

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, Jaye Silver, Darlene Hannah, Dianne Piccari, Lou Morales and Duke Martz. Acting Solicitor Richard Wells, Esq., Planning & Zoning Coordinator John Adams, and Secretary Nancy Ellis were also present.

Vice Chairman Silver 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.

Lou Morales assumed the seat of absent member Shirley Butler.

HEARINGS:

JOSLYN MORGAN - Seeking 45 feet of relief from front yard fence setback requirement of 20 feet for a 4 foot picket & 6 foot vinyl fence and any other variances required by Pennsauken Zoning Board. Premises located at 4915 Chestnut Avenue, Block 5104, Lot 9, in Zoning District R-3.

Joslyn and Joanna Morgan, 4915 Chestnut Avenue came forward to testify and were both duly sworn by the Solicitor.

The applicants testified they would like to install a fence around the perimeter of their property. They have two special needs children and they would like the fence for their security as well as for their privacy.

The applicant presented a series of pictures depicting other homes in their neighborhood with similar fences to the one they propose.

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

The applicant testified that the fence will not interfere with any site lines from the street.

Upon query, Mr. Martz commented that he believes the fence will look nice. However, he would prefer the applicant put a 3 foot fence in the front rather than a 4 foot fence.

Upon query, Mrs. Hannah was informed by the applicant that they plan on installing a white vinyl fence.

Upon query, Miss Piccari was informed by the applicant that they will be willing to put a 3 foot fence toward the front and 6 foot down the sides and rear of the property.

Upon query, Mr. Morales was informed by the applicant that the fence will be installed approximately 3 feet away from an existing tree on the property because of its roots.

Upon query, Mr. Martz was informed by the applicant that the fence will be installed approximately 20 to 25 feet from the front of the house.

Upon query, the applicant informed Mrs. Longo that they will be installing 2 gates, one in front of the driveway and one in front of the walkway.

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 install a fence around the property line. Section 141-89 G of the township code establishes that for all residential districts no fences shall be erected closer than 20 feet to the front building line. The applicant proposes the placement of a fence extended roughly 25 feet beyond the front building line which necessitates the 45 feet of requested variance relief. Mr. Joslyn and Joanna Morgan were sworn in to present testimony. The applicants testified that they would like to place a 6 foot vinyl fence around the rear and side of the property, as noted on the application with a 4 foot picket fence in the front, as noted on the application. The board requested that the applicant agree to the condition to the approval to lower the 4 foot picket fence to a 3 foot picket fence and the rest of the applicant's request will remain the same. The applicant highlighted that they have a corner property with an odd shaped house, which is not squarely situated on the lot. The applicants are

requesting the fence for both the safety and security for their children as well as for privacy. The applicants confirmed that visibility will not be affected by the fencing and they submitted exhibit A-1, which represented a collection of colored pictures depicting other properties in their neighborhood with similar style fences. No members of the public appeared to testify.

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

Mr. Martz motioned to grant the application with the condition that the fence in the front of the property is no higher than 3 feet. He stated that he believes the applicant has met the positive criteria, and that the fence will improve the property and it will deter people from cutting through their yard. Miss Hannah seconded. Roll call: Carl Bierbach, Lysa Longo, Jaye Silver, Darlene Hannah, Dianne Piccari, Lou Morales and Duke Martz-Aye. None opposed.

THANH CHUNG - Seeking 33 feet of relief from front yard fence setback requirement of 20 feet for a 4 foot chain and 6 foot vinyl fence and any other variances required by Pennsauken Zoning Board. Premises located at 3716 Royal Avenue, Block 5802, Lot 1, in Zoning District R-3.

Mr. Thanh Chung, 3716 Royal Avenue came forward to testify and was duly sworn by the Solicitor.

Mr. Chung testified that he would like to install a 4 foot chain link fence toward the front of his property as well as a 6 foot vinyl fence along the rear and the sides of the property. Mr. Chung further stated that he wants to create a play and pool area for his young child. He would also like the fence for privacy and security as well. Mr. Chung further testified that he lives on a corner lot, near a school and children and others cut through his yard.

The applicant presented a series of pictures depicting other properties in his neighborhood with fences similar to what he proposes.

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

Upon query, Mr. Bierbach was informed by the applicant that the corner of his property is on the left side and he will put either all chain link or all vinyl fencing up to keep it uniform.

Upon query, Mr. Martz was informed by the applicant that the purpose of the fence is to deter people from cutting across his yard.

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

Mr. Adams clarified the application and the survey with the board.

The board reviewed digital pictures of the neighborhood on a cellular phone.

Mr. Bierbach stated that he would prefer that the applicant keep his property uniform with the rest of the neighborhood by putting a 4 foot chain link fence across the front of his property and the vinyl fence in the rear of the property.

Upon query, Mr. Morales was informed by the applicant that he will put a gate up in front of his driveway and walkway.

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 both a 4 foot chain link and 6 foot vinyl fence around the perimeter of the property. Section 141-89 G establishes that all residential districts that no fence shall be erected closer than 20 feet to the front building line. The applicant is proposing placement of a fence that exceeds approximately 13 feet beyond the front building line, necessitating the 33 feet of requested bulk variance relief. Mr. Chung was sworn in to present testimony and highlighted that he does have a corner property and he has both privacy and security concerns with respect to his young child and also with respect to children and other people crossing over the corner of his property because he lives in close proximity to a school. The applicant further highlighted that due to the shape of the lot and the placement of the house on the lot, that the right section or back section of the lot, depending on how you're looking at it on the survey, it is really only side yard area that the applicant has to enjoy. The applicant is proposing, as noted on the survey a section of 4 foot chain link fence (marked in green on the survey) and a section of 6 foot vinyl fence (marked in purple on the survey). However, the applicant agreed to

extend the 4 foot chain link fence along the front of the property, along Royal Avenue. There is no change to the rest of the application. The applicant submitted Exhibit A-1 which represented a collection of colored pictures of other homes with fences in the neighborhood. The board also viewed digital pictures of other homes in the neighborhood, which indicated similar chain link fence arrangements. No members of the public appeared to testify

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

Mr. Bierbach motioned to grant the application with the condition that the entire front of the property will remain a 4 foot chain link fence. He stated that the rest of the application and as the survey shows with a 6 foot vinyl fence on the sides. He further stated he doesn't see any detriment to the surrounding community, it will not affect site lines and it will confirm to the neighborhood. Miss Hannah seconded. Roll call: Carl Bierbach, Lysa Longo, Jaye Silver, Darlene Hannah, Dianne Piccari, Lou Morales and Duke Martz-Aye. None opposed.

FREDERICK OGDEN - Seeking 11 feet of relief from front yard setback requirement of 30 feet for a 10' x 36' front porch with roof and any other variances required by Pennsauken Zoning Board. Premises located at 5110 Golfview Court, Block 6201, Lot 12, in Zoning District R-2.

Mr. Frederick Ogden, 5110 Golfview Court came forward to testify and was duly sworn by the Solicitor.

Mr. Ogden testified that he would like to install a 10' x 36' open front porch on the front of his home.

Mr. Ogden presented pictures to the board depicting his property, other homes in the neighborhood, and a rendering of the proposed porch.

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

Upon query, Mr. Martz was informed by the applicant that the porch will be open with a roof. He has no intentions of enclosing the porch. The applicant further stated that he and his wife would like to use the porch for their enjoyment.

The applicant testified as to the materials the porch will be constructed with and that he would not be able to build the porch without a variance.

Upon query, Mr. Bierbach was informed by the applicant that he will not enclose the porch and he may add additional lighting in the future for a ceiling fan.

Upon query, Mr. Martz was informed by the applicant that any existing canopy over the door will be removed.

Upon query, Mr. Hoyle was informed by the applicant that the roof of the porch will extend out approximately 10 feet.

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 covered front porch in the front of the property. Section 141-77 of the township code establishes the R-2 residential zoning district and subsection c-2 requires a front yard setback of 30 feet. The applicant proposes the additional front porch which is roughly 19 feet from the front yard setback line, necessitating 11 feet of the requested variance relief. Mr. Fred Ogden was sworn in to present testimony and he highlighted that this would be a elevated, covered front porch. The applicant noted that the porch will be covered and not enclosed and there are no intensions to enclose it to use as interior space. While no additional electric is proposed at this time, the applicant indicated they may run additional electric in the future and would get all applicable permits to do so. The applicant further described the property is a corner property and noted that as existing, the house cannot conform to the current setback requirements. The applicant also passed around an example of a Trex® material which will be used to construct the porch and he submitted Exhibit A-1, which represents a collection of colored pictures depicting the property, the neighborhood and a rendering of the proposed front porch. No members of the public appeared to testify.

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

Mr. Martz motioned to grant the application. He stated that there he believes the front porch will beautify the neighborhood and his home. Mr. Martz further stated that he Mr. Ogden has met the positive criteria and he

doesn't see any issues. Mr. Bierbach seconded. Roll call: Carl Bierbach, Lysa Longo, Jaye Silver, Darlene Hannah, Dianne Piccari, Lou Morales and Duke Martz-Aye. None opposed.

MINUTES:

None

CORROSPONDENCE:

None

RESOLUTIONS:

Resolution #Z-2017-14 granting **BRIAN & JENNIFER HAK** 15 feet of relief from rear yard setback requirement of 40 feet for a 14 x 24 screened porch. Premises located at 8220 Bryn Mawr Avenue, Block 4401, Lot 6 in Zoning District R-1.

BILLS:

It was moved, seconded and unanimously agreed to approve payment for the following bills:

9/6/2017-T&M Associates-Engineering Services for Pennsauken Hospitality, LLC-\$272.70.

9/6/2017-T&M Associates-Engineering Services for Bayada Home Health Care-\$3,324.00.

9/6/2017-T&M Associates-Engineering Services for Hemera, LLC-\$46.50.

9/6/2017-T&M Associates-Engineering Services for Hesperus, LLC-\$46.50.

COORDINATOR'S REPORT:

Not at this time.

There being no further business; it was moved, seconded and unanimously agreed to adjourn the meeting at 8:30 P.M.

Respectfully submitted:



Nancy L. Ellis, Board Secretary