

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, 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.

HEARINGS:

VANESSA J. POITIER- Seeking 18 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 5512 Toms Ave, Block 5603, Lot 29 in Zoning District: R-1.

Venessa J. Poitier, 5512 Toms Avenue came forward to testify and was duly sworn by the Solicitor.

Ms. Poitier testified that she would like to install a 6 foot, vinyl fence up to the corner and down the side of her property for safety, privacy, and to deter trespassers from cutting across her lawn, which has been a detriment to her property. She further stated that the fence needs to be brought up towards the front so that it doesn't interfere with her air conditioner unit as well.

Upon query, Ms. Butler was informed by the applicant that she has found someone to install the fence.

Upon query, Mr. Martz was informed by the applicant that her property is in the middle of the block and she wouldn't care for a 4 foot, split rail fence as he is suggesting.

Ms. Poitier presented pictures of other properties with fences in her neighborhood.

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

Upon query, Mrs. Longo was informed by the applicant that she does not care for a split rail fence.

Upon query, Mr. Bierbach was informed by Ms. Poitier that the pod that is currently on her property will be removed. The applicant further stated that she will have a gate installed with the fence and she will consider installing a 4 foot fence in the front and 6 foot around the rear and sides of her property.

The applicant presented pictures of properties in her neighborhood that have fences.

The Solicitor marked the pictures of properties with fences in the applicant's neighborhood into evidence as A-2.

The applicant presented a brochure depicting the type of fences she has considered installing on her property.

The Solicitor marked the brochure into evidence as A-3.

The meeting was open to the public.

Karen Ney, 1934 West River Drive came forward to testify and was duly sworn by the Solicitor.

Ms. Ney testified that she had no problem with the fence. However, her deceased mother's rear yard abuts up against Ms. Poitier's rear yard and she wants to make sure that when the fence is installed it will not encroach on her property and that she doesn't have any issues when she sells the property.

Earnestine Turner, 5519 Gaumer Avenue came forward to testify and was duly sworn by the Solicitor.

Ms. Turner testified that she doesn't have a problem with Ms. Poitier installing the fence. However, she believes that the neighborhood is beginning to look closed-in with all the fences going up.

Mr. John Adams, Pennsauken Zoning Officer, 3825 Gladwyn Avenue came forward to testify and was duly sworn by the Solicitor.

Mr. Adams clarified and addressed Ms. Ney's concerns regarding the location of the proposed fence.

There being no one else 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 desire to install a 6 foot, vinyl, privacy fence on the property. Section 141-89g of the township code requires that all fences in all residential districts must have a 20 foot setback from the building line. The applicant is proposing a 6 foot vinyl fence, a portion of which is roughly 2 feet from the building line, necessitating the 18 feet of requested variance relief. Ms. Venessa Poitier was sworn in and indicated that she would like to install and extend the fence towards the front corner of her home opposite the driveway. She will be removing an existing vinyl fence and replacing it with a new fence. She would like to extend the fence in order to be flush with her home both for security and privacy and essentially box in her yard opposite the driveway. The applicant will have the fence installed by a professional contractor who will comply with all township ordinances and codes and will acquire all applicable permits. The applicant submitted exhibit A-1, representing pictures of homes in the surrounding neighborhood with similar fences. Exhibit A-2 is a series of pictures of her existing home and fence. Exhibit A-3 is a brochure depicting the styles of fences that the applicant is considering. We heard from two members of the public, Karen Ney was concerned that the new fence will stay in the property lines as required by the township code and the board confirmed that any installation of the fence will comply with code and that the construction office will ensure proper installation. We also heard from Earnestine Turner who lives behind the applicant and understands why the applicant is requesting the fence and she generally expressed her concern that other properties in the township may not be complying with the code as the applicant is by submitting her application. The board had mentioned that the applicant did agree to a condition to the approval that the section of the fence that is parallel to the house in front of the home could be installed at a 4 foot height.

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

Mr. Silver motioned to grant the application with the condition that that a 4 foot fence will be installed in the front portion of the property so that it doesn't make the property look like a fortress. Mr. Martz seconded. Roll call: Madams Butler, Hannah, and Piccari Longo, and Messrs. Bierbach, Silver and Martz-Aye. None opposed.

TONYA MOODY - Seeking 28 feet of relief from rear yard setback requirement of 40 feet for a 15' x 15' deck (no roof) and any other variances required by Pennsauken Township Zoning Board. Premises located at 8310 Collins Avenue, Block 2710, Lot 23 in Zoning District: R-1.

Tonya Moody, 8310 Collins Avenue came forward to testify and was duly sworn by the Solicitor.

Ms. Moody testified that she had a deck built for a swim spa and she needs 28 feet of variance relief.

Ms. Moody showed a picture of the deck, from her cell phone to the board.

Mr. Martz left at 7:45pm.

Upon query, Mrs. Longo was informed by the applicant that the swim spa is 15' x 8' and it is above ground. The applicant further stated that she hired an electrician to install electric for the spa and it requires 50 AMPs.

Upon query, Mr. Bierbach was informed by the applicant that the pad for the base of the deck has already been installed.

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 construction of a 15' x 15' deck with no roof in the rear of the property. Section 141-76 establishes the R-1 zone and Subsection C4 requires the rear yard setback of 40 feet. The applicant has built the deck roughly 12 feet from the property line necessitating the 28 feet of requested relief. The property currently has a deck affixed to the rear of the property. The applicant constructed the deck in lieu of a paver patio, which would not have required a variance. The deck is ground level and it is accessed from the raised deck by a set of existing steps. The applicant noted that the deck will be next to a proposed Jacuzzi area. The applicant is in the process of applying for the required permits. The applicant submitted exhibit A-1, consisting of pictures of the lower deck area. No members of the public appeared in favor or against the application.

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

Mr. Silver motioned to grant the application with the condition that that a 4 foot fence will be installed in the front portion of the property so that it doesn't make the property look like a fortress. Mr. Martz seconded. Roll call: Madams Butler, Hannah, and Piccari Longo, and Messrs. Bierbach, Silver and Martz-Aye. None opposed.

DIEU DOAN - 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.

Dieu Doan, 6523 Walton Avenue came forward to testify and was duly sworn by the Solicitor.

The application was postponed to the September 21, 2016 meeting due to the applicant needing a translator.

MINUTES:

It was moved, seconded and unanimously agreed to approve the August 17, 2016 meeting minutes.

CORRESPONDENCE:

None

RESOLUTIONS:

Resolution #Z-2016-18 granting **MICHEL ALICEA** 20 feet of relief from front yard fence setback requirement of 20 feet for a 6 foot vinyl fence. Premises located at 4804 River Rd, Block 412, Lot 12 in Zoning District: R-3.

Resolution #Z- 2016-19 granting **YOLANDA SALAS- LEE** 14 feet of relief from rear yard setback requirement of 35 feet for a 12' x 16' deck (no roof). Premises located at 5226 Elvena Avenue, Block 5612, Lot 17 in Zoning District: R-2.

BILLS:

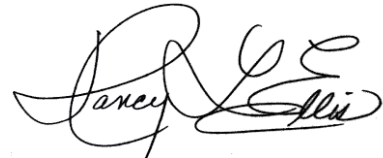
9/7/2016-T&M Associates Engineering Services (Cheung Wing Group)-\$318.39.

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