



OFFICE OF  
**VENTNOR CITY ZONING BOARD**  
**VENTNOR CITY PLANNING BOARD**

CITY HALL  
VENTNOR CITY, NEW JERSEY 08406  
(609) 823-7987

Ventnor City Zoning Board

Minutes

Wednesday February 17, 2010 – 6:30 PM

1. Call to Order: 6:30 PM
2. Flag Salute
3. Roll Call

Present

Absent

Jim Reynolds  
Lorraine Sallata  
Greg Maiuro  
Dan Smith  
Mike Weissen  
Clyde Yoste  
Stephen Rice

Professionals:

John Matthews, Esq.  
Wesley Becker, Polistina & Associates

4. Adoption of Minutes of January 20, 2010 and February 8, 2010 meetings  
Motion: Mike Weissen, Mike Weissen  
Second: Greg Maiuro, Dan Smith  
Approval: All in favor
5. Adoption of the Following Resolutions  
Z-1: Election of Chairperson & Vice-Chairperson  
Z-2: Appointment of Staff for 2010  
Z-3: Adoption of Schedule of Meetings for 2010  
Z-4: Appointment of Engineer  
Motion to Approve All: Mike Weissen  
2<sup>nd</sup>: Greg Maiuro  
All in Favor

6. Applicants:

Orlando & Rosario Santiago

4 S. Nashville Ave.

Block 51, Lot 14

Represented by Brian Callaghan

Requesting a "C" variance for Front Setback and "D" variance for Expansion of a Non-Conforming use

***Carried over from January 20, 2010 meeting***

Brian Callaghan sworn in

Have Engineer report. Have 2 additional neighbors to speak. Would like closing arguments and an Engineer review.

The Engineer inquires are as follows:

1. For Code 102.17D...spoke with Mr. Agnesino...all permits already issued. Well below the 75% requirement. Received about \$60,000 from insurance and added additional money.
2. Additional parking to add more... cannot... what have is technically undersized but used.
3. Additional Bedrooms... will have 4 bedrooms...tax record shows 5 with nothing stated for the basement. The inside of the house is being reconfigured to an open concept with larger bedrooms. One attic room will be used as a bedroom.
4. Street trees... Would need 4...don't think possible and would need approval of electric company due to poles outside of house. If it is approved, would put some in.
5. No other approvals are needed to complete job
6. Building department has not gotten around to redoing the map that shows this property as an R7 zone. In March 2009, deleted a portion of the code that shows duplexes are allowed.

Board discusses various issues:

**Mike Weissen:** Explain why you are here and what conflict there was with Mr. Agnesino from start to finish.

After permits were issues, contractor suggested enclosing porch area over garage as it would be nicer. Did so not knowing that there would be a problem. Mr. Agnesino said work could not be done as it makes it an expansion of a non-conforming use. By adding the expansion, it makes it a D-2 variance. Also, by building the wall, a "C" variance is needed.

**Steve Rice:** Originally there were 5 permits...who did them...and the contractor didn't know he needed a permit for the additional work

The contractor didn't know

**Greg Maiuro:** How many contractors were there

Several

**Mike W.:** Is contractor who suggested this work still on job

No

Why?

Cost the job much heartache and had to go thru much negotiation.

Was work stopped again? Understanding is that work was stopped a second time.

Not to my knowledge. Only once

**Jack Matthews:** Work was stopped for not having permits for front area. Was it stopped for plumbing?

Once for wall and once for plumbing yes. Didn't do work correctly first time and had to come back and fix

**Clyde Yost:** Closed in portion...are old walls still in place. .if not, what was done to fix weight bearing walls...are there drawings showing this

Old wall are down to make open area...do not know what was done for the walls, and do not know if any drawings exist for it

**Mike W:** Any contractor should have known a final inspection was due

He must have thought there was no problem since not changing the structure of the building.

**Dan Smith:** After work stoppage, were plans revised and resubmitted

Date of stop work order was End October-beginning November and plans were dated after that so have changes shown.

Public Discussion:

Kenneth Goukker: Resident on street for 50 years

Have seen great improvement. Would like to see work completed so family can get on with it. Best thing seen in a long time.

Jorge Matos: 10 S. Nashville Ave

Lived there for 7 years. Good neighbor, work is good, good addition

Mike Advena: 6410 Monmouth

Have issues with Tax document. Are the 5 bedrooms included with basement?

Do not think so. Document shows 9 rooms only. Believe it is for upper only.

End Public Discussion

Board Questions:

**Lorraine:** Bedroom count not including basement; does this affect parking

Originally at 7, now at 6. Since it was pre-existing, would not need any. For new construction, the need is for 3.

**Jack:** when was the CNC issued

In 1998 to a prior owner for 2 units. Mr. Santiago received a Certificate of Land Use upon purchase.

Brian Callaghan Closing: Not knowing to get the proper permits is irrelevant. They are here to get an expansion of use.

States various cases of similar themes to look at.

Criteria is to decide if negative impact and esthetic enhancements would occur

Need to look at the property and its location next to a commercial property and across from a hi-rise.

Improvements to the Zoning Plan and setbacks are in line with the rest of the area

There are no side setback issues.  
Other properties on the block do not have a garage while this does  
Numerous people have spoken in favor of this  
Need to look at this with a greater liberality than normal "D" variances  
There is no negative impact on anyone

Motion to approve "C" and "D" variance with condition of 1 street tree and only 4 bedrooms allowed in the upper unit. This must be placed on the final plans: Mike Weissen  
Second: Greg Maiuro

Vote:

1. Clyde Yost: Yes
  - a. See no hardship...public approved
2. Lorraine Sallata: No
  - a. Need to do with a lot of caution...was a pre-existing condition...by enclosing porch, will deter air flow...believe a strong negative impact
3. Mike Weissen: No
  - a. Visited property numerous times...tremendous change...looking at others on the street...with a heavy heart have to decline...but did a great job with plans
4. Greg Maiuro: No
  - a. Takes out esthetics of home and neighborhood
5. Steve Rice: No
  - a. Changes the character of the neighborhood... could have a domino effect
6. Dan Smith: Yes
  - a. Existing character of neighborhood...all neighbors in favor... building not being increased... positive influence... others may follow example
7. Jim Reynolds: Yes
  - a. Attempting to increase the character of the neighborhood

**Motion denied >> 3 in favor, 4 opposed**

Applicant: Andrew & Penni Starer  
500 North Cambridge Ave  
Block 291, Lot 16  
Requesting a "C" variance for front and side yard setbacks  
Represented by Terri Cummings, Architect

Sworn in: Terri Cummings, Andrew Starer, Penni Starer

Andrew: Have always had a 2<sup>nd</sup> house in Ventnor. Bought this one in 2005 as was only looking for a rancher. Using when able to but want to live here permanently with 1-3 years. House has issues of space and storage, and only 1 shower./

Terri Cummings: Reviews current and proposed designs and shows photos  
This is small house with small rooms. Changes to be made are side facing Cambridge Ave. Bedrooms are very small with no closet space. Because it is a corner lot, it has 2 front setbacks. Unable to build up, so need to build out.

Propose to add 5' to one side and in the back cut out some of the deck space and add a gable. Will still have 3 bedrooms but will be larger with bigger closets. There will be a walk-in closet in the master bedroom. The baths will be made larger and better. With the addition will add 6' to the back and 5' to the side. This does not harm anyone and will allow owners to live there for many years.

Board members discuss issues with plan:

**Dan Smith**: will exterior be same material

Will match siding and roofing

**Greg Maiuro**: Will there be off street parking

There are 2 spots and it will remain the same

**Steve Rice**: Why 2 setbacks

North-South has 20' requirement will East-West has a 15' requirement.

It is just the way the ordinance was set

**Clyde Yost**: The neighbor on the fence side is how close to property

Garage is on other side within about a cars width

**Steve Rice**: Can a condition be placed if property sold that a 2<sup>nd</sup> floor cannot be put on

Would have to come before board for a variance anyways. Would be very cumbersome to add a deed restriction and remove it later.

Public Portion: None

Engineer Comments:

There is shed encroaching on neighbors property

Has always been there as well as fenced area

Cannot be moved and no neighbor issues

Street trees: What kind

Whatever is approved by City

Motion to approve with conditions: Types of trees will be approved by Building Department and no 2<sup>nd</sup> floor addition without proper variances

Motion: Greg Maiuro

2<sup>nd</sup>: Lorraine Sallata

Vote:

Dan Smith: Yes

No negative criteria – Corner Lot – Well thought out plan

Steve Rice: Yes

With all conditions met, good plan

Greg Maiuro: Yes

No harm seen – Plenty of space

Mike Weissen: Yes

House is similar to another one that was done

Lorraine Sallata: Yes

No detriment – good plan

Clyde Yost: Yes

With conditions, no harm done

Jim Reynolds: Yes  
No negative impact

**Motion passes, 7 in favor, 0 opposed**

Other Business:  
None

Motion to adjourn: Greg Maiuro  
Second: Dan Smith  
Meeting adjourned at 7:55 PM