

**PROJECT NARRATIVE**  
**AND**  
**VARIANCE JUSTIFICATION REPORT**

APPLICATION OF D.R. HORTON NJ/PA  
BLOCK 149.01, LOTS 1  
BOROUGH OF RUNNEMEDE, NEW JERSEY

D.R. Horton NJ/PA (the “Applicant”) submit this application to the Borough of Runnemede Zoning Board of Adjustment for “d” variance relief for the maximum permitted density in order to allow the Applicant to establish 108 townhomes at the subject property. Variance relief is required as the Borough of Runnemede Zoning Ordinance permits a maximum density of 3 units per acre and the Applicant is proposing 5.9 units per acre. The Applicant seeks bifurcated approval and will return to the Zoning Board for preliminary and final major site plan approval and preliminary and final major subdivision approval if the present application for a density variance is approved.

The density variance is sought pursuant to N.J.S.A. 40:55D-70d(5). This is not the traditional “d” or use variance which requires an enhanced burden of proof. In establishing the required special reasons for the density variance, the cases of Coventry Square v. Westwood Zoning Bd. of Adjustment, 138 N.J. 285 (1994) and Grubbs v. Slothower, 389 N.J. Super. 377(App.Div.2007) controls. As such, the Applicants need not show that the site is particularly suited for more intensive development and must only demonstrate that the site will accommodate the problems associated with a density greater than that permitted by the Borough’s Ordinance. See Coventry Square, supra, at 417. This burden is satisfied in several ways.

First, the Borough of Runnemede has already determined that the proposed townhome use is particularly suited for this site as it is specifically enumerated as a permitted use in the R-3 Zoning District. It is clear that the site could accommodate a greater number of units than what is permitted under the Ordinance, as shown on the attached Variance Plan and Site Layout Plan prepared by Consulting Engineer Services.

Secondly, several purposes of zoning are advanced, further justifying the density variance:

a. Appropriate Location (N.J.S.A. 40:55D-2(g)). The property in question is an appropriate location for the proposed townhome development. The development parcel is located in the R-3 Zone where townhomes constitute a permitted use. Additionally, this tract is surrounded by existing residential uses which, largely, are comparable in size to the proposed homes.

b. Promoting a Desirable Visual Environment (N.J.S.A. 40:55D-2(i)). This application further advances the purpose of the Municipal Land Use Law to promote a desirable visual environment and creative development techniques and good civic design and arrangements. The Applicant is proposing architecturally attractive townhome structures featuring many decorative elements. Thus, we believe this proposed plan of development advances this purpose of the Municipal Land Use Law.

c. Providing adequate light, air, and open space (N.J.S.A. 40:55D-2(c)). The proposed townhomes will preserve light, air, and open space by staying under the height requirement of the Borough’s Zoning Ordinance. Furthermore, other than the density deviation and maximum building

length, the proposed townhomes comply with all other bulk requirements of the Ordinance. This preserves and provides light, air, and open space and alleviates the impact of the development on the neighborhood.

Also, the negative impact from the requested density variance does not substantially outweigh the positive criteria, i.e. the proposal's furtherance of the purposes of zoning that are advanced. Such a determination would be consistent with the Board's previous decision memorialized in Resolution No. 2014-012, in which the Board determined that 100 townhome units at the subject project would not be a substantial detriment to the existing zoning ordinance or the public good and that the intended density is consistent with the level of density to be expected in a residential zone. A copy of Resolution 2014-012 is enclosed herein.

For these reasons, the Applicant submits that "d" variance relief is justified in this instance.

The Applicant will submit professional planning testimony in support of the requested relief at the scheduled public hearing.

Prepared by: Nehmad Davis & Goldstein, P.C.

Dated: January 10, 2022