

## LEET TOWNSHIP ZONING HEARING BOARD

IN RE: VARIANCE APPLICATION OF JACQUELINE AND RONALD MOOK

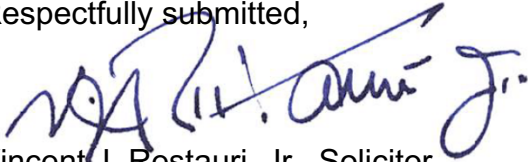
### CONCLUSIONS OF LAW

*The Leet Township Zoning Hearing Board (“ZHB or “We”) enters the following Conclusions of Law:*

1. The Application does NOT seek a USE variance.
2. Based upon the evidence, the proposed boat garage as set forth in the application and described in the hearing, will dimensionally encroach into the mandated setback by only a de minimis number of feet.
3. Rigid compliance with the setback provision is not necessary to protect the Ordinance’s public policy concerns under the specific facts of this case.
4. If granted, the variance will not negatively impact the public interest.
5. The character of the neighborhood will not change if the variance is granted.
6. The hardship has not been created by Applicants.
7. The variance is not requested for a purpose prohibited or discouraged by law in applying the de minimis dimensional variance doctrine.
8. Therefore, taking into account our Findings of Fact, the variance is granted.
9. This variance is granted subject to the following conditions:
  - A. If the work is not completed within 2 years, a new variance application will be necessary.
  - B. All the work must satisfy all applicable federal, state and local laws, ordinances and regulations, including but not limited to obtaining all necessary permits and paying all requisite fees and costs.

- C. The garage shall be built in accordance with, and for the reason expressed, in the statements and representations contained in the Application and the statements and representations made to ZHB during the hearing. Statements and representations made to ZHB during the hearing shall be controlling over the Application.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Vincent J. Restauri, Jr.", with a long horizontal stroke extending to the right.

Vincent J. Restauri, Jr., Solicitor  
Leet Township Zoning Hearing Board

December 27, 2024