

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, 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.

HEARINGS:

YOSANNA ROM'N - Seeking 8 feet of relief from rear yard setback requirement of 35 feet for a 12 x 12 roof over existing deck, and any other variances required by Pennsauken Township Zoning Board. Premises located at 2258 Hollinshed Avenue, Block 4905, Lot 14 in Zoning District: R-4.

Yosanna Rom'n, 2258 Hollinshed Avenue came forward to testify and was duly sworn by the Solicitor.

Mr. Rom'n testified that he built a roof over an existing deck so he and his family could sit outside without being affected by the weather conditions.

The applicant presented a picture of the existing deck with roof.

The Solicitor marked the picture of the existing deck with roof into evidence as A-1.

Upon query, Mr. Bierbach was informed by the applicant that he has already built the roof over the existing deck.

The applicant testified that he built the roof over the deck for his family. He stated that they have used table umbrellas in the past. However, the wind has blown the umbrellas in the neighboring yards and in his pool in his rear yard.

Upon query, Mr. Martz was informed by the applicant that the roof extends out over to the end of the deck.

Upon query, Mr. Bierbach was informed by the applicant that the deck is not enclosed.

Upon query, the applicant informed Mr. Martz that the roof is made of wood. The applicant further informed Mr. Martz that after he built the roof over the deck, he was informed that he needed a permit from the township. When he applied for a permit, he was informed he needed a variance.

Miss Piccari stated she visited the property and saw the deck with the roof over top. She stated she doesn't have a problem with it.

Upon query, Miss Hannah was informed by the applicant that the deck was on the property when they purchased the house approximately 7 years ago.

Upon query, the Solicitor was informed by the applicant that there are no drainage issues from water running off the roof.

Upon query, the applicant informed Mr. Martz that he did not or will not install additional electricity. There is existing electric and lights on the house.

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

Mr. Adams clarified the application for the board.

Upon query, Mr. Martz was informed by the applicant that they still have a pool in their yard.

The meeting was open to the public.

Sherry Nieves, 2257 Hillcrest Avenue came forward to testify and was duly sworn by the Solicitor.

Ms. Nieves was concerned that the proposed deck would encroach on any ally way behind their homes. She stated that she understands that it will not and she wanted her testimony on record.

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 upon the applicant's construction of a 12' x 12' roof over an existing deck. Section 141-79 of the township code establishes the R-4 Zoning District and subsection C dictates that for townhouse dwellings the rear yard setback must be 35 feet. The applicant's existing 12' x 12' roof is approximately 27 feet from the rear yard line and it necessitating 8 feet of requested variance relief. The applicant submitted exhibit A-1, which represented the plane of the roof. The applicant confirmed that they have lived at the property for roughly 7 years and that when they moved in the property had an existing deck and pool. Several weeks ago, the applicant constructed a wood roof covering the foot print of the existing deck for shade next to the pool. Shade from umbrellas and other temporary structures were inadequate. The applicant does not propose to enclose the deck. There is no screening. The applicant confirmed that drainage is not an issue and that no electricity is run nor does the applicant plan to run electricity. There is existing electric on the house. We heard from one member of the public, Ms. Sherry Nieves, who wanted to clarify that there was no extension of the yard, but otherwise did not testify for or against the application.

Miss Hannah motioned to accept fact finding. Miss Piccari seconded.

Mr. Bierbach motioned to grant the application. He stated that the deck with the roof exists and there are no neighbors out to complain, it doesn't seem to be a detriment to the community. Mr. Bierbach further stated that he believes the roof is an enhancement to the property and to the applicants. Miss Piccari seconded. Roll call: Madams Hannah, and Piccari, and Messrs. Bierbach, Silver and Martz-Aye. None opposed.

MINUTES:

It was moved, seconded and unanimously agreed to approve the June 15, 2016 and July 6, 2016 meeting minutes.

CORROSPONDENCE:

None

RESOLUTIONS:

Resolution #Z-2016-16 granting **In His Presence Ministries Inc** a use variance to permit the use of a religious organization (Place of Worship) in the professional zone where it is not a permitted use. Premises located at 5603-47 Westfield Ave, Block 4704, Lot 6 in Zoning District: P-1 and Redevelopment Zone.

BILLS:

7/20/2016-Florio, Perrucci, Steinhardt & Fader, LLC preparation of **Resolution #Z-2016-14** granting **Luis Morales** 8 feet of relief from front yard setback requirement of 30 feet for an 8' x 26' front porch with roof. Premises located at 7400 Wyndam Road, Block 2310, Lot 10 in Zoning District: R-2-**\$195.00**.

7/20/2016-Florio, Perrucci, Steinhardt & Fader, LLC preparation of **Resolution #Z-2016-15** granting **Justin Gana** 12 feet of relief from front yard fence setback requirement of 20 feet for a 6 foot vinyl fence, Premises located at 2656 Foehl Avenue, Block 2909, Lot 11 in Zoning District: R-2-**\$195.00**.

7/20/2016-Florio, Perrucci, Steinhardt & Fader, LLC-Zoning Board Solicitor Monthly Retainer-**\$1,134.67**.

7/20/2016-Florio, Perrucci, Steinhardt & Fader, LLC- Attorney Fee For Lieu Chau & They Quong-**\$45.00**.

7/20/2016-Florio, Perrucci, Steinhardt & Fader, LLC- Attorney Fee For Jeffery & Lisa Love Appeal-**\$2,962.00**.

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