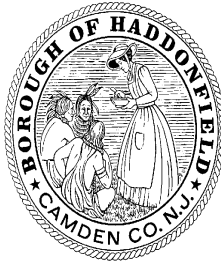
ARCHER & GREINER  
A Professional Corporation

By:   
Richard T. Wells

RTW:amh  
Enclosures

cc: Chris Bieberbach (via email w/ encs)  
Thomas Baglivo, AIA (via email w/ encs)  
Michael F. Floyd, Esq. (via email w/ encs)  
Henry O. Boenning, Esq. (via email w/ encs)

223153010v2



## Borough of Haddonfield New Jersey

Application Current As Of 6/3/2021

**FOR OFFICE USE ONLY: (DO NOT WRITE IN THIS SPACE)**

APPLICATION TO:  PLANNING BOARD  
 ZONING BOARD OF ADJUSTMENT  
DATE APPLICATION FILED: \_\_\_\_\_  
DATE DEEMED COMPLETE: \_\_\_\_\_  
TIME PERIOD EXPIRES: \_\_\_\_\_

### DIGITAL COPIES ARE REQUIRED

#### SECTION 1 - GENERAL INFORMATION

- (A) SUBJECT PROPERTY ADDRESS: 227 Kings Highway East
- (B) OWNER OF SUBJECT PROPERTY: Haddonfield Partners II, LLC
- (C) OWNER'S MAILING ADDRESS:  LISTED  UNLISTED
- (D) OWNER'S TELEPHONE NUMBER: \_\_\_\_\_  
OWNER'S TELEPHONE NUMBER:  LISTED  UNLISTED
- (D) OWNER'S FAX NUMBER: N/A  
OWNER'S FAX NUMBER: \_\_\_\_\_
- (F) APPLICANT'S FULL LEGAL NAME: Tequesta Properties, Inc.
- (G) APPLICANT'S MAILING ADDRESS  LISTED  UNLISTED
- (H) APPLICANT'S TELEPHONE NUMBER: \_\_\_\_\_  
APPLICANT'S TELE. NUMBER: \_\_\_\_\_
- (I) APPLICANT'S EMAIL ADDRESS: rwells@archerlaw.com  
APP CORPORATION:  PARTNERSHIP:  INDIVIDUAL:
- (J) APPL OTHER (Specify): \_\_\_\_\_

**NOTE: IF APPLICANT IS A CORPORATION OR PARTNERSHIP, APPLICANT MUST ATTACH A LIST OF THE NAMES AND ADDRESSES OF ALL PERSONS HAVING A 10% INTEREST OR GREATER IN THE CORPORATION OR PARTNERSHIP**

(K) THE RELATIONSHIP OF APPLICANT TO PROPERTY-OWNER IS: \_\_\_\_\_

**NOTE: IF OWNER:** \_\_\_\_\_ TENANT OR LESSEE: \_\_\_\_\_ CONTRACT PURCHASER:

(L) THE OTHER (Specify): \_\_\_\_\_

**NOTE: IF APPLICANT IS NOT THE OWNER OF THE SUBJECT PROPERTY, APPLICANT MUST OBTAIN AND SUBMIT A COPY OF THIS APPLICATION SIGNED BY THE OWNER IN THE SPACE PROVIDED IN SECTION 7.**

(M) CONTACT'S FULL LEGAL NAME: Richard T. Wells, Esq.

(N) CONTACT'S MAILING ADDRESS:  LISTED  UNLISTED

(O) CONTACT'S TELEPHONE NUMBER:  LISTED  UNLISTED

CONTACT'S TELE. NUMBER: 856-795-2121

CONTACT'S FAX NUMBER: N/A

(P) THE RELATIONSHIP OF CONTACT TO PROPERTY-OWNER IS: Applicant / Contract Purchaser's Attorney

(Q) THE RELATIONSHIP OF CONTACT TO APPLICANT IS: Applicant's Attorney

**NOTE: IF NECESSARY, PLEASE ATTACH ADDITIONAL SHEETS HERETO.**

**SECTION 2 - SUBJECT PROPERTY INFORMATION**

- (A) SUBJECT PROPERTY'S ADDRESS: 227 Kings Highway East
- (B) SUBJECT PROPERTY'S BLOCK: 18 LOT(S): 5
- (C) SUBJECT PROPERTY'S ZONE: R-9(O)
- (D) THE SUBJECT PROPERTY IS APPROXIMATELY 145 FEET FROM THE INTERSECTION OF Friends Avenue AND Kings Highway East
- (E) DIMENSIONS OF THE SUBJECT PROPERTY: 21.28' x 226.29' +/-
- (F) AREA (S.F.) 4,906.94 +/-
- (G)(1) WITHIN 200 HUNDRED FEET OF ANOTHER MUNICIPALITY: N/A
- (G)(2) ADJACENT TO AN EXISTING OR PROPOSED COUNTY ROAD: Rt. 41 / 573
- (G)(3) ADJACENT TO OTHER COUNTY LAND: N/A
- (G)(4) ADJACENT TO STATE HIGHWAY: N/A

(H) HAS THE SUBJECT PROPERTY BEEN THE SUBJECT OF A PLANNING BOARD HEARING, OR ZONING BOARD OF ADJUSTMENT HEARING? YES \_\_\_\_\_ NO X

**NOTE: IF THE ANSWER TO THE PREVIOUS QUESTION IS YES, APPLICANT MUST ATTACH A COPY OF THE WRITTEN DECISION OF THE PLANNING BOARD, ZONING BOARD OF ADJUSTMENT OR HISTORIC PRESERVATION COMMISSION HERETO.**

**SECTION 3 - INFORMATION ABOUT REQUESTED RELIEF FOR A VARIANCE**

**(A) PROPOSAL:** APPLICANT MUST ATTACH A STATEMENT HERETO ENTITLED "**PROPOSAL**" SETTING FORTH THE PROPOSED PHYSICAL CHANGES, IF ANY, TO THE SUBJECT PROPERTY. APPLICANT MUST ALSO SET FORTH THE CURRENT USE AND PROPOSED USE OF THE SUBJECT PROPERTY. **ONE** DIGITAL COPY OF APPLICATION AND OF ALL PLANS SHALL BE SUBMITTED.

**(B) REASON(S) FOR RELIEF:** APPLICANT MUST ATTACH A STATEMENT HERETO ENTITLED "**REASON(S) FOR RELIEF**" SETTING FORTH THE GROUNDS UPON WHICH RELIEF FROM THE ORDINANCE IN QUESTION IS REQUESTED AND WHICH MUST SHOW COMPLIANCE

WITH "**BURDEN OF PROOF**" REQUIREMENTS.

(C) NATURE OF APPLICATION - CHECK APPROPRIATE ITEMS:

- (1) APPEAL OF ACTION OF ADMINISTRATIVE OFFICER \_\_\_\_\_
- (2) INTERPRETATION OF ZONING ORDINANCE OR MAP \_\_\_\_\_
- (3) CONDITIONAL USE APPROVAL OR VARIANCE \_\_\_\_\_
- (4) VARIANCE: "C" - VARIANCE \_\_\_\_\_  
 "D" - USE VARIANCE X \_\_\_\_\_  
 "D" - NON-USE VARIANCE \_\_\_\_\_
- (5)(a) SUB DIVISION \_\_\_\_\_
- (5)(b) SUB DIVISION APPLICATION TO FOLLOW \_\_\_\_\_
- (6)(a) SITE PLAN \_\_\_\_\_
- (6)(b) SITE PLAN WAIVER X \_\_\_\_\_
- (7) WAIVER OF LOT TO ABUT STREET REQUIREMENTS \_\_\_\_\_
- (8) EXCEPTION TO THE OFFICIAL MAP \_\_\_\_\_
- (9) CERTIFICATE OF NONCONFORMITY \_\_\_\_\_

(D) THE PROPOSED DEVELOPMENT IS CONTRARY TO:

SECTION: 135-34 SUB-SECTION: (A) - (C) REQUIRED: \_\_\_\_\_ PROPOSED: \_\_\_\_\_  
 SECTION: 135-37 SUB-SECTION: (B) - (D) REQUIRED: \_\_\_\_\_ PROPOSED: \_\_\_\_\_  
 SECTION: \_\_\_\_\_ SUB-SECTION: \_\_\_\_\_ REQUIRED: \_\_\_\_\_ PROPOSED: \_\_\_\_\_

SECTION: \_\_\_\_\_ SUB-SECTION: \_\_\_\_\_ REQUIRED: \_\_\_\_\_ PROPOSED: \_\_\_\_\_

NOTE: IF ADDITIONAL SPACE IS REQUIRED, APPLICANT MUST ATTACH A LIST OF THE ADDITIONAL VARIANCES REQUESTED HERETO.

**SECTION 4 - INFORMATION ABOUT PROFESSIONALS/EXPERTS**

THE FOLLOWING PROFESSIONALS AND/OR EXPERTS WILL ASSIST AND/OR REPRESENT THE APPLICANT IN CONNECTION WITH THIS APPLICATION:

- (A) ATTORNEY: Richard T. Wells, Esq.
- (B) ENGINEER: \_\_\_\_\_
- (C) ARCHITECT: Thomas Baglivo, AIA
- (D) PLANNER: \_\_\_\_\_
- (E) OTHER (Specify): \_\_\_\_\_

NOTE: ALTHOUGH NOT REQUIRED, THE BOARD RESPECTFULLY REQUESTS THAT THE APPLICANT ATTACH HERETO A LIST OF THE NAMES, ADDRESSES AND PHONE NUMBERS OF ANY PROFESSIONALS AND/OR EXPERTS LISTED ABOVE.

**SECTION 5 - INFORMATION ABOUT REQUESTED EXHIBITS**

NOTE: A ALL TWENTY (20) SETS NEED TO BE COLLATED.

- (A) TWENTY (20) COPIES OF THIS APPLICATION;
- (B) TWENTY (20) COPIES OF STATEMENT ENTITLED "PROPOSAL";
- (C) TWENTY (20) COPIES OF STATEMENT ENTITLED "REASON(S) FOR RELIEF";
- (D) TWENTY (20) SETS OF PLANS:

**11X17 PLANS ARE PREFERRED**

- (B)(1) TWENTY (20) SETS OF CURRENT AND PROPOSED SURVEYS;
- (B)(2) TWENTY (20) SETS OF CURRENT AND PROPOSED FLOOR PLANS;
- (B)(3) TWENTY (20) SETS OF CURRENT ELEVATION DRAWINGS OR PHOTOGRAPHS;
- (B)(4) TWENTY (20) SETS OF PROPOSED ELEVATION DRAWINGS.

NOTE: EVERY PAGE OF EVERY PLAN MUST HAVE THE NAME OF THE APPLICANT AND THE ADDRESS OF THE SUBJECT-PROPERTY NOTED THEREON.

**SECTION 6 - APPLICANT'S VERIFICATION**

I HEREBY CERTIFY THAT THE ABOVE STATEMENTS MADE BY ME AND THE STATEMENTS AND INFORMATION CONTAINED IN THE PAPERS SUBMITTED IN CONNECTION WITH THIS APPLICATION ARE TRUE. I AM AWARE THAT IF ANY OF THE FOREGOING STATEMENTS ARE WILLFULLY FALSE, I AM SUBJECT TO PUNISHMENT.

Archer & Greiner, P.C.  
Attorneys for Applicant



\_\_\_\_\_  
(APPLICANT'S SIGNATURE)  
BY: Richard T. Wells, Esq.

**SECTION 7 - OWNER'S AUTHORIZATION**

I HEREBY CERTIFY THAT I RESIDE AT \_\_\_\_\_  
IN THE COUNTY OF \_\_\_\_\_ AND THE STATE OF \_\_\_\_\_  
AND THAT I AM THE OWNER OF THAT CERTAIN LOT, PLAT OR PARCEL OF LAND KNOWN  
AS \_\_\_\_\_  
BLOCK(S) \_\_\_\_\_ LOT(S) \_\_\_\_\_ ON THE TAX MAP OF  
THE BOROUGH OF HADDONFIELD, WHICH IS THE SUBJECT OF THE ABOVE  
APPLICATION, AND THAT THE SAID APPLICATION IS HEREBY CERTIFIED BY ME.

**Please see enclosed Affidavit of Ownership & Consent**  
(OWNER'S SIGNATURE)

**SECTION 8 - OWNER'S CONSENT TO SITE VISIT**

I HEREBY CONSENT TO A SITE VISIT AT THE PROPERTY WHICH IS THE SUBJECT OF  
THIS APPLICATION FOR THE LIMITED PURPOSES OF VERIFYING THE ACCURACY OF THE  
PLANS SUBMITTED AND THE STATEMENTS MADE IN CONNECTION HEREWITH.

**Please see enclosed Affidavit of Ownership & Consent**  
(OWNER'S SIGNATURE)

**SECTION 9 - OWNER'S CERTIFICATION OF ACCURACY OF SURVEY**

I HEREBY CERTIFY THAT THE SURVEY SUBMITTED FOR THIS APPLICATION IS  
CORRECT AND SHOWS THE CURRENT EXISTING CONDITIONS AND IMPROVEMENTS OF THE  
PROPERTY INCLUDING ALL, PATIOS, WALKWAYS, DRIVEWAYS AND ANY OTHER  
IMPROVEMENTS ON THE PROPERTY.

\_\_\_\_\_  
(OWNER'S SIGNATURE)

**BOROUGH OF HADDONFIELD  
ZONING WORKSHEET**

BLOCK 18 ADDRESS 227 Kings Highway  
 LOT 5 OWNER Haddonfield Partners II, LLC  
 ZONE R-9(O) PROPOSAL Use Variance for 3-unit residential

	EXISTING	PROPOSED	REQUIREMENTS	VAR. REQUIRED
PROPERTY USE	<u>Commercial</u>	<u>3-unit residential</u>	<u></u>	<u>Yes</u>
LOT AREA / SQTF	<u>4,906.94 +/- sf</u>	<u>No change</u>	<u></u>	<u></u>
BUILDING AREA, %	<u></u>	<u>No change</u>	<u></u>	<u></u>
IMPERVIOUS AREA, %	<u></u>	<u>No change</u>	<u></u>	<u></u>
LOT FRONTAGE	<u>21.28' +/-</u>	<u>No change</u>	<u></u>	<u></u>
LOT DEPTH	<u>226.29' +/-</u>	<u>No change</u>	<u></u>	<u></u>
FRONT YARD SETBACK (135 ATTACHMENT 7)	<u>0'</u>	<u>No change</u>	<u></u>	<u></u>
SIDE YARD - SINGLE	<u>0'</u>	<u>No change</u>	<u></u>	<u></u>
AGGREGATE SIDE YARD	<u>0'</u>	<u>No change</u>	<u></u>	<u></u>
REAR YARD SETBACK	<u></u>	<u></u>	<u></u>	<u></u>
NEW STRUCT. HEIGHT	<u>N/A</u>	<u></u>	<u></u>	<u></u>
ACC. BUILDING HEIGHT	<u></u>	<u></u>	<u></u>	<u></u>
ACC. SETBACKS	<u></u>	<u></u>	<u></u>	<u></u>
PARKING SPACES	<u></u>	<u>6</u>	<u></u>	<u></u>

OTHER ITEMS REQ'D:

SEASONAL HIGH WATER INSPECTION   
 GRADING PLAN REVIEW

ZONING OFFICERS COMMENTS:

**Tequesta Properties, Inc.**  
**Application for Use Variance and Waiver of Site Plan Review**

**227 Kings Highway East / Block 18, Lot 5**

**APPLICATION ADDENDUM**

**I. Introduction**

Pursuant to Sections 3(a) and 3(b) of the Borough’s Zoning Board Application, this Addendum will provide the requested Background and Reasons for Relief associated with this Application. Additional testimony and supporting exhibits consistent with this Addendum will be provided during the public hearing for this Application.

**II. Proposal Background**

Tequesta Properties, Inc. (“the Applicant”) is the contact purchaser of the property known as 227 Kings Highway East, identified on the Haddonfield Borough Tax Maps as Block 18, Lot 5 (“the Property”). For years, the Property has been one of several buildings on Kings Highway occupied by Remington & Vernick Engineers (“RVE”) and used exclusively as professional office space. RVE recently vacated these buildings, and the Applicant is now engaged as the contract purchaser of three (3) of these properties, seeking to improve the buildings with uses that are both in demand and compatible with the existing neighborhood.

Specifically, with respect to 227 Kings Highway, the Applicant proposes to renovate the existing building to facilitate multi-family residential space consisting of three (3), two (2) bedroom units. Residents of the building would be permitted to utilize the existing six (6) parking spaces, with access to the parking area via the existing adjacent alleyway known as Colonial Lane. As shown in the plans accompanying this Application, each residential unit is completely separate, with its own access points, bathroom, and laundry facilities.

With respect to the exterior, no modifications to the building’s footprint are required to facilitate the proposed multi-family use. Given the historical nature of the building, the Applicant will ensure that the façade and architectural elements are preserved during the interior renovations.

**III. Reasons for Relief**

**A. D(1) Use Variance Legal Standard**

Pursuant to the New Jersey Municipal Land Use Law (“MLUL”), N.J.S.A. 40:55D-1, *et seq.*, the Zoning Board of Adjustment has the power to grant a “D(1)” Use Variance as follows:

In particular cases for special reasons, grant a variance to allow departure from regulations... to permit: (1) a use or principal



structure in a district restricted against such use or principal structure.... N.J.S.A. 40:55D-70(d)(1).

In addition, the MLUL provides that:

No variance or other relief may be granted under the terms of this section, including a variance or other relief involving an inherently beneficial use, without a showing that such variance or other relief can be granted without substantial detriment to the public good and will not substantially impair the intent and the purpose of the zone plan and zoning ordinance. N.J.S.A. 40:55D-70(d).

Accordingly, to obtain Use Variance approval, an Applicant must first prove the “positive criteria” or “special reasons” for the requested relief. Once that burden has been met, an Applicant must then demonstrate that approval of the Use Variance also satisfies the “negative criteria.” N.J.S.A. 40:55D-70(d); Medici v. BPR Co., 107 N.J. 1 (1987). The manner in which this Application satisfies the positive and negative criteria are outlined below, and will be further supplemented by the Applicant and its professionals during the hearing.

B. Justifications for Relief

a. *Positive Criteria / Special Reasons*

In order to satisfy the positive criteria (i.e., demonstrating “special reasons”), an Applicant seeking a “D(1)” Use Variance must show:

- (1) the proposed use is inherently beneficial, *or*
- (2) denial of the Use Variance will create an undue hardship, *or*
- (3) the proposed use would promote one or more purposes of zoning as defined in the MLUL at N.J.S.A. 40:55D-2, *and* the subject site is particularly suitable for the proposed use. See generally, Medici v. BPR Co., 107 N.J. 1 (1987).

The Applicant submits that the Property is particularly suitable for the proposed use, and that the Applicant’s proposal satisfies several purposes of zoning, as described below.

i. The Applicant’s Proposal Satisfies Several Purposes of Zoning

Here, the Applicant’s proposed use and associated improvements satisfy several purposes of zoning, outlined herein. Although our courts have highlighted purpose “a” as the purpose of zoning which “most clearly amplifies the meaning of special reasons,” see Medici v. BPR Co., 107 N.J. 1 (1987), advancing any of the other purposes outlined within the MLUL has been consistently construed as serving the general welfare. See generally, Kohl v. Mayor and Council of Fair Lawn, 50 N.J. 268, 279-80 (1967); Medici, 107 N.J. 1, 4; Burbridge v. Mine Hill Tp., 117 N.J. 376, 386 (1990); Saddle Brook Realty v. Saddle Brook Zoning Bd. of Adj., 388 N.J. Super. 67, 76 (App. Div. 2006).

Purpose (a): “To encourage municipal action to guide the appropriate use or development of all lands in this State, in a manner which will promote the public health, safety, morals, and general welfare.” N.J.S.A. 40:55D-2(a). Here, the Applicant’s proposal involves the renovation and preservation of an historic building, to facilitate a use that is both compatible and less intense than the prior use. The inclusion of residential uses immediately adjacent to the Borough’s primary downtown district supports the Borough’s continued efforts to maintain a safe, walkable, and vibrant downtown, while providing a variety of residential housing options that don’t detract from the Borough’s single-family housing stock. By accomplishing this while preserving the historic nature of the existing building, the Applicant’s proposal also contributes to the unique historic character of the Borough as a whole.

Purpose (c): “To provide adequate light, air and open space.” N.J.S.A. 40:55D-2(c). The Applicant’s proposed improvements do not alter the existing building footprint or elevation, and do not require any increase in impervious coverage, such that the improvements can be accomplished without detracting from existing light, air, and open space.

Purpose (e): “To promote the establishment of appropriate population densities and concentrations that will contribute to the well-being of persons, neighborhoods, communities and regions and preservation of the environment.” N.J.S.A. 40:55D-2(e). The Applicant’s proposed use of multi-family residences allows for a population density that is appropriate for structures adjacent to the Borough’s downtown business district. As noted above, the Applicant’s proposal allows for flexible residential options, while not reducing availability of, or potential to develop single-family housing.

Purpose (g): “To provide sufficient space in appropriate locations for a variety of agricultural, residential, recreational, commercial and industrial uses and open space, both public and private, according to their respective environmental requirements in order to meet the needs of all New Jersey citizens.” N.J.S.A. 40:55D-2(g).

Purpose (i): “To promote a desirable visual environment through creative development techniques and good civic design and arrangement.” N.J.S.A. 40:55D-2(i). As noted above, the Applicant’s proposal will result in a renovated and improved structure that maintains its historic aesthetic. This historic aesthetic – which makes the Borough’s downtown and residential neighborhoods uniquely attractive – will be preserved through the Applicant’s proposed improvements.

Purpose (j): “To promote the conservation of historic sites and districts, open space, energy resources and valuable natural resources in the State and to prevent urban sprawl and degradation of the environment through improper use of land.” N.J.S.A. 40:55D-2(j). As noted above, the Applicant’s improvements will both preserve the historic aesthetic of the property, while utilizing the existing footprint such that limited existing open space at the property will not be diminished.

ii. The Site is Particularly Suitable for the Proposed Use

In addition to advancing several purposes of zoning noted above, the subject Property is also particularly suitable for the proposed use. Specifically, the subject Property is located within the Borough's historic district, and immediately adjacent to the Borough's downtown business district. The small footprint of the building, coupled with its location, renders it suitable for low-volume multi-family use, assisting with the transition from business and commercial uses to single-family residential uses.

Additionally, the reduction in office space, combined with the lower intensity nature of residential use, renders the existing site access point on Kings Highway more than adequate to facilitate the vehicle traffic associated with the proposed use. The Property's rear yard area is currently paved, and would continue to serve as off-street parking for the occupants, without requiring additional paving or changes to on-site circulation. The rear of the property is also bordered to the West by a paved parking area serving the neighboring businesses on Kings Highway (223-225 Kings Highway), and to the East by a paved parking area serving neighboring businesses (229-231), as well as small rear yard areas associated with 229 and 231 Kings Highway, both of which utilized Colonial Lane for access to their rear parking areas.

For the reasons provided above, and as may be further supplemented by testimony at the hearing for this Application, the Applicant respectfully submits that by advancing several purposes of zoning, and demonstrating the suitability of the site for the proposed use, the positive criteria applicable to the requested Use Variance relief have been satisfied.

*b. Negative Criteria*

The Zoning Board may grant a Use Variance if an Applicant is able to demonstrate that the approval can be granted: (1) "without substantial detriment to the public good," and (2) without "substantially impairing the intent and purpose of the zone plan and zoning ordinance." See N.J.S.A. 40:55D-70(d); Medici v. BPR Co., 107 N.J. 1 (1987).

i. The Requested Relief Can be Granted Without Any Detriment to the Public Good

Previously, the Property was utilized exclusively for office space, with six (6) parking spaces for Remington & Vernick Engineers ("RVE") employees. Due to the nature of RVE's work, these employees would routinely travel to and from the site throughout the workday. The current proposal provides for three (3) residential units, representing a dramatic reduction in the intensity associated with the site. By maintaining the aesthetic character of the Property, lowering the intensity of its use, and allowing for a use that serves as a transition between the Borough's downtown business district and single-family residential districts, the Applicant's proposal results in no identifiable detriment to the public good.

ii. The Requested Relief Will Not Impair the Intent and Purpose of the Borough's Zone Plan or the R-9 and R(O) Zoning District Ordinances

Although multi-family residences are not specifically permitted within the R-9 Zoning District or the R(O) Overlay District, the proposed use is consistent with intent and purpose of the Zoning District, and the Master Plan Elements associated with the surrounding area.

The "statement of intent" governing the Residential Overlay Office District indicates, in relevant part, that the intent of the R-O Zoning District is:

to maintain the residential character of certain areas adjacent to the central commercial area of the Borough of Haddonfield.... See Haddonfield Borough Code, §135-37(A).

As an office building, the subject property was previously used in a manner which was inconsistent with the intent of the R-9 and R(O) Zoning Districts. By converting the property to multi-family use, the existing configuration can be renovated as proposed, to effectively support residential uses that advance the intent of the Zoning Districts.

Notably, within the Residential-9 Zoning District, the majority of the properties lie behind or adjacent to commercial districts, and very few R-9 properties front a commercial corridor where mixed-use and multi-family property uses are more common. Specifically, the subject property is one (1) of only six (6) lots in the R-9 district with frontage on Kings Highway, immediately adjacent to commercial uses in the downtown business district. The only other properties in an R-9 district with frontage along Kings Highway are located toward the border of the Borough on Rt.561 and Kings Highway, outside of the primary business district areas.

Within the Borough's Master Plan, last re-examined in 2009, Suggestion #3 indicates that the Planning Board "support[ed] the continued dominance of single-family residences in the Borough." Given the location of the Property, the unique nature of its historical use, and the surrounding uses, converting the property into a single-family residence would neither be practical nor consistent with uses in the immediate vicinity.

Unlike other areas of the Borough where single-family attached townhomes have been constructed or renovated, the business district of Kings Highway, including the areas immediately adjacent, are not populated by single-family townhomes. Instead, second-story apartments, mixed uses, and office buildings are located both within and adjacent to King's Highway's business district, once again rendering the proposed use more consistent with intent and purpose of the R-9 and R(O) Zoning Districts, by enabling residential uses that serve as a transition from the business district into single-family uses further down King's Highway.

The subject Property is also located within the area studied by the Borough's Downtown Area Element of the Master Plan, adopted in 2007 ("Downtown Element"). Within its statement of "Principles, Goals[,] and Objectives," the Downtown Element notes:

The following principles...are fundamental to the Downtown Area Element and should guide decision[-]making:

...

- A mix of uses – civic places, shopping places housing and offices – knit together by green, walkable streets are the building blocks of downtown Haddonfield’s urban vocabulary.

...

- Downtown is an appropriate place for more housing, including affordable housing, that will provide diverse, transit-accessible, non-auto-dependent housing opportunities and increase the vitality of the downtown area after business hours.

...

Following those principles, the Downtown Area Element enunciates the following goals:

...

- Encourage housing development, and take steps to provide for the development of housing for low-income households, middle-income households and seniors.

Within the “Land-Use Strategy” section of the Downtown Element, the plan notes:

Housing, including affordable housing, should be allowed and encouraged as a primary use in every zoning district, and a variety of housing types (from twins to rowhomes to multiple dwellings) should be permitted in each district to allow for greater diversity in housing options.

The Applicant does not submit the above to take the position that multi-family housing anywhere within the Borough’s downtown area would be appropriate; conversely, the subject property is uniquely and particularly suitable to support the proposed use, based upon the circumstances associated with this specific parcel.

Similarly, reviving existing buildings that are residential in nature, but not necessarily suitable for single-family use, reduces the likelihood that steadily increasing housing demand will result in the conversion of existing single-family homes, or the construction of new multi-family structures. The requested relief therefor preserves the goals and objectives of the Borough’s Master Plan.

For the reasons provided above, and as may be further supplemented by testimony at the hearing for this Application, the Applicant respectfully submits that the negative criteria applicable to the requested Use Variance relief have been satisfied.

#### **IV. Conclusion and Request for Approval**

The Applicant respectfully submits that based upon the foregoing reasons outlined in this Addendum, the materials submitted with this Application, and the testimony and exhibits which will be presented during the hearing for this Application, the Applicant has satisfied both the positive and negative criteria required to be granted the requested Use Variance relief. Similarly, the Applicant submits that because the improvements to the site necessary to facilitate the proposed use are limited to interior renovations, and do not affect the footprint, access, circulation, or overall functionality of the site, a site plan should not be required as a condition of any approvals granted by the Zoning Board. Thank you for the opportunity to present this Application, we look forward to our appearance before the Board.

**Tequesta Properties, Inc.**  
**Application for Use Variance and Waiver of Site Plan Review**

**227 Kings Highway East / Block 18, Lot 5**

**CORPORATE DISCLOSURE FORM**

Pursuant to N.J.S.A. 40:55D-48.1, the names and addresses of all persons or entities having a 10% or greater interest in Tequesta Properties, Inc. are listed below:

Multi-Decades Trust  
c/o Stradley Ronon Stevens & Young, LLP  
2005 Market Street – Suite 2600  
Philadelphia, PA 19103

Pursuant to N.J.S.A. 40:55D-48.1, the names and addresses of all persons or entities having a 10% or greater interest in Multi-Decades Trust are listed below:

Shubhra Amy Singh  
616 South Front Street  
Philadelphia, PA 19147

NOTE:  
Contractors shall verify and be responsible for all field dimensions and conditions and shall notify Baglivo Associates of any discrepancies before proceeding with the project.



**BAGLIVO ■ ASSOCIATES**

ARCHITECTURE ■ INTERIORS ■ PLANNING

301 East Germantown Pike, Fourth Floor  
East Norriton, PA 19401  
P: 610.277.7107 F: 484.801.2608  
www.baglivoassociates.com

ISSUED FOR REVIEW 01.26.2022

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Project

**227 KINGS HWY E  
APARTMENTS**

227 KINGS HIGHWAY EAST  
HADDONFIELD, NJ 08033

File Name

227 Kings Hwy\_SK01\_012622.dwg

Scale

**AS NOTED**

Date

01.26.2022

Drawn By

**DMB**

Project Number

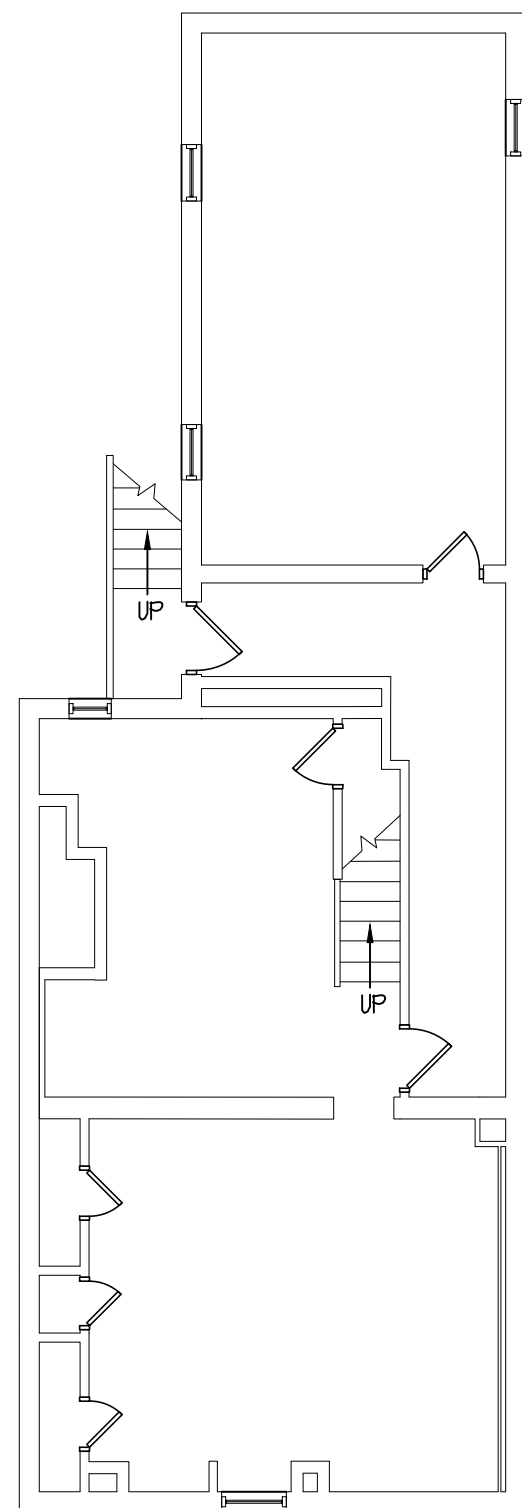
**2021-703**

Drawing Title

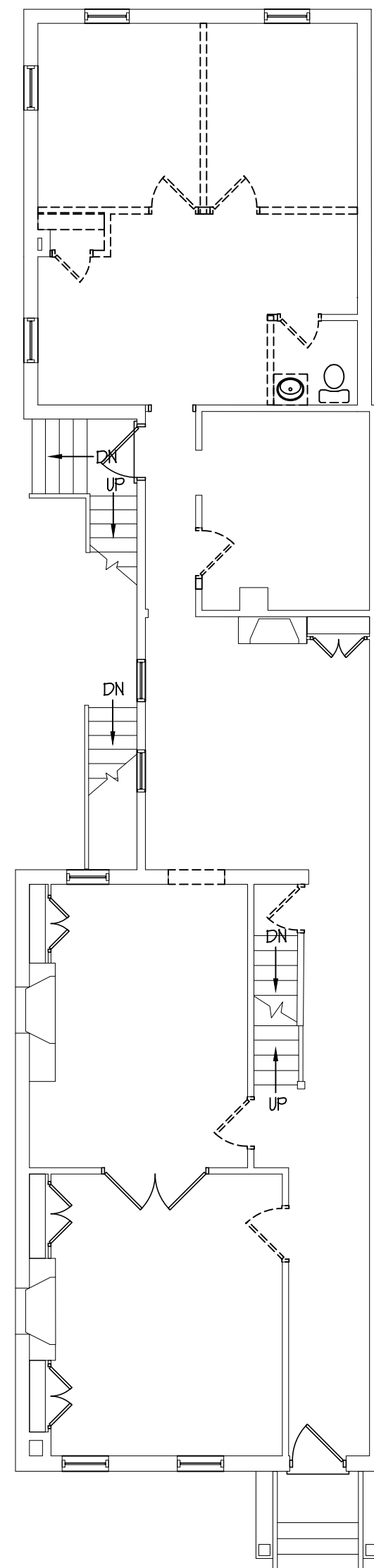
**PROPOSED DEMOLITION  
PLAN**

Drawing Number

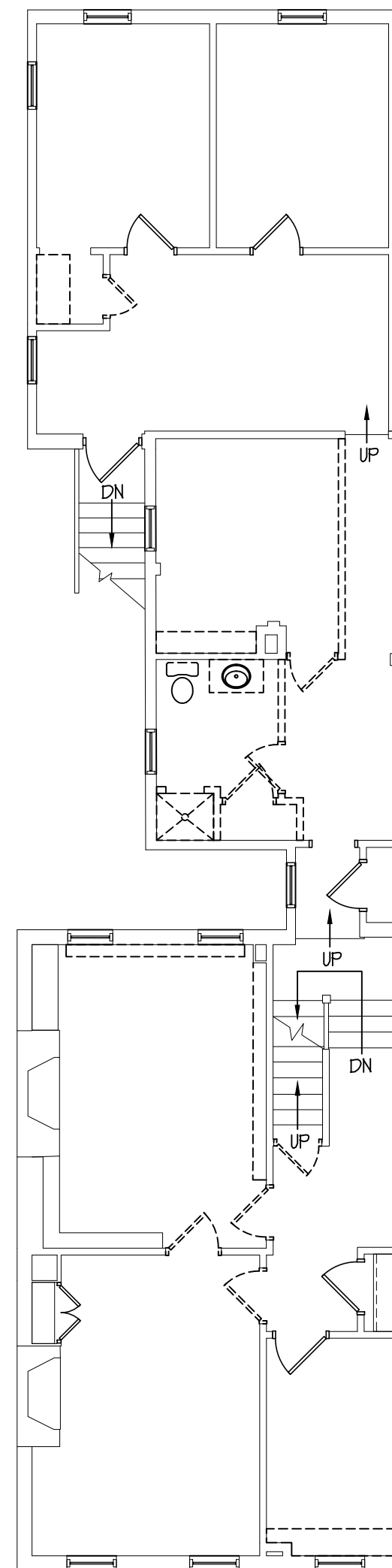
**SK01**



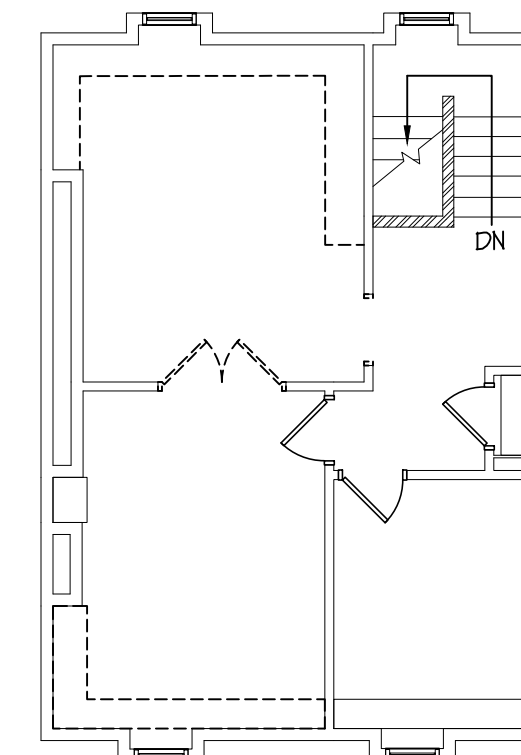
1 DEMOLITION PLAN -  
BASEMENT - N.I.C.  
1/8" = 1'-0"



2 PROPOSED DEMOLITION  
PLAN - FIRST FLOOR  
1/8" = 1'-0"

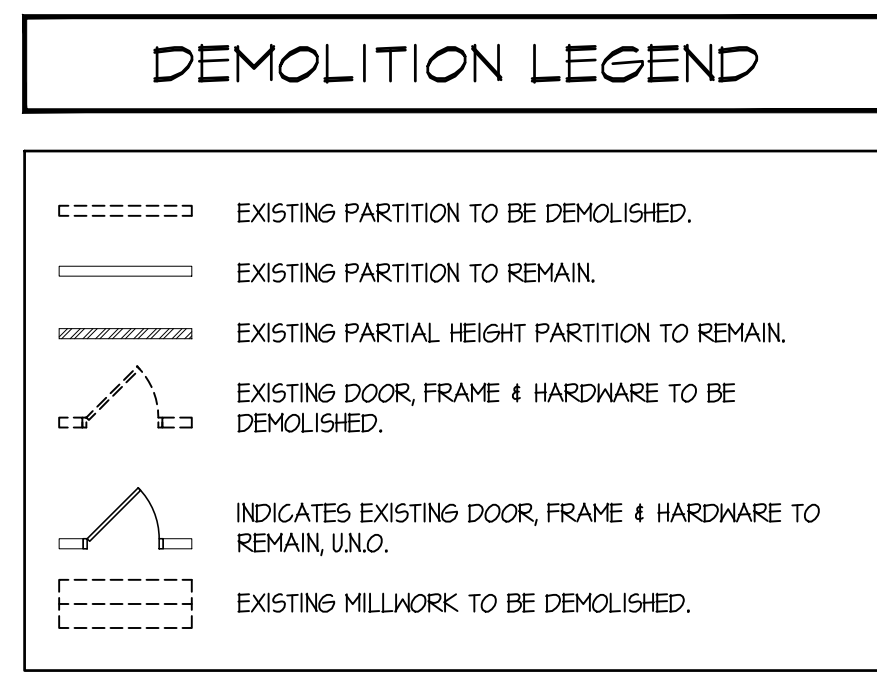


3 PROPOSED DEMOLITION  
PLAN - SECOND FLOOR  
1/8" = 1'-0"

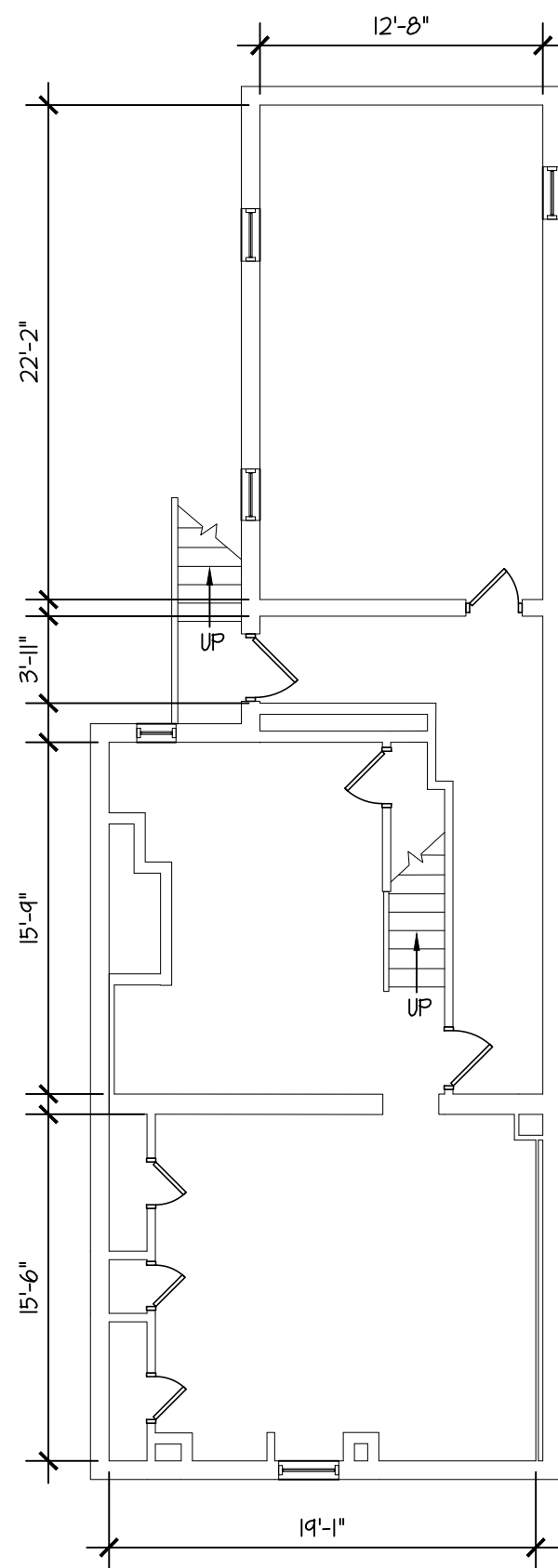


4 PROPOSED DEMOLITION  
PLAN - THIRD FLOOR  
1/8" = 1'-0"

NOTE:  
THIS SPACE HAS NOT BEEN SITE VERIFIED BY BAGLIVO ASSOCIATES. BAGLIVO ASSOCIATES DOES NOT GUARANTEE THE ACCURACY OF EXISTING CONDITIONS. THIS PLAN SHOULD NOT BE UTILIZED FOR PRICING PURPOSES. ALL NECESSARY FIELD DIMENSIONS SHALL BE SITE VERIFIED PRIOR TO PLANNING OR PRICING.

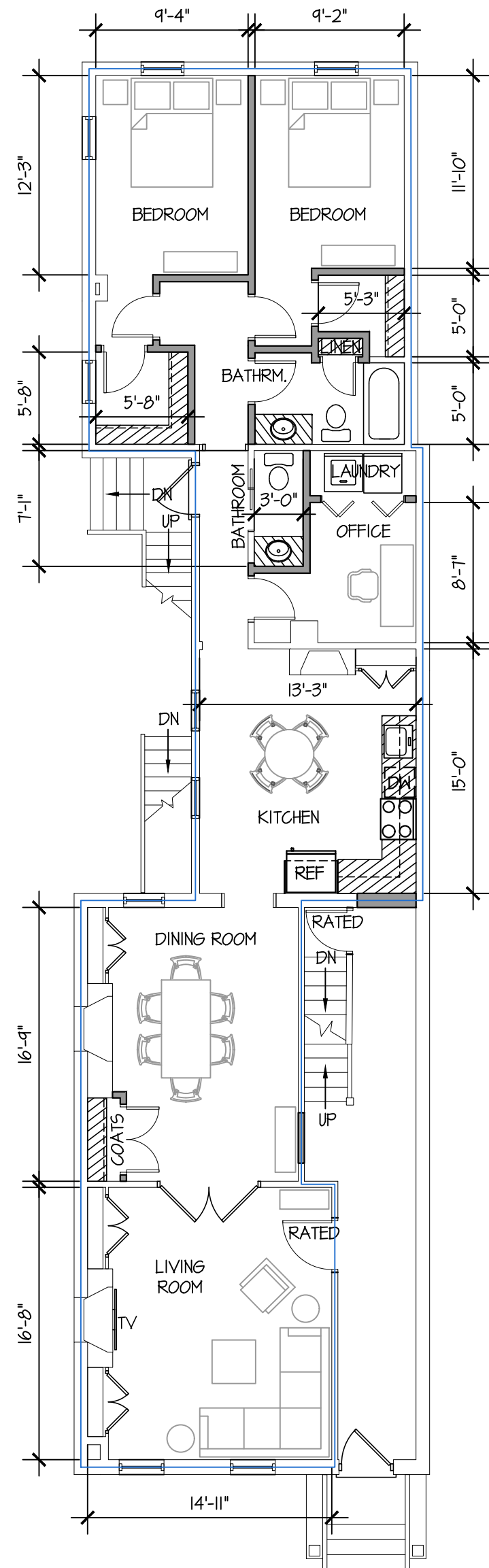






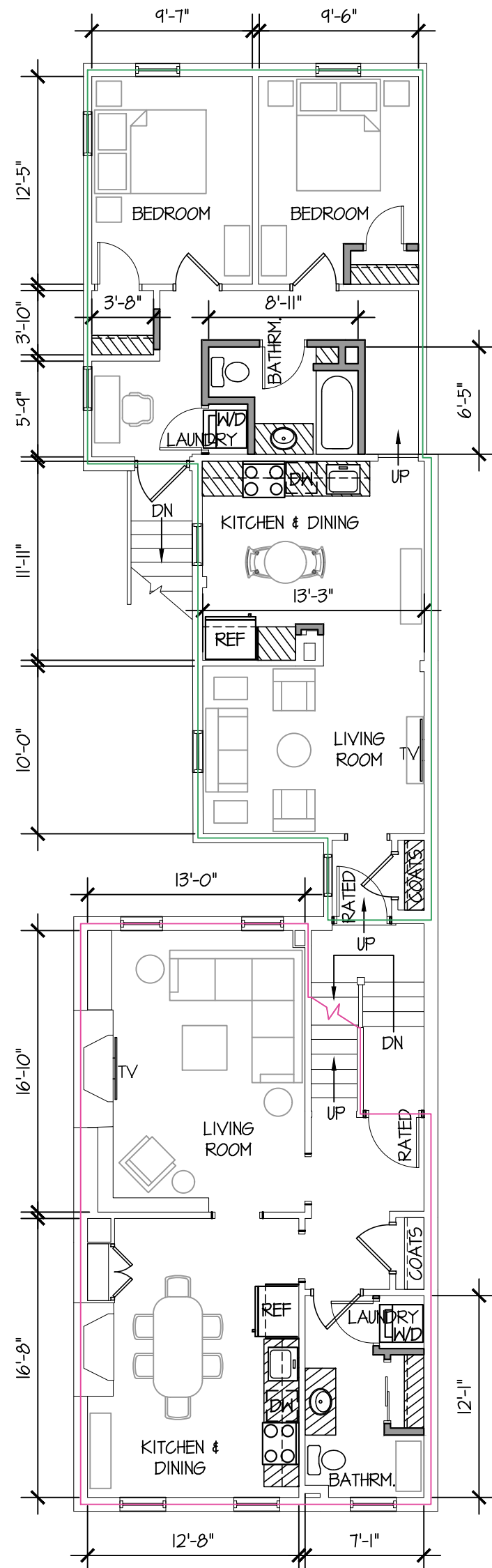
1 ARCHITECTURAL PLAN - BASEMENT - N.I.C.

1/8" = 1'-0"



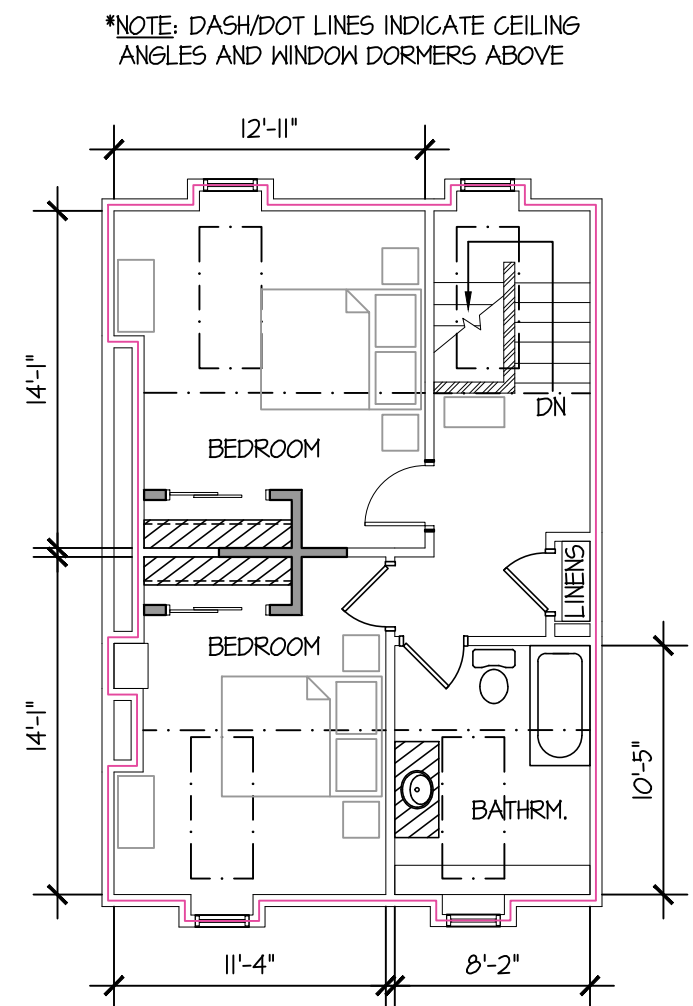
2 PROPOSED ARCHITECTURAL PLAN - FIRST FLOOR

1/8" = 1'-0"



3 PROPOSED ARCHITECTURAL PLAN - SECOND FLOOR

1/8" = 1'-0"



4 PROPOSED ARCHITECTURAL PLAN - THIRD FLOOR

1/8" = 1'-0"

NOTE:

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APARTMENT LEGEND

- APARTMENT #1 - TWO BEDROOM, ONE AND A HALF BATHROOM
- APARTMENT #2 - TWO BEDROOM, ONE BATHROOM
- APARTMENT #3 - TWO BEDROOM, ONE AND A HALF BATHROOM, TWO-STORY UNIT

ARCHITECTURAL LEGEND

- EXISTING PARTITION TO REMAIN.
- EXISTING PARTIAL HEIGHT PARTITION TO REMAIN.
- NEW BUILDING STANDARD GMB PARTITION.
- INDICATES EXISTING DOOR, FRAME & HARDWARE TO REMAIN, U.N.O.
- INDICATES NEW DOOR ASSEMBLY, MATCH BUILDING STANDARD.
- NEW MILLWORK TO BE INSTALLED.

NOTE:  
Contractors shall verify and be responsible for all field dimensions and conditions and shall notify Baglivo Associates of any discrepancies before proceeding with the project.



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**227 KINGS HWY E  
APARTMENTS**

227 KINGS HIGHWAY EAST  
HADDONFIELD, NJ 08033

File Name

227 Kings Hwy\_SK01\_012622.dwg

Scale

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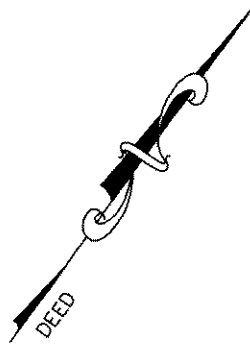
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**PROPOSED ARCHITECTURAL  
PLAN**

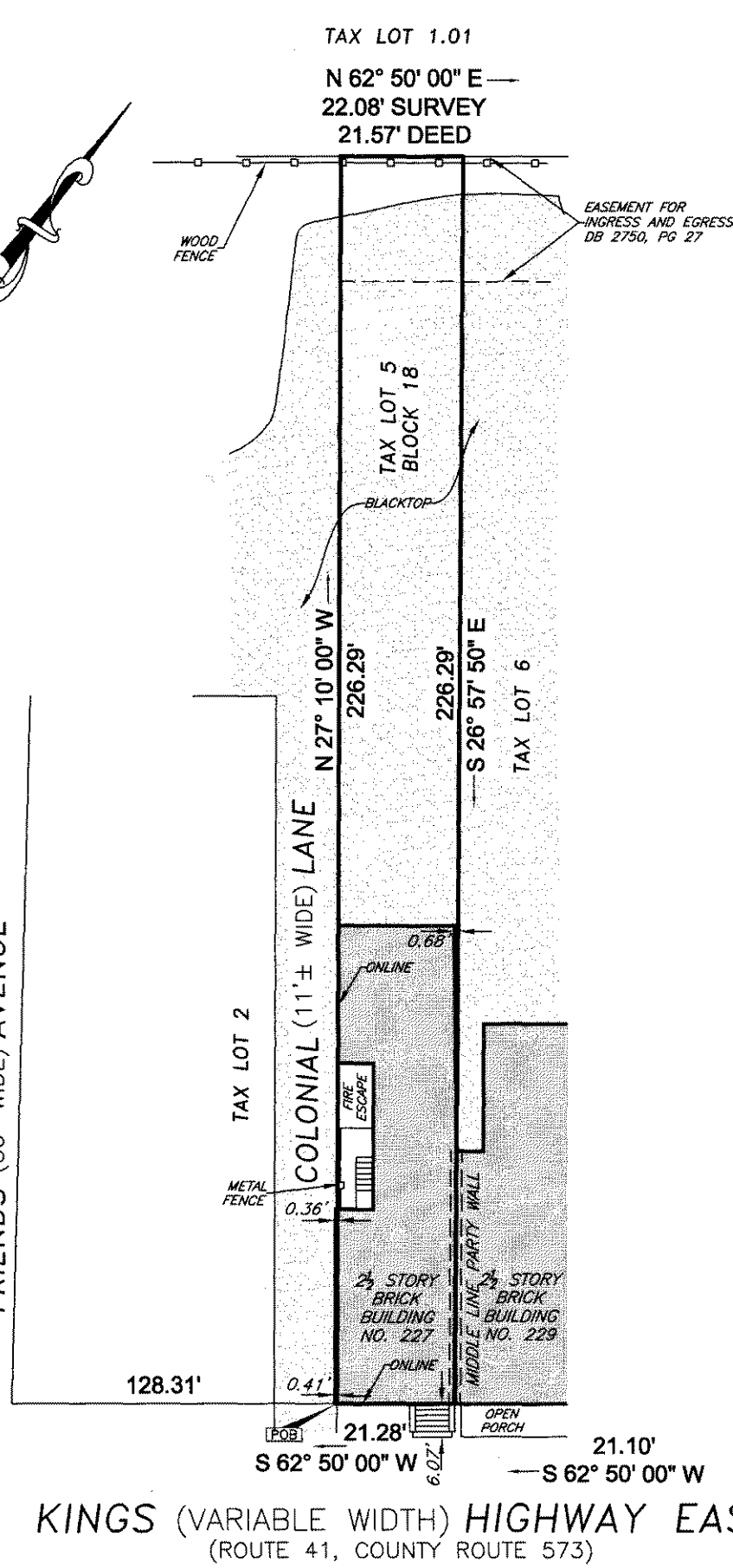
Drawing Number

**SK01**

PROPERTY CORNERS, SERVICE WALKS, CURB, OVERHEAD WIRES, NOT ENDOCHANGING, AREA AND DESCRIPTION ARE OMITTED BY CONTRACTUAL AGREEMENT. BUYER MAY ORDER PROPERTY MARKERS AT A COST OF \$60 PER CORNER WITHIN 90 DAYS OF THE DATE OF THIS SURVEY. SURVEY INFORMATION AND/OR TOPOGRAPHY DEPICTED ON THIS SURVEY SHALL NOT BE REFERENCED TO OR USED FOR ANY OTHER DESIGN PURPOSES WITHOUT THE WRITTEN CONSENT OF STEVEN R. KELLY, P.L.S. I RESERVE THE RIGHT TO REVISE THIS SURVEY UPON THE RECEIPT OF AN UPDATED TITLE REPORT. IF BUILDINGS ARE ON THIS PLAN, BUILDING OFFSET DISTANCES SHOWN ARE FOR THE PURPOSE OF CHECKING COMPLIANCE WITH ZONING AND DEED RESTRICTIONS ONLY. NO LIABILITY WILL BE ACCEPTED IF THESE DISTANCES ARE USED FOR ANY OTHER PURPOSE. THIS SURVEY IS BASED ON SURVEY CONTROL FOUND AT THE TIME OF THE SURVEY. THIS SURVEY IS A RETRACEMENT OF A DEED DESCRIPTION PROVIDED BY OUR CLIENT AND DOES NOT DENOTE OWNERSHIP. WE ARE NOT EXPERTS IN WETLANDS IDENTIFICATION. WETLANDS, IF ANY, HAVE NOT BEEN IDENTIFIED ON THIS PLAN.



FRIENDS (30' WIDE) AVENUE



GROSS AREA = 4906.94 S.F./0.11 ACRES

**DESCRIPTION:**

BEING LOT 5, BLOCK 18, ON THE BOROUGH OF HADDONFIELD TAX MAP.

THE UNDERSIGNED LICENSED SURVEYOR (L.S.) HEREBY DECLARES TO, AND SOLELY FOR THE BENEFIT OF, TRISTAN SYLK

THAT THIS PLAN WAS PREPARED FROM A SURVEY MADE UPON THE PREMISES SHOWING, AS OF THE DATE OF THIS CERTIFICATE, THE LOCATION OF ALL BUILDINGS, EASEMENTS, OR SERVITUDES APPARENT FROM AN INSPECTION OF THE SURFACE OF THE PREMISES. THIS PLAN IS NOT TO BE REPRODUCED IN ANY MANNER, NOR MAY IT BE RELIED UPON BY ANYONE OTHER THAN THE ABOVE NAMED PERSON OR PERSONS FOR WHOSE BENEFIT IT HAS BEEN PREPARED AND EMBOSSED WITH AN IMPRESSION SEAL. COPIES OF THIS PLAN WITHOUT IMPRESSION SEAL AND SIGNATURE IN RED INK ARE FOR MERE CONVENIENCE OF REFERENCE ONLY.



LICENSED PROFESSIONAL LAND SURVEYOR No. 22714, LICENSED PROFESSIONAL PLANNER No. 1979  
**STEVEN R. KELLY, P.L.S., P.P.**

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- NOTES. 1. NOT TO BE USED FOR CONSTRUCTION.  
2. NOT TO BE USED WITH A SURVEY AFFIDAVIT.



STEVEN R. KELLY, PROFESSIONAL LAND SURVEYOR  
PO BOX 24, MEDFORD, N.J. 08055-0024  
PHONE (800) 433-0384

MAP SHOWING SURVEY SITUATE IN  
BOROUGH OF HADDONFIELD  
COUNTY OF CAMDEN, N.J.  
227 KING HIGHWAY EAST

DATE 07/19/19	SCALE 1"=30'	DRAWN CK	CHKD SK	JOB No. 20190348
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**Tequesta Properties, Inc.  
Application for Use Variance and Waiver of Site Plan Review  
227 Kings Highway East / Block 18, Lot 5**

**Existing Exterior Conditions Photograph**

