

April 6, 2022

MINUTES OF THE ZONING BOARD OF ADJUSTMENT OF THE TOWNSHIP OF PENNSAUKEN

The meeting of the Zoning Board of Adjustment of the Township of Pennsauken, County of Camden, State of New Jersey was held on the above date. This meeting was being held via zoom due to the coronavirus.

Chairwoman Shirley Butler called the meeting to order at 7:00 P.M. Chairwoman Butler announced the meeting was being held in compliance with the New Jersey Open Public Meetings Act and had been duly advertised. The Chairwoman led the flag salute.

Roll call showed the following members to be present: Dianne Piccari, Paul Hoyle, Osvaldo Alves, Lysa Longo, Giovanni Cirilli, Darlene Hannah, and Chairwoman Shirley Butler, constituting a quorum. Duke Martz joined the meeting at 7:15 P.M. Also present were: Nick Sullivan, Solicitor; Gene Padalino, Planning and Zoning Coordinator; Daniela Tavarez, Assistant to the Planning and Zoning Department, and Mary Leonard, Secretary.

Hearings

Karveen Holdings (Anu Dammalapati – partner) is seeking minor subdivision approval to subdivide an existing conforming residential lot into two non-conforming lots with bulk variance relief to permit proposed lot widths of 37.5 ft. and 37.5 ft whereas 50 ft. is required in that R-3 Zone, the applicant also seeks use variance relief to permit the expansion of the non-conforming duplex use on the two proposed non-conforming lots and any and all further relief as determined to be required by the Zoning Board. Premises located at 7418 Zimmerman Avenue, Plate 12, Block 1217, Lot 3 on the Tax Map of the Township of Pennsauken, Zoning District: R-3. (Continued from March 2, 2022 meeting).

Mario Rodriguez, Esq. 1916 Route 70 East, Suite 6, Cherry Hill, New Jersey 08003 represented the applicant.

Anu Dammalapati, Marlton, New Jersey, Sprini Mandava and Cesar Hernandez, General Contractor, were sworn in by Solicitor Sullivan.

The applicant requests a variance for a two-unit house that looks like a single house but it is two apartments. Fees have been paid. They will improve the parking. There will be two extra tax incomes for the Township. There will be two families sharing the land.

Pictures were presented showing the house. There are no changes in the appearance. The lots are somewhat smaller in the immediate neighborhood. A survey was presented. A basement was shown.

There will be 9' ceilings. Each apartment will have a water line and a sewer line. Public Service only has one line. A variance is needed for side yard.

Cesar Hernandez, General Contractor, stated he is licensed and has a license for electrical and plumbing.

Duke Martz stated the single-family house is out of character for the neighborhood for lot size. Solicitor Sullivan stated properties on Bannard Avenue and Velde Avenue have smaller lots and they are within 200' of this property. The concept is nice and it has off street parking.

The apartments have three bedrooms. They have a side yard and a basement. There are three bathrooms, two upstairs and one downstairs.

Paul Hoyle stated he was in favor of the application, stating he would rather see single family units than rentals. He further stated the area has smaller lots. It will need approval from the Code Official. Public Service line is to be addressed.

Dianne Piccari stated it is an improvement to what was existing. It is beautiful with the improvements. There are decks in the back and there is a large back yard. Two single-family units would be better than rentals.

Lysa Longo questioned if each unit would have their own basement. The applicant replied yes. They will have separate meters except Public Service.

#### Public

Chairwoman Butler opened the meeting to the public. No one expressed a desire to speak. The public portion of the meeting was closed.

Solicitor Sullivan conducted fact finding. The applicant is seeking minor subdivision approval to subdivide an existing conforming residential lot into two non-conforming lots with bulk variances relief to permit proposed lot widths of 37.5' and 37.5' whereas 50' is required. The applicant also seeks use variance relief to permit the expansion of the non-conforming duplex use on the two proposed non-conforming lots. They propose to change a single home into a duplex. There is no detriment to the public use or general welfare or to the Zoning Plan. A minor subdivision approval needs five votes.

Dianne Piccari moved to accept fact finding, seconded by Lysa Longo, which all members agreed unanimously.

Dianne Piccari moved to grant the variance stating it is a big improvement to what was there and it is an opportunity for two new homeowners. The motion was seconded by Lysa Longo, which carried on roll call vote with all members voting yes, with the exception of Duke Martz, who abstained, stating he got to the meeting late.

The vote was as follows: Dianne Piccari yes. Lysa Longo yes. Paul Hoyle yes. Ozzie Alves yes. Eddie DeVilla yes. Darlene Hannah yes. Duke Martz abstained. Chairwoman Butler yes.

Barley Jones is seeking 13.18 feet of relief from the front yard setback requirement of 25 feet in an R-3 zone for an 8' x 14' patio extension, 16' in height to be constructed on the front of the house and any other variances and setbacks and waivers that may be required by the Pennsauken Zoning Board. Premises located at 2219 41<sup>st</sup> Street Pennsauken, New Jersey 08110. Plate 45, Block 4511, Lot 3 on the tax map of the Township of Pennsauken. Zoning District: R-3.

Barley Jones 2219 41<sup>st</sup> Street, Pennsauken, New Jersey 08110, was sworn in by Solicitor Sullivan.

The applicant is seeking an 8' x 14' patio extension, 16' in height. The construction will be done by Heggs Construction.

Paul Hoyle questioned if there is electric outside. Barley Jones replied no. Paul Hoyle questioned if it is a flat porch. The applicant replied yes.

Dianne Piccari stated it is very nice.

#### Public

Chairwoman Shirley Butler opened the meeting to the public. No one expressed a desire to speak. The public portion of the meeting was closed.

Solicitor Sullivan conducted fact finding. The applicant is seeking 13.18' of relief from the front yard setback requirement of 25' in an R-3 zone for an 8' x 14' patio extension, 16' in height to be constructed on the front of the house. There is no detriment to the public good.

Lysa Long moved to accept fact finding, seconded by Dianne Piccari, which all members agreed unanimously.

Paul Hoyle moved to grant the application as it is not a detriment to the neighborhood. The motion was seconded by Darlene Hannah, which carried unanimously on roll call vote.

The vote was as follows. Dianne Piccari yes as stated. Lysa Longo yes as stated. Paul Hoyle yes as stated. Eddie DeVilla yes as stated. Duke Martz yes as stated. Darlene Hannah yes as stated. Chairwoman Shirley Butler yes stating it will be nice for the applicant and his wife.

Floriberta Ayala Medina is seeking 11 ft. of relief from the rear yard setback requirement of 35 ft. in an R-2 zone for a 45.80 ft. x 12 ft. awning to be constructed on the rear of the house and any other variances and waivers that may be required by the Pennsauken Zoning Board. Premises located at 8380 Wyndam Road, Pennsauken, New Jersey 08110, Plate 27, Block 2702, Lot 5 on the tax map of the Township of Pennsauken. Zoning District: R-2.

Floriberta Ayala Medina was sworn in by Solicitor Sullivan. The applicant stated she needs a permit. She proposes to put an awning on the back of the house. It will be a permanent structure and covers the entire back of the house. It will be constructed with metal sheets. The purpose is to relax and to provide shade. The applicant presented pictures to show what it will look like. There will be no fabric on it. There will be gutters.

Dianne Piccari stated the applicant will need to apply for permits. Mrs. Medina stated it will cover the concrete. There is a door on the side of the house.

Darlene Hannah questioned what material would be used for the overhang. The applicant replied it will be metal.

Paul Hoyle questioned if the structure will be painted. Mrs. Medina replied it will be painted burgundy.

Paul Hoyle stated it is very large and questioned if it would be able to hold the weight of snow. Gene Padalino stated the applicant will have to get a permit. If it is not up to code, she will not get a permit. Drainage will be submitted to Code.

Duke Martz stated the construction will require architectural drawings to make sure that is safe.

#### Public

Chairwoman Butler opened the meeting to the public. No one expressed a desire to speak. The public portion of the meeting was closed.

Solicitor Sullivan conducted fact finding. The applicant is seeking 11 feet of relief from the rear yard setback requirement of 35 feet in an R-2 zone for a 45.80 ft x 12 ft. awning to be constructed on the rear of the house. There is no detriment to the neighborhood. The applicant must obtain a permit from the Code Official.

Dianne Piccari moved to accept fact finding, seconded by Paul Hoyle. All members agreed with the fact finding unanimously.

Duke Martz moved to grant the applicant based on the question being answered as to whether it is a safe structure and that it has down spouts. The applicant is to go to the Construction Office and provide drawings. Lysa Longo seconded the motion with the condition that it is safe. The motion carried unanimously on roll call vote.

The vote was as follows. Dianne Piccari yes as stated. Lysa Longo yes as stated. Paul Hoyle yes as stated. Eddie DeVilla yes as stated. Duke Martz yes as stated. Darlene Hannah yes as stated. Chairwoman Shirley Butler yes and stated as long as Code makes sure that it is safe and sturdy.

Resolutions

Resolution Z-2022-08 was presented denying ACT Property LLC a use variance pursuant to NJS 40:55D-70d(1) in connection with the conversion of a single family residence into a two-family duplex and any other variance and waivers that may be required by the Pennsauken Zoning Board. Premises located at 5004 Scovel Avenue, Plate 54, Block 5410, Lot 7 on the Tax Map of the Township of Pennsauken, Zoning District: R-3.

Lysa Longo moved the resolution be adopted, seconded by Paul Hoyle which carried unanimously on roll call vote. The vote was as follows. Duke Martz yes. Lysa Longo yes. Paul Hoyle yes. Eddie DeVilla yes. Dianne Piccari yes. Ozzie Alves yes. Chairwoman Shirley Butler yes.

Resolution Z-2022-09 was presented granting Brysoph Real Estate Holdings 3, LLC and Brysoph Real Estate Holdings 4, LLC d/b/a Scrub Daddy, Inc. a variance to permit a retail use at the Property along with additional signage. Premises located at 1700 Suckle Highway, Plate 21, Block 2106, Lots 6 and 7 on the Tax Map of the Township of Pennsauken. Zoning District: LI.

Dianne Piccari moved the resolution be adopted, seconded by Lysa Longo which carried unanimously on roll call vote. The vote was as follows. Eddie DeVilla yes, Ozzie Alves yes. Paul Hoyle yes. Duke Martz yes. Dianne Piccari yes. Darlene Hannah yes. Chairwoman Shirley Butler yes.

Minutes

Dianne Piccari moved to approve the minutes of March 2, 2022, March 9, 2022 and March 16, 2022. The motion was seconded by Darlene Hannah, which carried unanimously on roll call vote.

Bills

Bills were presented from the law firm of Florio, Perrucci and Steinhardt in the amount of \$5,076.00. Lysa Longo moved the bills be paid, seconded by Ozzie Alves, which carried unanimously on roll call vote.

Gene Padalino introduced Daniela Tavaréz, his new assistant, to the Zoning Board members. Everyone welcomed her and wished her well.

The meeting was duly adjourned on motion at 8:30 P.M.

Respectfully submitted,



Mary L. Leonard.

Secretary