



ZONING BOARD OF ADJUSTMENT
Thursday, February 5, 2014
DRAFT MINUTES

You couldn't pick a better place.

OPENING: The meeting was called to order by Chairperson Rardin at 7:32 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.; Ivy Rovner; William Carter; Wyatt Sklar; Farhat Biviji, Vice-Chairperson; and Jonathan Rardin, Chairperson
- **Professionals in attendance:** Anthony J. Zappasodi, Esq., Planning Administrator and Allen Zeller, Esq., Zoning Board Solicitor. Solicitor Zeller administered the oath to Mr. Zappasodi.

COMMENTS FROM THE PUBLIC: None received.

ADMINISTRATIVE ITEMS

Zoning Board of Adjustment Annual Report – 2014. Chairperson Rardin asked for a Motion to Approve and Adopt the Annual Report of the Zoning Board as finalized by the Department of Community Development. Mr. DiRenzo made a Motion to Approve the Zoning Board's Annual Report for 2014 and was seconded by Mr. Carter, with affirmative votes by Rovner, DiRenzo, Carter, Sklar, Biviji, and Rardin. Motion carried.

Approval of Meeting Minutes from January 15, 2015. Mr. Carter made a Motion to Approve the Minutes from 1-15-15, which was seconded by Mr. DiRenzo, with affirmative votes by Rovner, Carter, DiRenzo, Sklar, and Biviji. Abstention by Rardin. Motion carried.

AGENDA ITEMS

14-Z-0018

Block(s) 515.16 Lot(s) 22
Zone: Residential (R1) Zone

Jian Hong (Tony) Gao
121 Saxby Terrace
Cherry Hill, NJ

Relief Requested: Bulk (C) variances to permit the installation of a 522 SF second private garage/carport on a residential lot, where only one private garage per residential lot is permitted.

Solicitor Zeller administered the oath to the Applicant, Mr. Gao. Chairperson Rardin asked Mr. Gao if he wanted to hire an attorney and the Applicant responded that he did not want representation. Chairperson Rardin asked the Applicant if he needed a translator and Mr. Gao replied that he did not need an interpreter.

Mr. Gao stated that he and his wife have lived at the subject property for over 20 years and raised 3 kids there. He said they need additional space for storage since they have no basement and their children keep a lot of their stuff at home even though they may live elsewhere. The Applicant stated that the property has an existing pool and patio in the rear yard, and that there is a large garden in the rear yard since he and his wife enjoy gardening so much. Mr. Gao testified that he purchased a large (18' x 31' x 12') carport on the internet directly from the manufacturer called Elephant Structures. He has an existing attached garage in the front of his home. He stated that the manufacturer delivered the carport to his property and placed the structure six feet (6') from the side property line to avoid either cutting down trees or removing a portion of the existing garden. He stated that he removed a section of his rear fence to allow for the installation off of Cropwell Road even though there was no existing driveway apron. Mr. Gao confirmed his property is a reverse frontage lot and that the installer had to travel over an existing sidewalk and tree easement; he stated he did not think this was problematic since it was the same route that was temporarily used when his pool was installed. He stated candidly that he did not realize how big the structure was when he ordered it online. He believed it was placed in the best location possible and confirmed that it does not have a driveway leading to it. Mr. Gao stated that currently there is approximately fifty percent (50%) lot coverage onsite and that there is good drainage and there has never been a problem with flooding before on his property. The Applicant described the carport as having a green colored roof and either

transparent or white plastic sheet material covering the sides/walls. Mr. Gao stated that there is no electricity going to the carport so there will be no lights. He opined that the carport should not negatively affect his neighbors.

The Applicant stated that the structure was intended to be used for the storage of a boat and recreational vehicle, along with other miscellaneous equipment. He stated the RV was previously stored in upstate New York prior to being brought onsite. Mr. Gao stated multiple times that he sought to proceed with the application for the second garage, even though the Board expressed concerns regarding the application related to public safety. A Site Plan rendering was marked as Exhibit "A-1".

Chairperson Rardin opened the hearing to the public. Mr. Michael Faiella of 116 Saxby Terrace stated that the Gao's are great neighbors but that he was concerned regarding the potential future use of the structure as a commercial garage. He opined that it had the aesthetics of an industrial park and was concerned about a potential decrease in property value. No other public testimony occurred. Chairperson Rardin closed the public portion.

Mr. Zappasodi testified on behalf of the Department of Community Development and expressed concern regarding whether the applicant provided adequate testimony to justify each of the 3 bulk variances requested. He highlighted that there was no evidence of uniqueness, suitability or hardship. Board discussion ensued.

Motion to deny the bulk variances: Motion made by Mr. Carter and seconded by Mrs. Rovner, with affirmative votes for denial by DiRenzo, Carter, Rovner, Sklar, Biviji, and Rardin. Motion carried.

14-Z-0039

Block(s) 404.36 Lot(s) 78
Zone: Residential (R1) Zone

Don & Johanna Zitto

1243 Sequoia Road
Cherry Hill, NJ

Relief Requested: Bulk (C) variances to permit the construction of a carport addition to an existing single-family detached residence.

Solicitor Zeller administered the oath to Mr. Robert O'Reilly, AIA, architect for the Applicant. Mr. O'Reilly testified that the Applicant is requesting relief to allow a carport addition to be located approximately 27.9' from the front property line and approximately 8.9' from the side property line. Mr. O'Reilly testified that the dwelling was constructed in the 1940's prior to the neighborhood subdivision. He stated that the lot is uniquely shaped and that the house is oriented so that it faces the neighbor's lot rather than the street. The property has an angled boundary line and is not rectangular. Mr. O'Reilly stated that the homeowners do not have a garage currently onsite and that they need coverage from the snow, rain, and ice. He stated that the addition will be constructed of the same materials of the home and current side yard addition. He opined that the addition would keep the same aesthetic appeal of the home and neighborhood. He highlighted that there were already existing trees along the side property line to buffer the area of the proposed addition. Mr. O'Reilly opined that there will be no increase in stormwater runoff as there is no increase in impervious coverage since the carport is proposed over an existing driveway. A Site Plan was marked as Exhibit "A-1". An Architectural Elevation/Rendering was marked as Exhibit "A-2". Mr. O'Reilly opined that the carport addition would provide additional symmetry to the whole home.

Solicitor Zeller administered the oath to Applicant, Johanna Zitto. Mrs. Zitto confirmed that she and her husband have lived there since 1986 and that they have recently received a zoning permit approval for a separate side addition. She stated the carport was needed for protection against bad weather conditions, especially when she brings groceries into the house. She confirmed it would be a one car garage with some storage space too. She discussed the aesthetics and that the siding will blend with the rest of the home.

Solicitor Zeller administered the oath to Applicant, Donald Zitto. Mr. Zitto stated that he believed the house was originally an old farm house. He described the location of the home in relation to the property lines.

Chairperson Rardin opened the hearing to the public. No public comment was received. Chairperson Rardin closed the public portion.

Mr. Zappasodi testified on behalf of the Department of Community Development. He highlighted that there would be no need for variances if the lot was shaped like a rectangle. Mr. Zappasodi commented regarding the topography, unique shape of the lot, and the irregular orientation of the existing home. Board discussion ensued.

Motion to approve the bulk variances with enumerated: Motion made by Mr. Carter and seconded by Mr. DiRenzo, with affirmative votes by DiRenzo, Carter, Rovner, Sklar, Biviji, and Rardin. Motion carried.

RESOLUTIONS: None.

Meeting Adjourned: at 9:00 pm.