

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, Lysa Longo, 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.

HEARINGS:

Marilyn Hale - Seeking 3 feet of relief from the side yard setback requirement of 5 feet for a 10' x 20' enclosed car tent structure and any and all other variances required by the Pennsauken Township Zoning Board. Premises located at 3237 47th Street, Block 4602, Lot 4 in Zoning District R-3.

Marilyn Hale, 3237 47th Street came forward to testify and was duly sworn by the Solicitor.

Mrs. Hale testified that her husband passed away in February and he had put a car tent up in their driveway approximately 5 years ago, it is bolted to the driveway and she cannot move it and it is too close to the property line. Therefore, she is asking for the variance to keep the structure where it is. Mrs. Hale further testified that her neighbors don't have issues with the car tent.

Upon query, Mrs. Butler was informed by the applicant that she has lived at her house for 25 years.

Mrs. Hale presented a picture of the posts of the car tent bolted into the ground as well as a picture of the inside of the tent to the board.

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

Mrs. Hale testified that the canvas of the car tent had been replaced in the past. However, the structure has survived many storms.

Upon query, Mr. Martz was informed by the applicant that currently the canvas top is in two different colors. However, she can replace the canvas so that it is all one color.

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

Upon query, Mr. Adams informed Mr. Silver that an inspector saw the car tent and found there was no permit for the structure and it was also determined that the applicant also needed a variance. Mr. Adams further stated that the applicant notified her neighbors within 200 feet of her property and no one is here this evening to testify for or against the applicant. However, the neighbors have 45 days to appeal the board's decision if they wish to do so.

Mrs. Longo commented that she believed the structure is fine if the appearance was better.

Upon query, Mr. Hoyle was informed by the applicant that she will not use the structure for storage, especially not flammable materials.

Upon query, Mr. Bierbach was informed by the applicant that she will replace the canvas top so that it is all one color and she will remove the light with an extension cord from the structure. The applicant further stated that she will not enclose the structure. It will only be used as a carport.

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 an enclosed car tent structure on the property. Section 141-78c subsection 3c of the township ordinance has established that an accessory structure must be at least 5 feet from the property line. The location of the existing driveway results such that the car tent as constructed is roughly 2 feet from the property line and necessitating the 3 feet of relief of requested variance relief. The applicant testified that they have constructed a 10' x 20' car tent on the

property approximately 5 year ago and there is no garage present. The applicant has been living in the home for about 25 years and has not received any complaints about the structure since it has been on the property. The applicant also highlighted that the car tent is secured to the ground and it has survived numerous storms. The applicant submitted exhibit A-1 which is a set of pictures both depicting how the car tent is affixed to the ground and the inside conditions of the tent. The tent structure is separate from the cover and the board noted that the condition of the cover was not esthetically pleasing in the current state. The applicant agreed to the board's conditions to both replace the existing cover and clean and maintain it so that it is in good working order. The board also clarified that there is no electric in the tent and the applicant confirmed that the structure will not be lit nor will any electric be installed in it. Finally, the applicant agreed that if approved the tent structure would not be used for storage or any devices or materials that could potentially result in a fire hazard or other hazards to the applicant's property or to the surrounding properties.

Mr. Adams informed the applicant that if the application is approved, she will have to obtain permit from the building department.

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

Mrs. Silver motioned to grant the application with the conditions that the canvas cover be replaced over the structure, no flammable items will be stored in the structure, and no light will be installed in the structure. Mr. Martz seconded. Roll call: Madams Longo, Butler, Hannah and Piccari, and Messrs. Bierbach, Silver, and Martz-Aye. None opposed.

MINUTES:

It was moved, seconded and unanimously agreed to approve the April 6, 2016 and April 20, 2016 meeting minutes.

CORRESPONDENCE:

None

RESOLUTIONS:

Resolution #Z-2016-10 granting **Quoc Truong** 3 feet of relief from side yard setback requirement of 5 feet for a 12' x 20' carport. Premises located at 1909 Merchantville Avenue, Block 4704, Lot 2 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:



Nancy L. Ellis, Board Secretary