



ZONING BOARD OF ADJUSTMENT
Thursday, April 18, 2013
DRAFT MINUTES

You couldn't pick a better place.

OPENING: The meeting was called to order by Chairperson Rardin at 7:35 pm.

PLEDGE OF ALLEGIANCE: Led by Chairperson Rardin.

OPMA STATEMENT: Read by Chairperson Rardin in compliance with the Sunshine Law.

ROLL CALL

- **Members in Attendance:** Michael Maitland; Andrea Loew; Samuel Kates; Daniel DiRenzo Jr.; Farhat Biviji, Vice-Chairperson; Jonathan Rardin, Chairperson.
- **Professionals in Attendance:** Anthony Zappasodi, Esq., Alternate Secretary; Allen Zeller, Esq., Solicitor. Solicitor Zeller administered oath to Mr. Zappasodi.

BOARD POLICY STATEMENT: Read by Chairperson Rardin.

COMMENTS FROM THE PUBLIC: None received.

ADMINISTRATIVE ITEMS

Resignation of Mrs. Loew: Chairperson Rardin acknowledged that this would be Mrs. Loew's final meeting after five years of service on the Zoning Board and accepted her resignation letter with regret and expressed gratitude for her time and expertise. Board members thanked Mrs. Loew and wished her well.

Meeting Minutes from March 21, 2013: Mr. Kates made a Motion to Approve the Minutes from 3/21/13, which was seconded by Mr. DiRenzo, with affirmative votes by Kates, DiRenzo, Biviji, and Rardin. Abstentions by Maitland and Loew. None opposed.

Meeting Minutes from April 4, 2013: Minutes from 4/4/13 memorialize the cancellation of said meeting.

AGENDA ITEMS

13-Z-0008

Block(s) 561.01 Lot(s) 4
Zone: Residential (R3) Zone

Relief Requested: Bulk (c) variances to permit the construction of an addition (bathroom, closet enlargement, and pool area storage) in the aggregate side yard setback.

Robert McGraw Jr.

7 Seventh Ave
Cherry Hill, NJ 08003

Robert McGraw Jr. and his neighbor David E. Watts were sworn in by Solicitor Zeller. The Applicant proposes to build a 42' by 8' side addition onto the existing single family dwelling. As proposed, the addition would be 12.15 feet from his side property line, but only within 17.15 feet of the required 24 foot aggregate side yard setback, due to a previously granted side yard bulk variance in 2004 (5 feet) pertaining to the opposite side yard. Mr. McGraw testified that the additional space was necessary since he is now caring for his mother who is in recovery, and that the work will be overseen by a licensed NJ contractor. He testified that the proposed building materials will match the existing home and landscaping will be provided. He will replant one new tree onsite since he expects to remove one tree. He testified that he may install "french drains" but that the stormwater will be managed onsite since his lot is at a lower elevation than his neighbors' lots. He agreed to remove any boat temporarily stored in his yard and to reinstall the fence. The Applicant presented the following: a set of three photographs showing his home marked as Exhibit "A-1", a set of photographs with captions marked as Exhibit "A-2", and a set of photographs of his neighbors' properties marked as Exhibit "A-3".

Mr. Watts resides at 9 Seventh Avenue and spoke in support of the application. He lives at the property next door to where the proposed addition is located and has no objection. He stated that he has at least 15 feet of open space on his side of the property line.

The hearing was opened to the public for comment by Chairperson Rardin. No one from the public commented upon the application. The public comment portion of the hearing was closed by Chairperson Rardin.

Mr. Zappasodi from the Department of Community Development testified with regard to his department's review letter dated April 3, 2013. The Applicant agreed to comply with the comments/conditions contained therein, especially including specific condition that the addition will never be utilized as an accessory dwelling unit. Applicant also agreed to reinstall his air conditioning unit in the rear yard after the addition is constructed.

Motion to approve the Bulk Variance for aggregate side yard setback with enumerated conditions as specified: motion made by Mrs. Loew and seconded by Mr. Kates, with affirmative votes by Maitland, Loew, Kates, DiRenzo, Biviji, and Rardin. None were opposed. Motion carried.

13-Z-0010

Block(s) 404.11 Lot(s) 31

Zone: RAPC Zone

Relief Requested: Bulk (C) variance for a front porch addition encroaching on the side yard setback.

Hye Machtinger

113 White Oak Rd.

Cherry Hill, NJ 08034

Al Machtinger and his professionals, Jack Smith, Architect, and Addison Bradley, Planner and Landscape Architect, were sworn in by Solicitor Zeller. The Applicant proposes to build a 7' by 34' 10.5" by 26' 2.25" "L-shaped" front porch addition within the side yard setback. As proposed, the encroachment would be a minimum of eight (8') feet from the side property line. Mr. Bradley testified that the survey reflects that the addition would be 9.31 feet from the property line, but that due to the posts on the outside of the porch, he must formally request that they be permitted to encroach no further than 8 feet from the side property line. The notice provided on behalf of the Applicant stated eight feet from the side property line.

Mr. Smith provided a brief overview of the project and emphasized the visual curb appeal and functional approach in designing the porch. He stated that no water will be directed towards neighboring properties and that gutters and downspouts will be utilized. The proposed addition would match the existing aesthetics.

Mr. Bradley verified that there were no variances required for lot or building coverage. He opined that the diagonal nature of the parcel's property lines and its "pie" shape created the need for the variance in this instance. He expressed concern that an angled porch would result in a very odd roof condition and testified as to the need for symmetry with the existing house since it is not parallel with the property lines. He stated that there would be no negative impacts and that it would never be used as an accessory dwelling unit. No trees are contemplated to be removed and landscaping will be replaced along the foundation.

The hearing was opened to the public for comment by Chairperson Rardin. No one from the public commented upon the application. The public comment portion of the hearing was closed by Chairperson Rardin.

Mr. Zappasodi from the Department of Community Development testified with regard to his department's review letter dated April 4, 2013. He highlighted that the current request is for the addition to be located 8 feet from the property line instead of 9.31 feet, as originally proposed. The Applicant agreed to comply with the comments/conditions contained therein.

Motion to approve the Bulk Variance for side yard setback with enumerated conditions as specified: motion made by Mrs. Loew and seconded by Mr. DiRenzo, with affirmative votes by Maitland, Loew, Kates, DiRenzo, Biviji, and Rardin. None were opposed. Motion carried.

RESOLUTIONS: None.

Meeting Adjourned: at 8:50 pm.