

MINUTES OF THE BOARD OF ADJUSTMENT OF THE TOWNSHIP OF PENNSAUKEN

A public meeting of the Zoning Board of Adjustment of the Township of Pennsauken, in the County of Camden, in the State of New Jersey was held on the above date at the Pennsauken Municipal Building, 5605 N. Crescent Boulevard, Pennsauken, New Jersey.

Chairwoman Butler called the meeting to order at 7:00 P.M. and led the flag salute. Roll call disclosed the following members present: Carl Bierbach, Paul Hoyle, Shirley Butler, Jaye Silver, Darlene Hannah, Dianne Piccari, and Duke Martz. Acting Solicitor Richard Wells, Esq., Planning & Zoning Coordinator John Adams, and Zoning Board Secretary Nancy Ellis were also present.

The Chairwoman announced that the meeting was being held in accordance with the Open Public Meetings Act, notice has been sent to two local newspapers, and also posted on the Bulletin Board in the Municipal Building.

Paul Hoyle assumed the seat of absent member Lysa Longo.

HEARINGS:

MICHEL ALICEA-Seeking 20 feet of relief from front yard fence setback requirement of 20 feet for a 6 foot vinyl fence and any other variances required by Pennsauken Township zoning board. Premises located at 4804 River Rd, Block 412, Lot 12 in Zoning District: R-3.

Michel Alicea, 4804 River Road came forward to testify and was duly sworn by the Solicitor.

Ms. Alicea testified that she would like to install a 6 foot, vinyl fence around her property. Ms. Alicea further testified that she lives on a corner lot and would like to create a play area in her rear yard for her son. She further stated that she will have a contractor install the fence and she is in the process of getting quotes.

Ms. Alicea presented a packet of pictures of her property to the board.

The Solicitor marked the packet of pictures into evidence as A-1.

Upon query, Mrs. Butler was informed by the applicant that she does not have pool in her yard. She lives on a corner lot. and she would like to protect her son, her dog, and also have privacy.

Upon query, Mr. Martz was informed by the applicant that her son is 3 years old and she has lived in her house for 2 years. Ms. Alicea further stated that her dog got out of the yard before, and she would like to keep him safe in the yard as well.

Jaye Silver arrived 7:15 PM.

Mr. Martz suggested that Ms. Alicea change the portion of the fence in the front to 4 foot high. However, the board agreed that Ms. Alicea could have a 6 foot high fence toward the front of her property with the condition to the approval that the fence be moved back to be even with the front porch of her home.

The meeting was open to the public.

There being no one who wished to speak, the meeting was closed to the public.

The Solicitor made the following factual findings: This is an application for bulk variance relief based upon the applicant's desire to construct a 6 foot, vinyl fence around the property. Section 141-89g of the township ordinance requires a 20 foot setback for all fences in all residential districts. The applicant is proposing a 6 foot vinyl fence, at which a portion of the fence will follow the side yard lot line necessitating the 20 feet of variance relief requested. Michel Alicea was sworn in and presented testimony on behalf of the application and she submitted exhibit A-1, which is a group of pictures of the property. The applicant noted that she has a corner lot, and she is seeking the fencing to provide a playground area in the back of her property for her child, to also provide a fenced-in area for her dog as well as for general privacy for the home. There is an existing retaining wall on the property. The applicant also testified that the neighboring property has a 6 foot fence as well. The

applicant does plan to have a contractor install the fence and she is currently receiving quotes. The contractor will be obligated to follow all township requirements and pull all necessary permits. The applicant indicated that she will consider and agree to accept the condition of approval, that condition being that the portion of the fence facing River Road will be setback and even with the front of the porch.

Mr. John Adams, 3825 Gladwyn Avenue came forward and was duly sworn by the Solicitor.

Mr. Adams clarified the application with the board.

Mr. Silver motioned to accept fact finding. Miss Hannah seconded.

Mr. Silver motioned to grant the application with the condition that the 6 foot fence will be moved back to be even with the front of the porch on the applicant's property. He stated that the applicant worked with the board to keep uniformity in the neighborhood and so that her house would not look like a fortress in that she was willing to move the fence back. Mr. Bierbach seconded. Roll call: Madams Butler, Hannah, and Piccari, and Messrs. Bierbach, Silver and Martz-Aye. Mr. Hoyle opposed.

YOLANDA SALAS-LEE - Seeking 14 feet of relief from rear yard setback requirement of 35 feet for a 12' x 16' deck (no roof) and any other variances required by Pennsauken Township Zoning Board. Premises located at 5226 Elvena Avenue, Block 5612, Lot 17 in Zoning District: R-2.

Yolanda Sala-Lee & Mr. Norman Lee, 5226 Elvena Avenue came forward to testify and were both duly sworn by the Solicitor.

The applicant testified that they would like to construct a 12' x 16' deck on the rear of their house. There will be no roof over the deck nor do they need to install additional electric on the deck.

Upon query, Mr. Bierbach was informed by the applicant that they will remove an existing double hung window to install a sliding glass door to enter onto the deck. The applicant further testified that the deck will be built approximately 8 feet off the ground overtop of an existing concrete patio.

Upon query, Mr. Hoyle was informed by the applicant that the deck will be the same width as the existing concrete patio on his property. Mr. Lee stated that the deck will be approximately 21 feet away from his fence in the rear yard.

Upon query, Mr. Silver was informed by the applicant that the deck will be flush and even with the existing house.

Upon query, Mr. Martz was informed by the applicant that there will be steps off of the deck that will lead to an existing concrete patio. Mr. Martz was further informed by the applicant that an existing storage shed on their property will be removed.

Upon query, Mrs. Butler was informed by the applicant that they will use a composite deck material to construct the deck. The applicant further stated that they will leave the deck open underneath and they will not be putting lattice around it.

Upon query, Mr. Hoyle was informed by the applicant that they will install a railing around the whole deck.

The meeting was open to the public.

There being no one who wished to speak, the meeting was closed to the public.

The Solicitor made the following factual findings: This is an application for bulk variance relief based upon the applicant's desire to construct a 12' x 16' deck. Section 141-77 of the township code establishes the R-2 zoning district and subsection c4 requires a rear yard setback of 35 feet. The applicant wants to construct a 12' x 16' deck adjacent to the rear of the home roughly 21 feet from the property line, necessitating the 14 feet of requested variance relief. Miss Yolanda Salas-Lee and Mr. Norman Lee were sworn in and presented testimony on behalf of the application. The applicant noted that the house presents an existing, non conforming condition with respect to that 35 foot requirement. The deck will not have a roof and no additional electric is proposed. The raised deck will have a railing and it will be supported by a concrete slab for storage purposes. The deck

will also have steps leading down to an existing concrete patio. No members of the public appeared to testify for or against the application.

Miss Hannah motioned to accept fact finding. Miss Piccari seconded.

Mr. Bierbach motioned to grant the application. He stated that the deck with the roof exists and there are no neighbors out to complain, it doesn't seem to be a detriment to the community. Mr. Bierbach further stated that he believes the roof is an enhancement to the property and to the applicants. Miss Piccari seconded. Roll call: Madams Hannah, and Piccari, and Messrs. Bierbach, Silver and Martz-Aye. None opposed.

MINUTES:

It was moved, seconded and unanimously agreed to approve the July 20, 2016 and August 3, 2016 meeting minutes.

CORROSPONDENCE:

None

RESOLUTIONS:

None

BILLS:

*8/17/2016-Florio, Perrucci, Steinhardt & Fader, LLC preparation of resolution for In His Presence Ministry -**\$195.00.***

*8/17/2016-Florio, Perrucci, Steinhardt & Fader, LLC preparation for hearing for Steven Williams-**\$45.00.***

*8/17/2016-Florio, Perrucci, Steinhardt & Fader, LLC preparation for hearing for Yosanna Roman-**\$45.00.***

*8/17/2016-Florio, Perrucci, Steinhardt & Fader, LLC-Zoning Board Solicitor Monthly Retainer-**\$1,134.67.***

*8/17/2016-Florio, Perrucci, Steinhardt & Fader, LLC-Litigation for Jeffery & Lisa Love-**\$4,296.90.***

*8/17/2016-T&M Associates Engineering Services-**\$265.50.***

COORDINATOR'S REPORT:

Not at this time.

There being no further business; it was moved, seconded and unanimously agreed to adjourn the meeting at 7:45 P.M.

Respectfully submitted:



Nancy L. Ellis, Board Secretary