

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, Osvaldo Alves, Patrick Olivo and Duke Martz. Acting Solicitor Caitlin Pletcher, Esq., Planning and Zoning Coordinator, Gene Padalino and Secretary Nancy Ellis were also on the video call.

Chairwoman Butler 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.

Osvaldo Alves assumed the seat of absent member Lysa Longo and Patrick Olivo assumed the set of absent member Lou Morales.

HEARINGS:

ACJC PROPERTY MANAGEMENT, LLC - Seeking site plan approval for a parking lot for storage of trucks and containers and any other variances and waivers that may be required by the Pennsauken Zoning Board. Premises located at 475 Derosse Avenue, Block 1005, Lot 10 in Zoning District R-3 (Waterfront Redevelopment Zone).

The Solicitor announced to the public that the application for ACJC Property Management will continue and be heard at the Zoning Board meeting on April 7, 2021. The applicant is not required to re notice or re publish the hearing.

STEPHEN ORIOLD - Seeking 15 feet of relief from the rear yard setback requirement of 30 feet for a 14' x 18' porch roof and any other variances or waivers that may be required by the Pennsauken Zoning Board. Premises located at 8779 Orchard Avenue, Block 3701, Lot 26 in Zoning District R-3.

Stephen Oriold, 8779 Orchard Avenue came forward to testify and was duly sworn by the Solicitor.

Mr. Oriold testified that he has lived at his house for almost 28 years and he would like to convert an existing Florida room into a permanent all-season room and he would also like to put a roof over an existing deck.

Upon query, Mrs. Butler was informed by the applicant that he will install new siding on the addition and it will match the rest of the house. He further informed Mrs. Butler that he will be installing electrical service, heating and air conditioning in the room as well and the room will be 12' x 12'.

Upon query, Miss Hannah was informed by the applicant that he has surveys and drawings of the proposed room.

Upon query, Mr. Hoyle was informed by Mr. Oriold that the room will be extended up to the woods behind him, he will install thicker walls and electrical service in the room.

Upon query, Mr. Martz was informed by the applicant that he will be installing only a roof over his deck and he will not be enclosing the deck.

Upon query, Miss Piccari was informed by the applicant that the roof will be installed over an existing deck, the deck is accessed through the dining room and the Florida room is accessed from the kitchen.

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 to permit the construction of a 14' x 8' back porch roof. The applicant is Stephen Oriold and the property is located at 8779 Orchard Avenue, Block 3701, Lot 26 in the R-3 Zoning District. To permit the construction of the applicant's porch roof, the applicant requires 15 feet of relief from the rear yard setback of 30 feet. The board must therefore grant a bulk variance to approve the application. As the board knows, C variances can be granted as either a C1 hardship variance or a C2 substantial benefit variance, where the applicant has satisfied the positive and negative criteria. A C1 hardship variance may be granted when there is a finding by the board that due to the unique shape or topographic conditions of the subject property and if the ordinance requirements should impose an undo hardship on the applicant, a deviation from the zoning board requirements is warranted to alleviate this hardship or burden. A C2

substantial benefit variance may be granted when the purposes of the FLUL would be advanced by deviation from the zoning requirements such as promotion of the public welfare and improving the visual appearance of the subject property and the township. For a C2 variance, the benefits must outweigh the negative and the applicant cannot impose a substantial detriment to the public good or impair the township master plan or zoning ordinance.

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

Mr. Hoyle motioned to grant the bulk variance relief and stated he doesn't see a detriment and think it will be an improvement to the applicant's property. Miss Piccari seconded. Roll call: Paul Hoyle, Shirley Butler, Darlene Hannah, Diane Piccari, Osvaldo Alves, Patrick Olivo and Duke Martz-Aye. None Opposed.

DIANA NUNEZ - Seeking 3 feet of relief from the front yard setback requirement of 25 feet and 6 feet of relief from the side yard setback requirement of 6 feet for a 10' x 20' carport in the side yard and any other variances or waivers that may be required by the Pennsauken Zoning Board. Premises located at 416 Curtis Avenue, Block 1319, Lot 21 in Zoning District R-3.

Diana and Fernando Nunez, 416 Curtis Avenue came forward to testify and were both duly sworn by the Solicitor.

The applicant testified they would like to enclose an existing carport that is in their drive way for additional space in their house. They hired a contractor to install the footers.

Upon query, Miss Piccari was informed that they will need to install a new roof and walls to close in the carport.

Upon query, Miss Hannah was informed by the applicant that electric is already installed in the carport. They will need to add heating.

After hearing testimony from the Ms. Nunez, the board determined that the applicant is building an addition onto the side of their home and the hearing was not properly noticed or published to reflect their proposal. Therefore, the hearing will be continued until April 7, 2021.

CORRESPONDENCE:

Mr. Padalino reminded the board that there will be a special hearing on Monday, February 22, 2021 to hear the public testimony regarding the proposed solar panel project (Solar Landscaping).

MINUTES:

It was moved, seconded and unanimously agreed to approve the meeting minutes from January 20, 2021.

RESOLUTIONS:

Resolution Z-2021-05 - granting **STEPHANIE HARVEY** 11 feet of relief from the house setback requirement of 15 feet for a 12' x 24' semi inground pool, 4' in depth and any other variances and waivers that may be required by the Pennsauken Zoning Board. Premises located at 8301 Wyndam Road, Block 2701, Lot 25 in Zoning District R-2.

BILLS:

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

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

COORDINATOR'S REPORT:

None

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