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ZONING BOARD OF ADJUSTMENT
Thursday, November 21, 2019
APPROVED MINUTES

OPENING: The meeting was called to order by Chairman Jonathan Rardin at 7:30 PM.

PLEDGE OF ALLEGIANCE: Led by Chairman Jonathan Rardin.

OPMA STATEMENT: Read by Chairman Jonathan Rardin in compliance with the Sunshine Law.

ROLL CALL

- **Members in attendance:** Jonathan Rardin; Daniel DiRenzo, Jr.; Wyatt Sklar; Marshall Spevak; Jeff Potter; Ann Madden Tufano; and Greg Bruno.
- **Professionals in attendance:** Jacob Richman, PP, AICP, Planner; and Allen Zeller, Esq., Zoning Board Solicitor.

ADMINISTRATIVE ITEMS

Adoption Meeting Minutes from November 7 2019. Mr. Sklar made a motion, which was seconded by Ms. Tufano, to adopt the Meeting Minutes from November 7, 2019. Affirmative votes by Rardin, DiRenzo, Sklar, Spevak, Tufano, and Bruno. Minutes are approved.

AGENDA ITEMS:

19-Z-0039

Block(s) 524.14 Lot(s) 5
Zone: Residential (R1)

David M. Gibson
10 Southwood Drive
Cherry Hill, NJ 08003

Relief Requested: Bulk (C) Variances to permit an "as-built" second garage (detached) on top of an existing concrete slab in the rear yard, where only one (1) garage is permitted per lot and where there already exists an attached garage at the subject residence.

Applicant's Representatives: David M. Gibson – Applicant.

Exhibits Submitted: A-1: Plan of Survey; A-2: Photographs; A-3: Lot Coverage Calculations; A-4: Architectural Drawing; and A-5: Aesthetic Photographs.

Mr. Gibson opened his testimony by stating that he is seeking relief to permit a second garage (detached) as well as an impervious coverage various (existing nonconformity); however, Mr. Gibson clarified that he believes he can eliminate the existing nonconforming condition by removing existing concrete on the site. Mr. Gibson submitted Exhibits A-1 and A-2 to show the overall garage location plan and existing site conditions. Mr. Gibson noted that the detached garage has already been partially built and that it was done without permits. Subsequently a violation was issued by the Construction Code Official and a fine was paid in response. Mr. Gibson added that he regrets starting the project early but it was always his intent to come to the Board to seek relief.

Mr. Gibson stated that the detached garage is 21.6' x 35.9' (774 SF) in size and that it was constructed only 6.5' from the side yard setback. In order to conform to the minimum 10' side yard setback requirement, he is proposing to move the garage over so that it is 10' from the side property line. Mr. Gibson stated that he will be providing new foundation and footings and will also elevate the garage above the frost line in accordance with the construction code official's comments.

Mr. Gibson also indicated that there is an existing shed located on the property that will be removed. Mr. Gibson referred to Exhibit A-1 and detailed how even with moving the garage over from the existing concrete pad onto an expanded concrete pad, he will be removing other portions of concrete to bring the total lot coverage below the maximum 35% threshold. The specific calculations for existing and proposed lot coverage are detailed in Exhibit A-3 which confirms a net reduction in lot coverage.

Mr. Gibson submitted Exhibits A-4 and A-5 and explained that the homes in the Wilderness Run neighborhood are unlike as they are primarily custom homes, some of which have detached garages. Per Exhibits A-4 and A-5, Mr. Gibson detailed how the proposed garage will match the colors, materials, and aesthetics of his existing home. Mr. Gibson agreed as a condition of approval to finish building the garage as indicated in Exhibits A-4 and A-5 so that it complements the existing home. Mr. Gibson stated that it is hard to see the detached garage from the street and as such, he sees minimal to no impact to the surrounding neighborhood. Mr. Gibson stated that the purpose of the garage is to store a collection of a motorcycles, as he is an avid motorsports enthusiast, as they currently overwhelm the existing attached garage. Mr. Gibson added that he would prefer to be able to store the family's personal vehicles in the attached garage. Mr. Gibson agreed as a condition of approval to reduce the existing lot coverage below 35% as indicated in Exhibit A-3. Mr. Gibson stated that he agrees to all comments in the Department of Community Development's review letter except to clarify that the actual lot size is 24,284 SF (per Exhibit A-3_ as opposed to the noted 23,338 SF (due to lot being slightly irregularly shaped).

Mr. Gibson stated that in order to relocate the garage, he will need to remove two (2) trees. Mr. Gibson agreed as a condition of approval to replace the trees and will work with the Department of Community Development on an acceptable species and replacement plan. Mr. Gibson also agreed to comply with the Code Enforcement's review comments as a condition of approval. Mr. Gibson then detailed the drainage plan and noted that there are existing drains around the perimeter of the concrete pad that the garage is located on and that these drain into trench drains. Mr. Gibson explained that the gutters on the garage will lead the water through pipe leaders which will be directed into the existing drainage system. In regards to lighting, Mr. Gibson stated that lights are being installed on the garage and that he will comply with the Township's lighting Ordinance. Mr. Gibson added that the garage will have no plumbing. Mr. Gibson stated that he owns all of the motorcycles on his property and that they are for his own personal use (not for business purposes).

Mr. Gibson stated that most repair work will occur off-site except for regular/minor maintenance. Mr. Gibson stated that any noise concerns will be mitigated by comply with the Township and County Noise Ordinances. Mr. Gibson clarified that he currently has 14 motorcycles and a jet ski so there will be likely no more than 15 recreational vehicles stored in the detached garage. Mr. Gibson stated that he has a trailer on site that he uses to take his recreational vehicles off-site and that if he keeps the trailer on the property that it will comply with the Ordinance as it relates to setbacks and storing it on an improved surface within the side or rear yard. Mr. Gibson acknowledged that while he does not plan on extending the existing driveway to the detached garage that any expansion is likely to trigger a variance which would require Board approval. Lastly, Mr. Gibson referred to Exhibit A-2 to show how there are a number of other homes in the neighborhood that have detached garages.

Public Comment: Jonathan Orenstein of 8 Southwood Drive stated that he is the applicant's next door neighbor most immediately adjacent to the "as-built" garage. Mr. Orenstein stated that he supports the applicant's proposed garage application and he believes Mr. Gibson will manage the project well and that the final product will be aesthetically pleasing.

Motion: Following a review of the application and conditions of approval by Solicitor Diamantis, a motion was made by Mr. Spevak and seconded by Mr. DiRenzo, with affirmative votes for approval by Rardin, DiRenzo, Sklar, Spevak, Potter, Tufano, and Bruno for the approval of the Bulk (C) Variance. Motion carries 7-0.

RESOLUTIONS:

19-Z-0040

Block(s) 338.04 Lot(s) 2

Zone: Institutional (IN)

Relief Requested: A use (d1) variance to permit a single family residence in the Institutional (IN) Zone.

St. Michael's Lutheran Church

102 Chapel Avenue East

Cherry Hill, NJ 08034

Motion to Ratify: Following the review of the resolution, Mr. Sklar made a motion which was seconded by Mr. Bruno, to memorialize the resolution for St. Michael's Lutheran Church. Affirmative votes by Rardin, DiRenzo, Sklar, Spevak, Tufano, and Bruno. The resolution is memorialized.

19-Z-0027

Block(s) 289.01 Lot(s) 1
Zone: Multi-Residential (R10)

Relief Requested: A use (d)1 variance to utilize the existing property as a house of worship for the Orthodox Jewish Congregation known as Young Israel.

Congregation Beit Tefilah of Cherry Hill

819 Cooper Landing Road
Cherry Hill, NJ 08002

Motion to Ratify: Following the review of the resolution, Mr. Bruno made a motion which was seconded by Mr. Spevak, to memorialize the resolution for Congregation Beit Tefilah of Cherry Hill. Affirmative votes by Rardin, DiRenzo, Sklar, Spevak, Tufano, and Bruno. The resolution is memorialized.

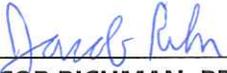
Meeting Adjourned: at 8:13 PM.

ADOPTED: 12/5/19



JONATHAN RARDIN, CHAIRMAN

ATTEST:



**JACOB RICHMAN, PP, AICP
ALT. ZONING BOARD SECRETARY**