

**RESOLUTION
ZONING BOARD OF ADJUSTMENT
TOWNSHIP OF LIVINGSTON
NEW JERSEY**

Application #: 2014-12-V
Decided: September 27, 2016
Memorialized: October 25, 2016

FINDINGS AND CONCLUSIONS

The Zoning Board of Adjustment of the Township of Livingston, having considered the Application and plans filed in this matter, and the testimony and evidence presented at the hearing on September 27, 2016, the following findings of fact and conclusions are made:

1. The Applicant is: Bulletproof Productions LLC.
2. The Property is commonly known as 630 West Mount Pleasant Avenue and is taxed as Block 100, Lot 3. The property is in the C-1 Zone.
3. The Applicant has satisfied the statutory procedural requirements of service and publication of notice, and there are no taxes or assessments due or in arrears.
4. The Applicant proposes to amend a previous resolution (from 04/29/2014) to allow a new attraction known as "escape rooms" to the existing use of the property as a "haunted house". The proposed use of the Property would be year-round.
5. The applied for use of the Property is not a permitted use the C-1 Zone.
6. The following persons testified at the hearing: The Applicant, by Jennifer Condron, a Member.
7. The following persons objected to or expressed interest the application at the hearing: None.
8. The Applicant agreed as a condition of approval, the "escape rooms" and the "haunted house" would not operate simultaneously.
9. The Applicant has satisfied the statutory requirements of N.J.S.A. 40:55D-70(d)(1) for the relief sought by demonstrating that the purposes of the Municipal Land Use Law (MLUL) would be advanced by the proposed use, and the benefits of the variance substantially outweigh any detriment. The Board found that there will be no substantial detriment resulting to the public good, nor will there be an impairment of the zoning plan or municipal zoning ordinance.


10. Now, therefore, be it **RESOLVED** by the Zoning Board of Adjustment of the Township of Livingston that, the application herein submitted is granted the following variances from the Ordinance:

(a) Applicant may operate a new use of the Property for "escape rooms" in addition to its use as a "haunted house" all year round.

This approval is subject to all other requirements of the Township ordinances, building code, and the right of appeal by any interested party.

This Resolution is a memorialization of the action of the Board of Adjustment of the Township of Livingston taken on September 27, 2016 in which Board voted seven in favor and none opposed to approve the application in accordance with and subject to the conditions and terms set forth herein on the record.

CHAIRMAN:



JAMES HOCHBERG

I hereby certify this to be a true and accurate copy of the Resolution adopted by the Zoning Board of Adjustment of the Township of Livingston on September 27, 2016 by the affirmative votes of Mr. Gillman, Mr. Nardone, Ms. Hwang, Mr. Resnick, Mr. Vieira, Mr. Bier and Mr. Hochberg; they being all of the Members present and eligible to vote.

PLANNING ADMINISTRATOR:



JACKIE COOMBS-HOLLIS

Prepared by: Alan Ozarow, Esq.