

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, Lysa Longo, Shirley Butler, Jaye Silver, Darlene Hannah, Dianne Piccari, and Duke Martz. Acting Solicitor Richard Wells, Esq., 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.

HEARINGS:

RICH REEVES - Seeking 9 feet of relief from total aggregate setback requirement of 18 feet for an 8' x 11' deck on rear of house, and any other variances required by Pennsauken Township Zoning Board. Premises located at 829 Engard Avenue, Block 1313, Lot 6 in Zoning District: R-3.

Rich Reeves, 49 Jefferson Drive, Laurel Springs, NJ came forward to testify and was duly sworn by the Solicitor.

Mr. Reeves testified that he is a "flipper". He purchased the house on Engard Avenue and it was a complete shell. They have redone the whole house and there was an existing deck on the rear of the house. Mr. Reeves testified they removed the deck because it was in disrepair and they would like to rebuild a new deck. However, they need a variance to do so.

Upon query, Mrs. Butler was informed by the applicant that he is a licensed contractor and he will be doing the work himself. The applicant further informed Mrs. Butler that the deck will be approximately 3 ½ feet off the ground, there will be railings on 3 sides and a set of steps will be installed. The applicant further stated that he will not be adding lighting or electric to the deck.

Upon query, Mr. Bierbach was informed by the applicant that he will be rebuilding the deck to the same specifications as the original deck.

Upon query, the applicant informed Mrs. Longo that he will use the same footings as the original deck and there will be approximately 5 or 6 steps that go down from the deck.

Jay Silver arrived at 7:15pm.

Miss Piccari commented she didn't have any problem with Mr. Reeves rebuilding the deck.

Upon query, Mr. Martz was informed by the applicant that he will be putting lattice around the bottom of the 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 an 8 foot x 11 foot deck in the rear of the property. Section 141-77 of the township code establishes the R-3 residential zone and subsection c3 of that section requires an aggregate side yard setback of 18 feet. The applicant is proposing an 8' x 11' deck which leaves roughly 9 feet of aggregate property, necessitating the 9 feet of requested variance relief. Mr. Rich Reeves was sworn in and presented testimony on behalf of the application. He noted that the house was purchased as a shell, it has been renovated and he tore down a deck at the property. The prior deck occupies the same foot print as the proposed deck. The new deck will be similar to the prior deck on the property. The deck will be roughly 3 1/2 feet off the ground with a railing on three sides and steps down to the ground. The applicant testified that he is a licensed contractor and he will perform the work. He will pull all necessary permits and he will make sure the deck is up to code as well. There is no proposed lighting on the deck. The applicant noted that the existing lighting on the house is sufficient. The applicant presented digital pictures of the area where the deck will occupy. The applicant also testified that there will be lattice installed underneath the deck and he highlighted that the lot is exceptionally narrow. No members of the public appeared to testify for or against the application.

Mrs. Longo motioned to accept fact finding. Mr. Martz seconded.

Mr. Martz motioned to grant the application. He stated that the deck is only replacing a preexisting deck and he believes it will improve the appearance of the property. Miss Hannah seconded. Roll call: Madams Longo, Butler, Hannah, and Piccari, and Messrs. Bierbach, Silver and Martz-Aye. None opposed.

MECHELE HERRING - Seeking 42.60 feet of relief from front yard fence setback requirement of 20 feet for a 4 foot chain fence, and any other variances required by Pennsauken Township Zoning Board. Premises located at 7501 Pleasant Avenue, Block 1408, Lot 6 in Zoning District: R-3.

Mechele Herring, 7501 Pleasant Avenue came forward to testify and was duly sworn by the Solicitor.

Ms. Herring testified that she would like to install a 6 foot, fence around her house for her safety and privacy. There is an abandoned house on one side of her and people have broken into the property. The applicant further stated that children and other trespassers cut through her yard and through trash on her lawn.

Upon query, Mrs. Butler was informed by the applicant that she will hire someone to install the fence.

Upon query, Mr. Martz was informed by the applicant that she does not live on a corner property.

The applicant presented pictures of her property to the board.

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

The board suggested that the applicant move the proposed fence on the side of the property back and remove the fence crossing in front of the property. The board indicated where they would like the fence to be placed on the property by using the survey of the property. The applicant agreed with the board's conditions.

The survey depicting the location of the proposed fence was marked into evidence as A-2.

Upon query, Mr. Bierbach was informed by the applicant that her house was empty for a while before she purchased it. Kids are used to coming onto her property to play, they cut through her yard and they leave their trash behind.

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 4 foot chain link fence on the property. Section 141-89g requires all fences in all residential districts to have a 20 foot setback from the front building line. The applicant has proposed a 4 foot chain link fence which nears the front property line necessitating the 42.60 of variance relief. Michele Herring was sworn in as the applicant and she provided testimony that she would like to construct the fence around the home in order to keep children, other trespassers and trash off of her lawn. The applicant hired a licensed contractor to perform the work pending the approvals granted this evening. The applicant submitted Exhibit A-1 which was collectively pictures of the existing fence she would like to extend on the existing property. The board requested the applicant set the side fence back and remove the front fence crossing the front property line as was depicted in Exhibit A-2. No members of the public appeared to testify for or against the application

Mrs. Longo motioned to accept fact finding. Mr. Silver seconded.

Miss Hannah motioned to grant the application with the condition to set the side fence back and remove the front fence crossing the front property line. Mr. Silver seconded. Roll call: Madams Butler, Hannah, and Piccari, and Messrs. Silver and Martz-Aye. Messr. Bierbach and Madam Longo opposed.

DIEU DOAN (Continued From 9/7/2016) - Seeking 9 feet of relief from front yard setback requirement of 30 feet for a 5' x 44' wooden structure attached to front of house. Premises located at 6523 Walton Avenue, Block 5911, Lot 9 in Zoning District: R-2.

The applicant, Dieu Doan, and Si Doan, the applicant's son and translator, 6523 Walton Avenue came forward to testify and were both duly sworn by the Solicitor.

Upon query, Mrs. Butler was informed by the applicant that the structure and a fish pond were built in 2014. They didn't know they needed a permit. It's used only for decoration.

Upon query, Mr. Bierbach was informed that the structure is only for decoration. The structure is lit up with Christmas lights and they don't plan on adding any other lighting. The applicant further informed Mr. Martz that the structure is held up by 4 posts that are the posts are buried in the ground with no concrete footings.

Upon query, Mrs. Longo was informed by the applicant that the structure is completely open. There is not much weight to it.

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 on the applicant's construction of a 5 foot by 40 foot wooden structure in the front of the property. Section 141-77 establishes the R-2 zone and subsection c2 requires a front yard setback of 30 feet. The applicant located the structure roughly 21 feet from the property line, necessitating the 9 feet of requested variance relief. Mr. Si Doan was sworn in as a translator for the applicant Dieu Doan and the board asked the applicant through the translator questions about the application. The applicant indicated that they built a pond and the wooden structure in 2014. They were not aware of the required permit process and that the structure is merely decorative and didn't require any type of formal approval. The purpose of the wooden structure is purely decorative and has no other purpose. The applicant has not changed the structure or added to it since it was constructed. There will be no additional lighting used or installed to the structure are, other than the decorative lighting in the form of temporary Christmas lights. The structure is secured to the home via screws and the wooden posts supporting the structure are buried into the ground without concrete footings. The applicant did present to the board digital pictures of the structure and the home. No members of the public appeared either for against the application.

Mrs. Longo motioned to accept fact finding. Mr. Silver seconded.

Mr. Martz motioned to grant the application. He stated there were no members from the public against the application and he believes the purpose is for a more decorative use. Mr. Martz further stated that he believes the construction office may have them remove and rebuild the structure to code. Mr. Bierbach seconded. Roll call: Madams Butler, Hannah, and Piccari, and Messrs. Bierbach, Silver and Martz-Aye. Mr. Hoyle opposed.

MINUTES:

None

CORROSPONDENCE:

None

RESOLUTIONS:

Resolution #Z - 2016-20 granting **VANESSA J. POITIER** 18 feet of relief from front yard fence setback requirement of 20 feet for a 6 foot vinyl fence. Premises located at 5512 Toms Ave, Block 5603, Lot 29 in Zoning District: R-1.

Resolution #Z- 2016-21 granting **TONYA MOODY** 28 feet of relief from rear yard setback requirement of 40 feet for a 15' x 15' deck (no roof). Premises located at 8310 Collins Avenue, Block 2710, Lot 23 in Zoning District: R-1.

BILLS:

9/7/2016-T&M Associates Engineering Services (Cheung Wing Group)-\$318.39.

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