

March 1, 2024

Karen Radcliffe, Board of Adjustment Secretary  
Kingwood Township Board of Adjustment  
559 Oak Grove Road  
Frenchtown, NJ 08825

via email: [boa@kingwoodtownship.com](mailto:boa@kingwoodtownship.com)

Reference: Variance Application – Completeness Review  
Block 23, Lot 5 – 830 County Road 519  
Kingwood Township, Hunterdon County, New Jersey  
Applicant: Sarka Vogel  
VCEA # 6598.039

Dear Board Members:

Our office is in receipt of the referenced Application as submitted by Sarka Vogel for the property located at Block 23, Lot 5, with an address of 830 County Road 519. The property is located in the AR-2 Agricultural/Residential District. The Applicant seeks c(2) Variance relief for construction of a carport (accessory building) within the front yard setback.

Documentation submitted by the applicant consists of the following:

1. Kingwood Township Board of Adjustment Variance Application, dated February 27, 2024.
2. Checklist for Variance Applications, dated January 26, 2024.
3. Board of Adjustment Affidavit of Service of Notice of Hearing, dated February 27, 2024.
4. Copy of legal notice in Hunterdon County Democrat.
5. Copy of certified mail receipts.
6. Well drilling permit, dated May 30, 1990.
7. Scanned copies of a plan showing a portion of the subject property, undated.
8. Elevation diagram of proposed carport construction.
9. Four (4) color photos, showing location of proposed carport.

### **Application Summary**

The subject property contains approximately 3.14 acres and is currently developed with a two-story single-family dwelling, carriage house, barn and other farm structures, patio, in-ground swimming pool, and paved drive providing access to County Road 519. A 41-foot by 20-foot carport has been partially constructed adjacent to the existing carriage house. The existing dwelling is served by well and septic.

### **OFFICE LOCATIONS**

[www.vancleefengineering.com](http://www.vancleefengineering.com)

Lebanon, NJ  
908-735-9500

Hamilton, NJ  
609-689-1100

Toms River, NJ  
732-573-0490

Freehold, NJ  
732-303-8700

Bethlehem, PA  
610-332-1772

Hillsborough, NJ  
908-359-8291

Mt. Arlington, NJ  
862-284-1100

Phillipsburg, NJ  
908-454-3080

Doylestown, PA  
215-345-1876

Leesport, PA  
610-670-6630

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The property is located in the AR-2 Agricultural/Residential District. An aerial image of the subject property is shown in Figure 1 below.

The Variance Application seeks c(2) relief for construction of the carport (accessory building) within the front yard. The proposed front yard setback distance is nine (9) to twelve (12) feet, as listed in the submitted application.



**Figure 1.** Subject property, showing existing conditions and approximate boundary lines.  
Aerial imagery courtesy of Nearmap.com, March 2023

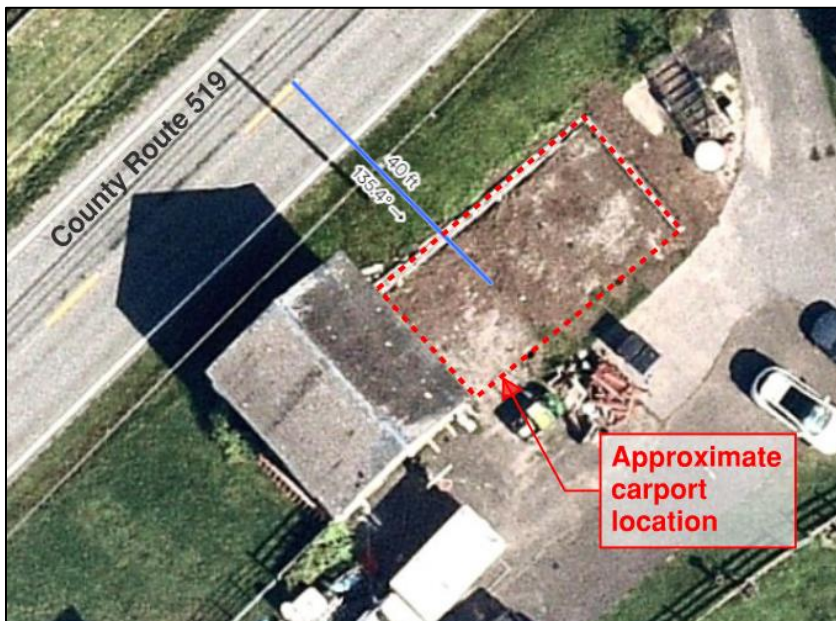
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### Required Approvals

1. **Front Yard Setback.** The applicant has requested a variance from the requirements at §132-30F for front yard accessory building setback. A minimum setback of 100 feet is required. The proposed setback distance is nine (9) to twelve (12) feet, as stated in the submitted application.
2. **Building Separation Distance.** A second variance from the regulation for minimum distance between accessory buildings may also be required. The regulation at §132-30F states that the minimum accessory building separation is 20 feet. The proposed carport appears to have been constructed with a separation of less than 20 feet from the existing carriage house. Additional application fees and escrow deposits may be necessary should an additional variance be required.
3. **Construction Within County Right-of-Way.** According to the Kingwood Township Tax Map, and as noted on the submitted partial plan, a 40-foot Hunterdon County right-of-way (ROW) exists as measured from the centerline of County Route 519. Based on submitted photographs and recent aerial imagery (Figure 2 below), it appears that a substantial portion of the partially constructed carport is located within the 40-foot County ROW. The Applicant shall confirm the positioning of the carport and obtain necessary Hunterdon County approvals for construction within the ROW. The Township Board of Adjustment may not have jurisdiction to hear the requested variance application until such County permission is granted.



**Figure 2.** Approximate location of proposed carport and 40-foot County ROW.

Aerial imagery courtesy of Nearmap.com, Sept. 2023

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**Completeness Review**

Upon review of the Kingwood Township Checklist for Variance Applications, we find the following items to be deficient:

Checklist Item	Comment
<b>Variance Application</b>	
4, 5, 6, 7, 8, 10, 11, 13, 14, 15, 18 through 24	<b>Various plan requirements.</b> <i>Scanned copies of the site plan received by our office in support of the subject application are illegible and undated. The plan does not show the location of the proposed carport, nor other items listed in this line item. <b>Submission of a complete plan showing these checklist items is required, or completeness item waiver(s) must be requested.</b></i>
42	<b>Certification from the Tax Assessor that all taxes and assessments on the entire tract have been paid to date.</b> <i>Our office is not in receipt of a Tax Assessor Certification. <b>This item is required.</b></i>
44	<b>Certifications as to D&amp;R Canal Review Zone or that property is exempt.</b> <i>The subject property is located within the Delaware and Raritan Canal Commission (DRCC) Review Zone B. <b>We have no objection to the Board granting a waiver for completeness purposes.</b></i>

**Completeness Determination**

Based on the deficiencies noted above, **we recommend that the application be deemed incomplete at this time.**

This concludes our review at this time. Should there be any questions, please contact our office.

Sincerely,



Thomas R. Decker, PE, PP, CME  
Kingwood Township Board Engineer

cc: Sarka Vogel – Applicant (via email: [sharknovak16@gmail.com](mailto:sharknovak16@gmail.com))  
Matthew R. Flynn, Esq. – Board Attorney (via email: [flynn@centraljerseylaw.com](mailto:flynn@centraljerseylaw.com))  
David Banisch, PP – Board Planner (via email: [davidbanisch@banisch.com](mailto:davidbanisch@banisch.com))