



ZONING BOARD OF ADJUSTMENT
Thursday, November 20, 2014
DRAFT MINUTES

You couldn't pick a better place.

OPENING: The meeting was called to order by Chairperson Rardin at 7:30 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:** Daniel DiRenzo, Jr.; William Carter; Scott Marcus; Steven Sweeney; Wyatt Sklar; Farhat Biviji, Vice-Chairperson; and Jonathan Rardin, Chairperson.
- **Professionals in Attendance:** Paul Stridick, AIA, Director of Community Development; Anthony J. Zappasodi, Esq., Planning Administrator; Jacob Richman, Planning Technician; and Cosmas Diamantis, Esq., Zoning Board Solicitor. Solicitor Diamantis administered oaths to Mssrs. Stridick and Zappasodi.

COMMENTS FROM THE PUBLIC: None received.

ADMINISTRATIVE ITEMS

Oath for Wyatt Sklar, Alternate Member #2 of the Zoning Board of Adjustment. Solicitor Diamantis administered the oath of Alternate Member #2 of the Zoning Board of Adjustment to Mr. Sklar. The Board offered its welcome and congratulations to Mr. Sklar.

Approval of Meeting Minutes from November 6, 2014. Mrs. Biviji made a Motion to Approve the Minutes from November 6, 2014, which was seconded by Mr. DiRenzo, with affirmative votes by DiRenzo, Carter, Sweeney, Biviji, and Rardin. Abstentions by Marcus and Sklar. Motion carried.

AGENDA ITEMS

14-Z-0036

Block(s) 125.05 Lot(s) 16
Zone: Residential (R3) Zone

Eric & Amber Kodish
505 & 507 Northwood Avenue
Cherry Hill, NJ

Relief Requested: A Certificate of Nonconformity for a duplex (multi-family residential use) in accordance with section 815.E of the Township's Zoning Code and N.J.S.A. 40: 55D-68 of the New Jersey Municipal Land Use Law.

Solicitor Diamantis administered the oath to the Applicant Eric Kodish. Mr. Kodish testified that he recently purchased the property and is requesting a Certificate of Non-Conformity in order to be able to continue to utilize the property as a duplex. He stated that the property contains an approximately sixty year old, one-story brick dwelling. He stated it was occupied as a duplex when he purchased it and that it has two units with two separate front doors that share a common concrete wall dividing essentially mirror image units. Mr. Kodish testified that the building was approximately 37' x 52' in size and that it has 2 separate front doors visible from the street. An aerial photograph was marked as Exhibit "A-1". A photograph showing the front elevation of the dwelling was marked as Exhibit "A-2". A hand-drawn floor plan/rendering illustrating the mirror image units was marked as Exhibit "A-3".

Mr. Kodish testified that he obtained documents dated in 1991 from the Cherry Hill Tax Assessor's Office for 505 and 507 Northwood Avenue that show separate assessment cards for each unit, even though he gets one consolidated tax bill for the property. He testified that those tax records demonstrate that the structure was built in 1951+/- . Copies of several documents from the Tax Assessor's Office were collectively marked as Exhibit "A-4". It was his belief that it was built by brothers so their families could be next to each other. He provided testimony regarding the structure itself, opining that it was originally constructed as a duplex and that there have been no alterations to the load-bearing walls or foundation of the dwelling. He stated that the post office has 2 separate mailing addresses for the duplex's units. He stated that based upon his research, duplexes were no longer expressly permitted within the R3 zone in the mid-1970s. It is his belief that the duplex has been a preexisting nonconforming use for almost 40 years.

Mssrs. Zappasodi and Stridick testified with regard to the Department of Community Development's review letter dated October 24, 2014. Mr. Kodish agreed to comply with the conditions specified therein. Mr. Zappasodi highlighted that he believed the Zoning Ordinance was amended in 1976 to no longer allow duplexes by right in this residential zone and that the tax records show the 2 units were constructed in the early 1950s. He stated that there was no evidence of the structure being converted into a duplex after it was originally built. Mr. Stridick stated that the Applicant inquired about further subdividing the lot, but that the Department would not support that type of application. He further stated that if the Certificate of Non-Conformity is granted, then the Applicant can and may make improvements to the roof so long as the density is not increased, nor the footprint of the structure expanded towards the property lines.

Chairperson Rardin opened the hearing to the public. No members of the public provided any testimony or sought to speak. Chairperson Rardin closed the public portion of the hearing. Board discussion ensued.

Motion to Approve Certificate of Non-Conformity with enumerated conditions: Motion made by Mrs. Marcus and seconded by Mr. DiRenzo, with affirmative votes by DiRenzo, Carter, Marcus, Sweeney, Sklar, Biviji, and Rardin. None opposed. Motion carried.

RESOLUTIONS

14-Z-0019

Block(s) 463.09 Lot(s) 6

Zone: Highway Business (B2) Zone

Relief Requested: A conditional use (D)3 variance, pursuant to section 54 of PL 1975, c.291 (C.40:55D-67), to permit new hotel rooms for an 11,004 SF extended stay hotel to be smaller than 350 SF and to permit kitchenettes in new hotel rooms that are less than 350 SF per §415.C.2(c) of the Cherry Hill Township Zoning Ordinance. This is a bifurcated application.

DC Hospitality Group, LLC

1930 Frontage Road

Cherry Hill, NJ

Motion to Ratify: Motion to Approve Resolution 14-Z-0019 was made by Mr. Carter, which was seconded by Mr. DiRenzo, with affirmative votes by DiRenzo, Carter, Sweeney, Biviji, and Rardin. Abstentions by Marcus and Sklar. Motion carried.

Meeting Adjourned: 7:51 pm.