

ZONING BOARD OF ADJUSTMENT

JUNE 23, 2022

PRESENT: Phil Greig, Annemarie Drazenovich, John Lisko, Mike Melango, Tom Palmisano, Mark Fitzgerald, and Holly Deitz

ABSENT: Chuck Ross, Michael Druz, and Robert Cupoli (resigned from Board)

ALSO, PRESENT: Board Attorney Kevin Kennedy, Zoning Official Ted Bianchi, and Board Secretary April Claudio

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 January 14, 2022 by posting a copy of said notice at the Municipal Complex on the same date.

Ms. Deitz made a motion to waive the reading and approve the minutes of the May 26, 2022 meeting, which was seconded by Mr. Fitzgerald and approved by the following vote:

AYES: Mr. Lisko, Mr. Fitzgerald, Mr. Melango, Ms. Deitz, Mr. Palmisano and Ms. Drazenovich

NAYS:

ABSTAIN: Mr. Greig

Mr. Kennedy requested the resolution for William and Jodee Stapleton, 313 3rd Avenue be carried to the next meeting.

Mr. Fitzgerald made a motion to waive the reading and approve the resolution for 1208 Main Street LLC, 1208 Main Street, which was seconded by Ms. Deitz and approved by the following vote:

AYES: Mr. Lisko, Mr. Fitzgerald, Mr. Melango, Ms. Deitz, Mr. Palmisano and Ms. Drazenovich

NAYS:

ABSTAIN: Mr. Greig

Mr. Melango made a motion to waive the reading and approve the resolution dismissing the application of Arthur Ferreri 106 13th Avenue, which was seconded by Ms. Deitz and approved by the following vote:

AYES: Mr. Greig, Mr. Lisko, Mr. Fitzgerald, Mr. Melango, Ms. Deitz, Mr. Palmisano and Ms. Drazenovich

NAYS:

ABSTAIN:

RAY & JOANN KERWIN – 304 NINTH AVENUE

Appearing for this application was Michele Struble of Pool & Spa Doctor and Mr. and Mrs. Kerwin. The Kerwins have owned the property for four years and will be transitioning to Belmar full time. The application is for an inground pool. Exhibits marked: A1 application, A2 impervious coverage calculations, A3 grading plan, and A4 Damiano plan showing deck with impervious calculations to be used for comparison only.

Ms. Struble stated they thought the driveway was permeable based on exhibit A4 but found out it is not. With the new pool they will be over the impervious coverage allowed. They proposed to remove 115 square feet of concrete pavers as shown on the exhibits which would bring the impervious coverage down to 67.6%. After some discussion Ms. Struble recalculated the impervious coverage to be 70.25% which is only 2% more than what exists now.

Ms. Drazenovich asked if the generator slab was included in the calculations. Ms. Struble replied yes.

Mr. Greig suggested they could remove the old pavers in front of the garage and replace them with pervious pavers to match the patio and would reduce the coverage under the permitted 50%. Mr. Kerwin did not want to do that at this time.

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Public: None

Ms. Drazenovich didn't like the new location of the generator. Mr. Fitzgerald stated it is in a compliant location and not a major change.

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

AYES: Mr. Greig, Mr. Lisko, Mr. Fitzgerald, Mr. Melango, Ms. Deitz, Mr. Palmisano and Ms. Drazenovich

Ms. Struble will submit the impervious coverage calculation to the Board certified by a professional.

JIM WORTH – 1207 RIVER ROAD

Appearing for this application as Michele Struble of Pool and Spa Doctor. Exhibits marked: A1 application, A2 calculations, A3 grading plan, A4 minor land use application. Ms. Struble stated Mr. Worth has owned the property for 8 years and lives there part time. It is a corner property facing on River Road and K Street. The proposal is for an inground pool that will be technically in the K Street front yard. The setback would be 5.7 feet from the pool to the garage where 10 feet is required. The setback from the property line is 6.6 feet.

Mr. Greig asked if there will be a fence on K Street. Ms. Struble stated there is a fence with hedges already.

Mr. Melango asked why they couldn't move the pool to comply with the setback. Ms. Drazenovich suggested a smaller pool. Ms. Struble felt the proposal was a small pool and with the fence and hedge it will be blocked.

Ms. Deitz asked if the pool could be moved back 2.5 feet. Ms. Struble stated the owner doesn't want to do that because it will interfere with the deck exit from the house.

Public: None

Mr. Greig stated he was in favor of the application as proposed. The hedges and fence will block the view of the pool. Mr. Lisko agreed.

Mr. Melango felt adjustments could be made. Ms. Deitz would like to see a smaller pool. Ms. Drazenovich and Mr. Palmisano agreed.

Ms. Struble agreed to decrease the size of the pool to 12x14. The Board agreed to also grant a variance for the K Street fence to be 6ft instead of 4ft.

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

AYES: Mr. Greig, Mr. Lisko, Mr. Fitzgerald, Mr. Melango, Ms. Deitz, and Mr. Palmisano

NAYS: Ms. Drazenovich

BRIAN FLEMING – 707 15TH AVENUE

Appearing for this application was Mr. Fleming and his architect Anthony Barrale. Variances were requested for side yard setback of 1.6 feet and total side yard setback of 11.6 feet. Exhibits marked: A1 application, A2 minor land use application, A3 waiver, A4 checklist, and A5 plans. Mr. Fleming stated he has owned the property since November 2021, and it is currently unoccupied.

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Mr. Barrale explained the proposed renovations and addition as shown on the plans. The existing house is 1 ½ stories and will make it full 2 stories. They wish to continue the existing side yard setback of 18 inches, while correcting the portion of the house that encroaches onto the neighboring property.

Mr. Bianchi stated they also needed a parking variance because 3 parking spaces are required and only 1 exists. There is a half a spot in the front yard. Mr. Barrale stated they can functionally fit 2. He also suggested moving the stairs so they could fit 3.

Mr. Lisko asked about the location of mechanical equipment. They are still working on it, but it will be in a compliant location.

Mr. Greig asked if the house is smaller. Mr. Fleming stated it is 1300 square feet and they are adding 444 square feet.

Public: Linda Sharkus, 4th Avenue, suggested putting windows in on the south side that can capture the breeze. She was concerned about how they would do the footings being so close to the property line.

Mr. Melango stated the proposal will look better than what's there. Ms. Deitz stated it is a lot in a tight space, but it is an improvement. Ms. Drazenovich stated she would like to see the chain link fence removed. Mr. Fleming stated he will remove it. Mr. Palmisano agreed about the fence. Mr. Fitzgerald stated they are moving the spot that is over the property line and moving the stairs to add more parking which both are positive.

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

AYES: Mr. Greig, Mr. Lisko, Mr. Fitzgerald, Mr. Melango, Ms. Deitz, Mr. Palmisano and Ms. Drazenovich

At 7:52 pm the Board took a brief recess. The Board reconvened at 8:00 pm. All were still present.

ROBERT & JOANNE BAKERIAN – 213 SOUTH LAKE DRIVE

Appearing for this application was Mr. Bakerian, his attorney Kevin Asadi and architect Mary Hearn. Exhibits marked: A1 application, A2 variance chart, A3 application checklist, A4 survey, A5 minor land use application, A6, architectural plans, A7 photos, A8 illustrated site plan and A9 colored elevations.

Mr. Asadi stated the property fronts on two streets, South Lake Drive and 7th Avenue. There is an existing structure they would like to add a garage and pool to. They have owned the property for thirty years and have lived there.

Ms. Hearn stated they rebuilt the house after Hurricane Sandy, but it was used as a summer home. Now the Bakerians want to live there full time. There is no garage on site now. The proposal is to also expand the existing front porch and add a balcony above to get the views of the lake. Also, will redo the deck on the south side. The 7th Avenue side will look more inviting. The existing house has six bedrooms, but they are very small and there is no basement. The proposal is to reconfigure the house to make it more livable while still keeping the six bedrooms. The width of the house will not be expanded. There will be a second floor over the new attached garage. There will be room for three cars on site even though they only get credit for one.

Variances: building coverage of 34.2%, parking, 7th Avenue setback of 14.8 feet, rear setback of 11 feet, and garage front setback 14.8 feet.

Ms. Hearn stated there is 8 feet of right of way from the property line to the sidewalk. Also asking for a variance for a third air conditioning unit to be placed where the others currently exist, which is 2.7 feet off the property line. The neighbor's units are placed there also.

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Mr. Asadi and Ms. Hearn explained how attaching the garage increased the building coverage. She added that they are way under the floor area ratio.

Mr. Greig stated they also need a variance for parking in the front yard. Ms. Drazenovich asked for the pool distance from the sidewalk. Ms. Hearn stated it is 26.5 feet.

Public: Ann Noble, 219 South Lake, expressed her support of the application.

Christine Aker, 206 7th Avenue, 100% supported the application.

Kevin Koonjy, 209 7th Avenue, stated they take care of the property, and this will be an improvement to the neighborhood.

Mr. Greig felt they did a good job with the proposal. Mr. Melango stated it is a great design.

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

AYES: Mr. Greig, Mr. Lisko, Mr. Fitzgerald, Mr. Melango, Ms. Deitz, Mr. Palmisano and Ms. Drazenovich

MARK PHILHOWER – 308 14TH AVENUE

Appearing for this application were Mark, Karen and Bill Philhower. Mr. Lisko stepped down because he lives within 200 ft. Exhibits marked: A1 application, A2 minor land use application, A3 survey, A4 photo, A5 plans, and A6 average setbacks. Mark Philhower stated they have owned the property for sixteen years and it is unoccupied. The proposal is to renovate the home, add a second floor and extend the rear by 15 feet to create a larger master bedroom. Variances: front yard setback of 4.5 feet, impervious lot coverage of 57.42% and building coverage of 39.81%.

Mr. Fitzgerald stated a parking variance is also needed. They can only park two vehicles and three are required.

Ms. Deitz asked about the air conditioning unit. Mr. Philhower stated it will be in a compliant location.

Public: none

Mr. Melango stated it is a nice design. Mr. Fitzgerald stated he loves these kinds of updates. Mr. Greig stated it is a reasonable application.

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

AYES: Mr. Greig, Mr. Fitzgerald, Mr. Melango, Ms. Deitz, Mr. Palmisano and Ms. Drazenovich

Mr. Fitzgerald made a motion to adjourn the meeting, which was seconded by Ms. Deitz and approved unanimously.