

ZONING BOARD OF ADJUSTMENT

November 19, 2015

PRESENT: Mr. Hutchinson, Mr. Fitzgerald, Mr. Lisko, Mr. Greig and Mr. Cupoli

ABSENT: Ms. Casserly, Mr. Ross, Mr. Fowler and Ms. Young

ALSO PRESENT: Board Attorney Kevin Kennedy, Esq., Board Secretary April Claudio and Zoning Officer Ted Bianchi

At approximately 7:20 pm Mr. Greig made a motion to go into Executive Session to discuss the Marino Litigation, 1902 B Street, which was seconded by Mr. Cupoli and approved unanimously. The Executive Session ended at approximately 7:30 p.m.

At approximately 7:30 p.m. the secretary stated that adequate notice of this meeting of the Zoning Board of Adjustment was sent by email to our official newspapers, the Coast Star and the Asbury Park Press on December 22, 2014 and by posting a copy of said notice at the Municipal Complex on the same date.

Mr. Cupoli made a motion to waive the reading and approve the minutes of the October 22, 2015 meeting, which was seconded by Mr. Hutchinson and approved by the following vote:

AYES: Mr. Hutchinson, Mr. Lisko, Mr. Greig and Mr. Cupoli

NAYS:

ABSTAIN: Mr. Fitzgerald

Mr. Hutchinson made a motion to waive the reading and approve the resolution granting approvals to B Street Properties LLC, 1002 B Street, which was seconded by Mr. Greig and approved by the following vote:

AYES: Mr. Hutchinson, Mr. Lisko, Mr. Greig and Mr. Cupoli

NAYS:

ABSTAIN: Mr. Fitzgerald

Mr. Kennedy stated he was contacted by Thomas Brennan, the attorney for Laurette Associates, 605 11th Avenue, and stated his client has some changes he would like made to the resolution, however Mr. Kennedy was unable to connect with him prior to the meeting to discuss those changes. Therefore the Board decided to carry this resolution to the December meeting to allow for Mr. Brennan and his client to review the resolution and discuss any changes with Mr. Kennedy.

Mr. Kennedy explained that during Executive Session the Board discussed a settlement of the McLaughlin v Marino v Belmar litigation and Mr. Lisko made a motion authorizing Mr. Kennedy to process and sign and papers necessary to properly dismiss the litigation, which was seconded by Mr. Greig and approved unanimously.

JUAN & ISAURA GONZALEZ – 208 ½ 14TH AVENUE

Appearing for this application was Mr. and Mrs. Gonzalez and their engineer/planner Bruce Jacobs. Mr. Gonzalez stated he has owned the property since 2008. The property currently has a

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single family home that they use as a vacation home but plan to move into full time next year. Mr. Gonzalez submitted some photos of the site and neighboring properties. The proposal is to renovate the home by adding a second floor addition with a balcony over the existing front porch with a roof. Requesting a variance for the roof over the second floor porch.

Mr. Jacobs stated the proposed second floor addition is 723 square feet and in compliance with the setbacks. The proposed front yard setback to the porch is 9.9 feet and 16.9 to the house. The average front yard setback for the block is 16.5 feet. The proposed porch will enhance the property and the neighborhood.

Mr. Cupoli asked about water runoff from the roof. Mr. Jacobs stated the second floor addition will be constructed on top of the existing house so there will not be additional runoff. Mr. Cupoli asked if the electric service would be upgraded. Mr. Gonzalez stated he would not be doing so. Mr. Cupoli asked Mr. Gonzalez to consider putting the service underground if he does ever decide to upgrade the service.

Mr. Greig asked if the existing a/c unit on the side of the house would be enlarged when the addition is built and asked what the setback is. Mr. Jacobs stated it is more than 5 feet from the property line.

Mr. Fitzgerald asked if the only variance is the porch. Mr. Gonzalez replied yes.

Mr. Bianchi asked if any first floor exterior walls are being taken down. Mr. Gonzalez stated he does not intend to do that. Mr. Bianchi advised Mr. Gonzalez that he would need to speak to him before doing any work on the first floor exterior walls.

Public: none

Board Comments:

Mr. Cupoli stated the proposal is beautiful and he would vote in favor of the application.

Mr. Greig agreed.

Mr. Fitzgerald had no objections.

Mr. Hutchinson stated he is inclined to approve the application.

Mr. Lisko stated he is also inclined to vote in favor and wished him good luck.

Mr. Greig made a motion to approve the application, which was seconded by Mr. Cupoli and approved by the following vote:

AYES: Mr. Fitzgerald, Mr. Hutchinson, Mr. Lisko, Mr. Greig and Mr. Cupoli

NAYS:

ABSTAIN:

STEPHEN HIGGINS – 417 11TH AVENUE

Appearing for this application was Mr. Higgins and his architect George Sincox. Mr. Cupoli stated he knows Mr. Higgins personally but has no financial relationship with him and feels

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knowing Mr. Higgins would not influence his decision on the application. Mr. Kennedy stated he appreciated Mr. Cupoli disclosing this information and feels there is no conflict of interest.

Mr. Higgins stated he has owned the property for approximately six years. The property currently has a single family home that is used as their second home. He and his wife would eventually like to move into the house. The proposal is to do a first floor and second floor addition to increase the living spaces. Currently the house is only a two bedroom cottage. Also proposing to add decks and porches on the front and rear of the house. Has a great relationship with his neighbors and likes where Belmar is heading with an adult and family oriented type town. He submitted two photos, one of the existing house and one of a rendering of the proposed home.

Mr. Sincox stated the proposal adds three bedrooms on the second floor and a family room. The hardship is the lot being undersized. They have met the requirements of building coverage and impervious coverage. Mr. Sincox presented a series of photos showing the proposed homes and similar homes in the neighborhood. Seeking variances for existing side yard setback of 2.83 feet, front yard setback for porches, front dormer does not comply with the ordinance, and the front second floor porch has a roof over it. The additions extend out through the rear of the house. The second floor of the house would extend out over top of a patio. Proposal is in compliance with floor area ratio as well. Proposal would be a benefit to the neighborhood.

Mr. Hutchinson asked if the existing foundation is being used. Mr. Sincox explained everything is staying except for the rear wall. Mr. Hutchinson asked how many parking spaces will be on the property. Mr. Sincox stated they have room for three. Mr. Hutchinson stated the plan shows a pool which wasn't discussed. Mr. Sincox stated they would like to have a pool and even with that they are still under the impervious coverage.

Mr. Fitzgerald asked for the width of the proposed front porch. Mr. Sincox stated the narrowest point is 7.6 feet and 14 feet at its widest. Mr. Fitzgerald was concerned about the front yard setback and asked if they had the average front yard setback of the block. Mr. Sincox stated they don't have that information.

Mr. Greig questioned Mr. Sincox's statement about the number of parking spaces. Mr. Higgins stated he can currently fit three normal size cars in the existing driveway without encroaching onto the sidewalk. At times he has been able to fit four cars in the driveway and that doesn't include inside the garage. Mr. Greig asked for the width of the driveway. Mr. Sincox stated they have 39 feet from the garage to the property line. Mr. Bianchi stated the driveway area is measured from the garage to the front of the house not the property line. Mr. Sincox stated they would probably need a parking variance then. Mr. Greig asked about the location of an a/c unit. Mr. Sincox stated it will be at the rear of the house. Mr. Greig asked if the driveway will be replaced. Mr. Higgins replied no.

Mr. Cupoli asked where the basement entrance is from the outside. Mr. Higgins stated it is on the side of the house and will be renovated so when you walk in there are two sets of stairs one to go into the basement and one to go into the house. Mr. Cupoli asked about water runoff. Mr. Sincox stated they have no issues now but would be willing to put in some drywells. Mr. Cupoli asked

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about the electric. Mr. Sincox stated they could put it underground if possible. Mr. Cupoli asked if the width of the porch could be cut down. Mr. Sincox stated they have discussed the porch.

Mr. Lisko asked what discussions they have had about the porch. Mr. Sincox stated they would be willing to move it back to an area that would be reasonable. Mr. Lisko stated they don't have the average front yard setback which makes it hard to determine the number.

Mr. Higgins explained the portion of the porch that bump outs further is only about 3 feet wide and the measurement of the porch is to the far left corner because it starts to wrap around a little. The existing porch is 7.10 feet which would remain except for that one portion that bumps out.

Mr. Greig felt taking two feet off the porch would sacrifice the usability of the porch and doesn't seem like it would be a significant change.

Public: Geri Domino, 411 11th Avenue, felt the encroachment of the porch is not a big change and doesn't see any problem with it. Feels this house would be the nicest house on the block.

Deborah Wells, 100 9th Avenue, stated she is a friend of theirs and is one of the people that sits on their porch. They live in a friendly neighborhood

Board Comments:

Mr. Hutchinson stated he is impressed with the design and thinks it will be a great addition to the neighborhood.

Mr. Fitzgerald stated when he built his house he only did an 8 foot porch and wishes he had asked for two more feet. Given the clarification on the porch setbacks he would be in favor of the application.

Mr. Greig stated he would be inclined to vote in favor of the application.

Mr. Cupoli stated Mr. Higgins willingness to work with the board is tremendous and he is in favor of the application. The architect did a tremendous job creating a house on a smaller piece of property.

Mr. Lisko stated he is in favor of the application; the design is fantastic.

Mr. Bianchi clarified that only two parking spaces are required and the garage can count as one so therefore no parking variance is required.

It was clarified that the proposed front yard setback to the porch is 9.65 feet and 11.65 feet exists now.

Mr. Greig made a motion to approve the application, which was seconded by Mr. Cupoli and approved by the following vote:

AYES: Mr. Fitzgerald, Mr. Hutchinson, Mr. Lisko, Mr. Greig and Mr. Cupoli

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NAYS:

ABSTAIN:

ROBERT DOUGHERTY & CHRISTINE PENNACCHIO – 1905 SNYDER AVENUE

Appearing for this application was Mr. Dougherty, Ms. Pennachio and their architect Paul Amelchenko. Mr. Dougherty stated he has owned the property since 2012. The property currently has a single family home which he and his wife occupy. Mr. Dougherty stated they did some renovations on the house when they bought it and then again after Hurricane Sandy. Now required to elevate the house for insurance purposes. The lot is pretty small and currently has a garage that is not accessible. The proposal is to elevate the home, put a garage underneath the house, open up a sunroom and add a rear deck.

Mr. Amelchenko stated he wanted to eliminate a lot of the impervious coverage and the garage. The house currently has an enclosed sunroom which they would like to open up into the existing living room. Also proposing a third floor deck over the existing sunroom. They are elevating the home almost five feet. He submitted some illustrated photo boards of the architectural plans. There will be no change to the living space of the home. Will be able to have two cars parked in the proposed garage that will have an interior staircase into the house. The variances being requested are minimum lot size, existing front, side and rear yard setbacks, building coverage, number of stories, and a roof over the second floor porch.

Mr. Dougherty added that the front yard setbacks of his neighbors are in line with his house. Mr. Amelchenko stated they submitted the average front yard setbacks to the Board.

Mr. Cupoli asked about the overhead wires. Mr. Dougherty stated it is a mess and would love something to be done. Mr. Cupoli asked that he attempt to better it if possible.

Mr. Greig asked about the driveway. Mr. Dougherty stated he will take out the portion of concrete and asphalt on his property and put grass in.

Mr. Fitzgerald commended the architect for extending the siding onto the foundation to disguise it.

Public: none

Board Comments:

Mr. Cupoli stated they did a great job with the house. He is in favor of the application.

Mr. Greig stated it is a very good job.

Mr. Fitzgerald, Mr. Hutchinson and Mr. Lisko stated they would be in favor of the application.

Mr. Greig made a motion to approve the application, which was seconded by Mr. Hutchinson and approved by the following vote:

AYES: Mr. Fitzgerald, Mr. Hutchinson, Mr. Lisko, Mr. Greig and Mr. Cupoli

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ABSTAIN:

Mr. Kennedy stated he would prepare a letter to the Mayor and Council suggesting they look into adopting an ordinance that requires elevated foundations to be disguised. Mr. Amelchenko stated Neptune has an ordinance. Mr. Kennedy added that the letter will also ask that they look into whether or not there is something that can be done to clean up wires for aesthetic purposes such as removing decommissioned wires.

Mr. Cupoli made a motion to adjourn the meeting, which was seconded by Mr. Hutchinson and approved unanimously.