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March 19, 2021

**Via Overnight Mail**

Cherry Hill Township  
Department of Community Development  
820 Mercer Street  
Cherry Hill, New Jersey 08002

Attn: Cosmas Diamantis, Esquire – Director  
Nancy K. Shafiroff, PP, AICP – Deputy Directory

**RE: Application for Bulk Variance and Waiver of Site Plan  
Our File No. 20-0042**

Dear Mr. Diamantis and Ms. Shafiroff:

As you know, this Law Firm represents Eagle One Real Estate Properties, LLC (“Applicant”) the owner of property located at 312 Kresson Road, Cherry Hill, New Jersey also known as Block 409.01, Lot 7 on the official tax map of the Township of Cherry Hill (“Property”). Previously the Applicant received minor site plan approval with variances to convert the former La Campagne/Farmhouse Restaurant into a new restaurant called Amici at a hearing held on August 6, 2020 before the Cherry Hill Township Zoning Board of Adjustment (the “Board”).

Attached with this cover letter is the following:

1. Completed Land Use Development Application to the Zoning Board of Adjustment (“ZBA”);

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2. Signed Escrow Agreement and W-9 Tax Form;
3. Signed Ownership Disclosure Statement;
4. Signed Political Contribution Disclosure Statement;
5. Site and Subdivision Plan Checklist;
6. Property List Request;
7. A check in the amount of \$600.00 representing the application fees;
8. A check in the amount of \$2,000.00 representing the escrow fees;
9. A check in the amount of \$10.00 representing the request for the property owner's list; and
10. The required number of copies of the architectural plan, prepared by David Brand, RA.

The Applicant now seeks a variance and waiver of site plan to increase the height of the 575 square foot kitchen addition previously approved by the Board as set forth above. In the Cherry Hill Township Zoning Code, "Building Height" is defined as follows:

"The vertical distance from finished grade to the top of the highest roof beams on a flat or shed roof, the deck level on a mansard roof, and the average distance between the eaves and the ridge level for gable, hip and gambrel roofs." (emphasis supplied)

The height which was previously approved by the Board was approximately 16 feet and now it is at 17 feet. The Applicant seeks a waiver of site plan because the foot print of the addition is not being changed and there are no other changes associated with this Application from what was previously approved by the Board.

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The increase to the height of the kitchen addition has already been made due to a misinterpretation of the architectural plans by the Applicant's contractors. The Applicant understands that this is his responsibility and did not intentionally or purposefully attempt to construct the addition beyond what was previously approved by the Board. The additional height of the square foot addition will add to a storage area above the kitchen addition and not in any other way impact the prior approval. Please note that the increased height of the kitchen addition does not exceed the permissible height in the B2 Zone nor will this result in any other variances or waivers other than the need for the variance due to the increased height of the kitchen addition.

We are also enclosing photocopies of photographs taken of the surrounding properties from the vantage point of the kitchen addition to demonstrate there will be little or no impact to those properties as a result of this minor increase in height of the kitchen addition.

As you may know, the Pandemic has touched everyone and for some very tragically. Restaurants such as the one the Applicant is trying to build have been hit especially hard during this Pandemic. Accordingly and so as not to delay the opening of the restaurant which is expected in early May, we kindly request this application be scheduled at the April 15, 2021 Board meeting.

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Should you have any questions or need any further information, please do not hesitate to contact me at this office.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'STUART A. PLATT', is written over the typed name and title. The signature is fluid and somewhat abstract, with several loops and overlapping lines.

STUART A. PLATT  
For the Firm

SP/kfj

Enclosures

cc: Alex Daku (w/o encl.) (via e-mail)  
David Brandt, RA (w/o encl.) (via e-mail)