

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 via Zoom Video Communications. Chairwoman Butler called the meeting to order at 7:00 P.M. and led the flag salute. Roll call disclosed the following members present: Paul Hoyle, Shirley Butler, Darlene Hannah, Diane Piccari and Colette Jones. Acting Solicitor Steve Boraske, Esq., Planning and Zoning Coordinator, Gene Padalino and Secretary Nancy Ellis were also on the video call.

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:

JONATHAN BOZARTH - Seeking approval to build a 30' x 40' detached garage which will exceed the maximum accessory structure size of 400 square feet as per Township Ordinance 141-78(B) and any other variances and waivers that may be required by the Pennsauken Zoning Board. Premises located at 8710 Herbert Avenue, Block 3707, Lot 1 in Zoning District R-3.

Mr. Jonathan Bozarth, 8710 Herbert Avenue came forward to testify and was duly sworn by the Solicitor.

Mr. Bozarth testified that he would like to construct a detached garage on his property for storing his yard equipment.

Upon query, Mrs. Butler was informed by the applicant that he will hire a contractor to construct the garage. His house is made of brick with siding and the garage will match the house. The applicant also testified that he will be installing electric in the garage.

Upon query, Mr. Hoyle was informed by the applicant that the garage will be for personal use only. He has an acre of property and large equipment to maintain the property. Therefore, he needs a large garage to store his equipment.

Miss Piccari stated she visited his property and it is very large.

Upon query, Mr. Padalino was informed by the applicant that the garage will be setback 30 feet from the front of the property.

Upon query, the Solicitor was informed by the applicant that he sent notices to his neighbors and there were no complaints about him constructing a garage. The applicant further informed the Solicitor that no one will be living in the garage and it will only be used for storing his equipment. The applicant further stated that the garage will look nice and it will enhance his property.

The meeting was open to the public.

Mr. Paul Toritto, 8758 Osler Avenue came forward to testify and was duly sworn by the Solicitor.

Mr. Toritto testified he lives at the property behind Mr. Bozarth and stated he doesn't have a problem with the garage as long as it is only for his personal use and not for a business.

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 to permit a 30' x 40' detached garage that will exceed the maximum accessory structure size in the R-3 zone which is 400 square feet. The proposed garage is 3 times the size permitted by our development code. The applicant is Johnathan Bozarth. The property is located at 8710 Herbert Avenue, Block 3707, Lot 1. The applicant testified that the large accessory structure and deviation from our code is necessary for storage and large yard equipment which necessitates the size of the structure. The applicant testified that he would have the structure built by a contractor. They will not be conducting any type of business out of the structure or allowing anyone to live in the structure. Again, it will only be used for storage. The structure is going to match and compliment the principal structure on the property.

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

Miss Hannah motioned to grant the bulk variance. She stated that she sees no detriment, as long as the structure is used for personal use by the applicant. Miss Hannah further stated that she believes the structure will enhance the property by storing his equipment within it. Miss Piccari seconded. Roll call: Paul Hoyle, Shirley Butler, Darlene Hannah and Diane-Aye. None Opposed.

CODY LEVINE - Seeking approval to build a 24' x 31' detached garage, 15'. 8" in height which will exceed the maximum accessory structure size of 400 square feet as per Township ordinance number 141-78(B). The applicant also seeks 6 feet of relief from the front yard setback requirement of 30 feet and any other variances and waivers that may be required by the Pennsauken Zoning Board. Premises located at 7476 Grant Avenue, Block 2905, Lot 14 in Zoning District R-2.

Mr. Cody Levine, 7476 Grant Avenue came forward to testify and was duly sworn by the Solicitor.

Mr. Levine testified that he would like to construct a garage on his property to store and be able to work on his trucks.

Upon query, Mrs. Butler was informed by the applicant that the garage will be installed by a contractor called Viking Steel. The applicant further stated that that he has two older "classic" pick-up trucks he would like to store and maintain them in the garage.

Upon query, Miss Piccari was informed by Mr. Levine that the garage will not invade any of his neighbors' properties, the garage will line up with his house and it will be for his personal use only.

Upon query, Mr. Hoyle was informed by the applicant that his neighbors have garages. The applicant further stated that although the garage will be made of steel, he can choose a color to match his house and it will not look like a commercial structure.

Upon query, Mrs. Butler was informed by the applicant that the garage will have downspouts and gutters.

Upon query, the Solicitor was informed by the applicant that he needs 6 feet of relief to construct the garage on an existing slab on his property. The applicant further testified that the interior of garage will be insulated and have sheetrock on the walls.

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. The applicant is Mr. Cody Levine. This is an application to build a 24' x 31' detached garage. The applicant requires two variances to permit the proposed garage. The first variance is to permit the square footage of the garage, which exceeds the maximum size of 400 square feet in the R-2 zone. The applicant also requires 6 feet of relief from the front yard setback requirement of 30 feet. The subject property is located at 7476 Grant Avenue, Block 2904, Lot 14 in the R-2 Zone. The applicant testified that he can't make the front yard setback requirement due to an existing slab on the property and also it is the applicant's intension to have the garage and the house aligned so that he can park his two trucks in it. The applicant testified that the size of the garage is necessary to store his trucks in the garage to keep them indoors from the elements and so that he can work on them indoors as opposed to outdoors. The applicant testified that he is currently working on his trucks on the outside and he will be decreasing noise by working on his trucks on the inside of the proposed garage and the structure will be insulated to reduce noise. The applicant also agreed to choose a design of the structure that will look more residential in appearance and will look nice, compliment and match the principal structure. He is not proposing a structure that will have an industrial appearance, such as a steel building that has no place in a residential neighborhood.

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

Miss Piccari motioned to grant the application with the conditions that the structure is insulated to reduce noise, the appearance of the garage has a residential look and matches the principal structure and it is for the applicant's personal use only. Miss Piccari further stated that she believes the applicant has a good reason to build the garage. Miss Hannah seconded. Roll call: Paul Hoyle, Shirley Butler, Darlene Hannah, Diane Piccari, Aye. None Opposed.

The Solicitor also requested the applicant submit a final drawing of the proposed garage to the board for their review.

Collett Jones joined the meeting at 7:50 PM and assumed the seat of absent member Duke Martz.

RICHARD NAU - Seeking 20 feet of relief from the front yard fence setback requirement of 20 feet for a 6' vinyl fence and any other variances and waivers that may be required by the Pennsauken Zoning Board. Premises located at 2678 Powell Avenue, Block 2707, Lot 9 in Zoning District R-2.

Mr. Richard Nau, 2678 Powell Avenue came forward to testify and was duly sworn by the Solicitor.

Mr. Nau testified that he would like to install a white vinyl fence in his rear yard and bring it up to align it with the front of his house. He would like to store his car on stone and his trash cans behind the fence instead in the front of his property.

Upon query, Mrs. Butler was informed by the applicant that he has been in construction for 35 years and he will install the fence himself.

Upon query, Miss Piccari was informed by the applicant that he will install the fence along the side of his property and install a 6-foot fence and gate toward the front.

Mr. Hoyle commented he had no issue with the applicant installing the fence.

Upon query, Mr. Padalino was informed by the applicant that he will be installing the fence only on one side of his property.

Upon query, the Solicitor was informed by the applicant that the fence will not obstruct any site-line views.

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. The applicant is Richard Nau. The applicant's property is located at 2678 Powell Avenue, Block 2707, Lot 9 in the R-2 Zoning District. The applicant seeks 20 feet of relief from the front yard fence setback requirement of 20 feet for a 6-foot vinyl fence. The applicant testified that he desires the fence to park his car and store trash cans behind the fence rather than have those items in the front of his property. He indicated that he has a classic car and it would be better suited to be parked behind the fence rather than be exposed in the front of the property.

Miss Piccari motioned to accept the fact finding. Mr. Hoyle seconded.

Mr. Hoyle motioned to grant the bulk variance. He stated he visited the property and he doesn't believe it will be an issue for the neighborhood nor for the property itself. He further stated it will resolve the issue of storing the car and trash cans. Miss Hannah seconded. Roll call: Paul Hoyle, Shirley Butler, Darlene Hannah, Diane Piccari and Collett Jones-Aye. None Opposed.

MARTIN ORTIZ - Seeking 20 feet of relief from the front yard fence setback requirement of 20 feet for a 6' vinyl fence and any other variances and waivers that may be required by the Pennsauken Zoning Board. Premises located at 5052 Jackson Avenue, Block 4809, Lot 1 in Zoning District R-4.

Mr. Martin Ortiz, 5052 Jackson Avenue came forward to testify and was duly sworn by the Solicitor.

Mr. Ortiz testified that he would like to install a fence on his property for privacy and for the safety of his children and grandchildren. He further stated that he lives on a corner property and his rear yard faces Route 130. Mr. Ortiz also stated that he would like to put his trash cans behind the fence and it will make his property look nicer.

Upon query, Mrs. Butler was informed by the applicant that he will install a white vinyl fence. It will be closed in the front with a gate on the side of his property.

Upon query, Mr. Hoyle was informed by Mr. Ortiz that the fence will look nice. However, the main reason he wants to install the fence is for the safety of his children.

Upon query, Mr. Padalino was informed by the applicant that he will install the fence around his property and it will not block views to oncoming traffic.

The meeting was open to the public.

Ms. Jamala Goodman, 2432 Lexington Avenue came forward to testify and was duly sworn by the Solicitor.

Ms. Goodman stated she is the applicant's neighbor and is speaking on his behalf. She testified that she believes that it is in the best interest of Mr. Ortiz to install the fence for the safety of his children.

Mr. Franklin Vicente, 5044 Jackson Avenue came forward to testify and was duly sworn by the Solicitor.

Mr. Vicente testified that he lives next door to Mr. Ortiz and he believes he needs the fence for the safety of his children.

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 to permit 20 feet of relief from the front yard fence setback requirement of 20 feet for a 6-foot vinyl fence. The applicant is Martin Ortiz and the subject property is located at 5052 Jackson Avenue, Block 4809, Lot 1 in the R-4 Zoning District. The applicant testified that he requires the 6-foot vinyl fence primarily for privacy and the safety of his children and grandchildren. The fence will be white vinyl, it will improve the overall appearance of the property and the community. The applicant testified he will store trash cans and items that are currently stored in front of the house behind the fence.

Miss Hannah motioned to accept the fact finding. Mr. Hoyle seconded.

Miss Hannah motioned to grant the application. She stated that the fence will be good for the safety of his children and she believes it will enhance the property as well. Mr. Hoyle seconded. Roll call: Paul Hoyle, Shirley Butler, Darlene Hannah, Diane Piccari and Collett Jones-Aye. None Opposed.

MINUTES:

It was moved, seconded and unanimously agreed to approve the meeting minutes from August 5, 2020.

RESOLUTIONS:

None

BILLS:

It was moved, seconded and unanimously agreed to pay the following bills:

Florio, Perrucci, Steinhardt & Cappelli-Monthly Retainer-*\$1,134.67*

Florio, Perrucci, Steinhardt & Cappelli-Legal Services for Maga Pallace-*\$238.00*

T&M Associates-Engineering Services for AC Pellagrini-*\$1,045.00*

T&M Associates-Engineering Services for Stonegate II@ St. Stephen's-*\$47.50*

T&M Associates-Engineering Services for Phillips 5115, LLC-*\$1,377.50*

COORDINATOR'S REPORT:

None

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