

**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.

Vice Chairman Silver 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, Lysa Longo, 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 Vice Chairman 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 Shirley Butler.

**HEARINGS:**

**JAMES MIGNOGNA** - Seeking 5 feet of relief from front yard setback requirement of 25 feet for an 8' x 20' front porch with roof. Premises located at 7005 Rogers Avenue, Block 3004, Lot 5 in Zoning District: R-3.

James Mignogna, 7005 Rogers Avenue came forward to testify and was duly sworn by the Solicitor.

Mr. Mignogna testified he and his wife have lived in their home since 1988 and they would like to beautify by putting an 8' x 20' with a roof on the front of their house. However, they will require 5 feet of relief to do so.

Mr. Mignogna presented a packet of drawings of the proposed porch.

The Solicitor marked the packet of drawings of the front porch into evidence as A-1.

Upon query, the applicant informed Miss Piccari that they will remove an existing overhang on the front of the house to install the porch. Miss Piccari was further informed by the applicant that they do not intend to enclose the porch at this time.

Upon query, the applicant informed Miss Hannah that there is an existing electrical outlet on the front of the house and they do not intend installing additional electric on the proposed porch at this time.

Mr. Martz arrived 7:10 PM.

Mr. Hoyle commented that he lives in the same area as the applicant and that a front porch fits in with the neighborhood.

Upon query, the Solicitor was informed by the applicant that a friend of his who is a contractor, JC Carpenter in Runnemede, NJ will construct the porch.

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

Upon query, Mr. Adams was informed by the applicant that they don't intend to enclose or add electric to the proposed porch. However, they may want or need to in the future.

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 base upon the applicant's desire to construct and 8' x 20' porch with a roof on the front of the house. Section 141-78 C2 of the township ordinance establishes that the front yard setback requirement is 23 feet and the proposed porch is roughly 20 feet from the property necessitating 5 feet of requested relief. Mr. James Mignogna was sworn and testified and also submitted exhibit A-1, representing a compilation of drawings of the proposed porch. The applicant testified that a contractor is being hired for the work and all necessary permits and other applications

will be pulled from the township before any work begins. The applicant has stated there is no intent to fully enclose the porch. However, they may intend to screen in the porch in the future. There is already an electrical outlet attached to the house. While no additional electric is proposed at this time, the applicant noted there may be additional electric added for a ceiling fan or additional lighting in the future. There will be no plumbing incorporated with the porch and there is no plumbing proposed or considered for the future. The board noted there are similar porches in the neighborhood, which have been added to other houses and upon question from the board, the applicant confirmed that the roof shingles and color scheme of the porch will match the current structure. No members of the public appeared to testify. Mr. Adams questioned the applicant about his desire to screen in and provide additional electric in the future.

Mrs. Longo motioned to accept fact finding. Miss Hannah seconded.

Mrs. Bierbach motioned to grant the application. Mr. Bierbach stated he doesn't see any detriment to the community and it appears the porch goes with the esthetics of the neighborhood. There is no one from the public against the application. Mr. Hoyle seconded. Roll call: Madams Longo, Hannah and Piccari, and Messrs. Bierbach, Hoyle, and Silver-Aye. None opposed.

**BEATRIS GONZALEZ** - Seeking 7 feet of relief from house setback requirement of 15 feet for a 15 foot round pool in rear yard, and any other variance required by Pennsauken Zoning Board. Premises located at 4415 Remington Avenue, Block 309, Lot 21 in Zoning District R-3.

Beatris Gonzalez, 4415 Remington Avenue came forward to testify and was duly sworn by the Solicitor.

Ms. Gonzalez testified that she would like to install a pool in her back yard. However, in order to install the pool she needs a variance.

Upon query, Mr. Martz was informed by the applicant that the pool has not been installed yet.

Upon query, Mr. Bierbach was informed by Ms. Gonzalez that there is no other place to put the pool on her property because of the size of her lot. The applicant further informed Mr. Bierbach that the pool will not be up against her house. She further stated that there is an existing fence around the entire rear yard and the pool will have a rail around the entire perimeter. The pool will also have a locking gate and ladder.

Mr. John Adams came forward to clarify the application to the board.

Upon query, Mr. Hoyle was informed there is a currently a fence around the perimeter of her rear yard and the pool will also have a locking gate and ladder. The applicant further informed Mr. Hoyle that her basement door is on the side of her house and the pool will not interfere with it.

Upon query, Miss Piccari was informed by the applicant that the pool will be installed on the grassy area of her back yard. The applicant further informed Miss Piccari that there are blow up pools in her neighborhood.

Upon query, Mr. Silver was informed that her existing fence has a gate and the proposed pool will have a locked gate and ladder. The gates will be locked when the pool is not in use.

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 install a 15', round, above ground pool. Section 141-89 K, Section 2 B of the township ordinance establishes that swimming pools shall not be closer than 15 feet to the foundation wall of the dwelling and it also must be at a distance from the property line of at least 1 ½ feet times the deepest part of the pool. Ms. Beatris Gozalez was sworn and has testified that the proposed pool is roughly 8 feet from the dwelling line, and 6 feet from the back and side property line, which necessitate the 7 feet of requested variance relief. The board highlighted and the applicant confirmed that there is no place on the property the swimming pool could be installed without a variance. As proposed, the pool would be installed 6 feet from the rear and side property lines, which does comply with the ordinance. The applicant confirmed that the whole back yard is fenced in and there will be an additional fence that will be installed around the perimeter of the pool itself and it is part of

the pool design. The applicant confirmed that the gates will be locked at all times when the pool is not in use, including the square corral gate around the ladder providing access to the pool. All applicable permits for the pool required will be pulled from the township. No members of the public appeared to testify.

Mrs. Longo motioned to accept fact finding. Miss Hannah seconded.

Mr. Martz motioned to grant the application. He stated that he believes the applicant has proven she can't place the pool anywhere else on her property without a variance because of the odd shape of the lot. Mr. Martz further stated that he doesn't see a detriment to the neighbors. Mr. Bierbach seconded. Roll call: Madams Longo, Hannah and Piccari, and Messrs. Bierbach, Martz, and Silver-Aye. None opposed.

**MINUTES:**

It was moved, seconded and unanimously agreed to approve the May 4, 2016 meeting minutes.

**CORRESPONDENCE:**

None

**RESOLUTIONS:**

**RESOLUTION #Z-2016-11-** Granting **MARILYN HALE** 3 feet of relief from side yard setback requirement of 5 feet for a 10' x 20' enclosed car tent structure. Premises located at 3237 47<sup>th</sup> Street, Block 4602, Lot 4 in Zoning District: R-3.

**BILLS:**

None

**COORDINATOR'S REPORT:**

Not at this time.

There being no further business; it was moved, seconded and unanimously agreed to adjourn the meeting at 7:40 P.M.

Respectfully submitted:

A handwritten signature in cursive script, appearing to read "Nancy L. Ellis".

Nancy L. Ellis, Board Secretary