



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 November 20, 2013 – 6:30 PM

1. Call to Order
2. Flag Salute
3. Roll Call

Present

Greg Maiuro

Mike Weissen
Clyde Yost
Stephen Rice

Frank Cavallaro

Professionals:

Craig Hurless, Polistina & Associates
John Rosenberger, Esq.

Absent

Lorraine Sallata

Dan Smith

Bert Sabo

4. Adoption of Minutes of October 16, 2013 meetings

Motion: ___ Clyde Yost _____

Second: ___ Steve Rice _____

Approval: All in favor

5. Adoption of the Following Resolutions

Z14 of 2013 – Joyce Diamond & Carol Auerhan

18 S Baton Rouge Ave

Requested CNC – Approved

Z15 of 2013 – Rojoten Coats, LLC

4900 Wellington Ave

Requested Multiple Variances – Approved

Motion: ___ Mike Weissen _____

2nd: ___ Steve Rice _____

Approve: All

6. Applicants

Gaetano Muzio Trust

115 S Troy Ave

Blk. 30, Lot 2

Requesting a "C" Variances for Front & Side Yard

Represented by John Scott Abbott

Sworn in: *John Scott Abbott*

Need variances for Front Yard, Extension of Front Porch Deck, & Side Yard

Reviewed with City Planner

Are allowed to extend the 2nd floor deck to match the porch

Here because there is a small area on the side that is less than 1'

Initially wanted to extend the canopy

Can have a roll-out canopy but not a permanent structure

Neighbor did have some concerns

Sworn in:

Christina Buendichio – Architect

John Barnhardt – Planner

Guy Muzio – Owner

John Barnhardt –

On South Troy Ave. – a gray house – one away from the ocean front

Layout – house is close to property line

Most in neighborhood have a 1st and 2nd floor deck

All homes on block are reviewed

This is consistent development with older homes

Exhibits:

A1 – Aerial View

A2 – front view of home – before the canopy removed

6.8' existing 2nd floor deck

1.58' from line – 1st floor deck

A3 – View of house

A4 – Center View

A5 – Proposed view of house

True perspective of house

A6 – opposite view of proposed

Zoning ordinance allows property with existing 1st floor porch can have a 2nd floor deck

Not sure if side yard is included

Asking for variance for canopy

Purpose of application

Upside down construction – living area is on 2nd floor
Deck is currently about 6' wide – not any extra room
Idea is to extend area to add extra room

Relief needed

Exhibit A7 – architectural plans
Plans are reviewed

Not sure if side yard setback is needed, but asking for it
Existing side yard is 3.8' and will remain that
Only about a 1' variance is needed
Believe front yard is allowed by ordinance
Extended the canopy over the full deck

John Rosenberger: asks clarification questions for what is being asked

Sworn in: **Craig Hurless**

Craig Hurless: Conversation with applicant on ordinance – deals with front yard – believe a side yard variance is needed

Extends 1.2'
Not being torn down and reconstructed?
No, only extending the framing

John Barnhardt: Canopy discussed

Proposed to extend the existing canopy
Standard frame canopy with fabric – permanent fixture – just remove fabric portion
Retractable canopy is allowed – looked into it
From a practical and esthetic point – not good – went with a permanent solution
Benefits outweigh the detriment

Potential negative is a view issue

Plans are to minimize this impact
Looked at other home setbacks
Review others

3'-5' deck or enclosed space on rest of block
Diminished view angle is minor – almost a 40' view corridor

BOARD QUESTIONS:

Steve Rice: How is an A frame esthetically pleasing? Would rather look at a box on the wall and not a frame – just my opinion

There are 2 different types – will do what is needed
Thought this was a better alternative

If had to, would leave the existing canopy and mount a retractable to it

Frank Cavallaro: If approved, the canopy would be one continuous piece?

Yes

John Rosenberger: What is front yard setback?
1.85' vs. 8' required

Clyde Yost: Sides of the porch – with material be changed?
Blending with what is currently there – match existing railings

Mike Weissen: If a retractable is done, will there be temporary arms – would that still be a variance?
No, it is a temporary structure

PUBLIC:
Liz Ann Johnson – 111 S Troy
Live next door
Feel deck will block the view on 1st and 2nd floor
They have a very large house
Will block air and views
Object to this

Mike Weissen: Just heard the objection – if the material for railings were changed to something more open, would you consider?
It is a possibility to consider
Was going to be done to match the rest of the house
Would have to abide by safety concerns
Liz Johnson is asked this as well
Still would have issues with awning and supports

Greg Maiuro: Asks Mrs. Johnson if she can see the ramp
Yes – she shows pictures from her deck
Exhibits O1-O4

Mike Weissen: Does anyone else have a retractable awning?
Did not see one – tough on beach block

Frank Cavallaro: Assuming no variance for a retractable awning – which would you want assuming one is going up?
Not sure

Steve Rice: Mrs. Johnson – do you have an awning?
Yes

Board reviews photos
O1: Pix from sun porch inside to beach
O2: 2nd floor to beach
O3: Same
O4: 1st floor side deck to beach

John Rosenberger: any conditions - bump out and transparency for railings

Motion: Side Yard – 3.8’ vs 5’
Fixed Canopy – 1.85’ vs 8’
Side canopy: 2.8’ vs 5’
Conditions: transparent material for railings
Motion: Mike Weissen
2nd: Clyde Yost

Vote:

Steve Rice: Yes
With Conditions

Frank Cavallaro: Yes
With conditions

Mike Weissen: Yes
With conditions

Clyde Yost: Yes
With conditions

Greg Maiuro: Yes
With conditions

Application Approved 5 in favor, 0 opposed

7. Applicant:

Jeffrey & Mikki Ashin
7107 Atlantic Ave.
Block 81, Lot 4
Requesting “C” Variance for side yard
Represented by Self

Sworn in: *Jeff Ashin*
Live at 7107 Atlantic Ave
Carried over from last month
Apologize for not being here last month

Want to put a framed roof on an attached garage
Over 70 years old
Right on the property line
Currently a flat roof
Problems with the roof – not safe
Want to put a pitched roof

Street is pretty consistent with a pitched roof
Pitched roof is consistent with the house

Did go to direct neighbors to explain

Plans are to go up 3’ on pitch
Gutter on front and back
New water will go into bedding made of stone

This is to prevent neighbor issues
Not to impede with the neighbors

In back there is more than 9' to the neighbor
Existing vinyl fence and also a wood fence
Downspout will go to bed and into it

Don't want the problems with a flat roof

BOARD QUESTIONS:

Frank Cavallaro: Where will existing downspout be?

To the street
Keep the same plus add one on other side

John Rosenberger: Where will they be going?

Parallel to Melbourne Ave

Frank Cavallaro: Concerned that neighbor is all block and a downspout there

Plan a 16' area down 2' deep to collect run-off
Happy to do what is needed

Craig Hurless: Hard time recommending drainage without info

Typically if stone is planned, then need a design
You are changing drainage direction
Need a design plan

John Rosenberger: a condition can be placed that a plan is needed

Greg Maiuro: How come the roof is the way it is planned?

The other direction would go across the property line

PUBLIC:

Frank Colleran – here as an attorney
Annette Volari is here as well

Annette Volari: 7105 Atlantic Ave

Read statement – in dispute

Drainage and light are an issue

Mr. Ashin has contacted about a French drain

No repairs have been done on the roof

Welcome a repair – but is not a hardship to me

Photos entered in evidence:

Board reviews photos

O1-O38

O27 – Darkens roof and how it would look

O26 – Shows rear

O33 – her installed drain – drainage will affect

Who will do drainage maintenance?

John Rosenberger: A French drain is not before the Board

Mr. Ashin agreed to review

Light and air will be affected

O25 – shows light from street

Will not have light with roof in place

Mold and moisture issues – lots of gutters – more water, more mold

O14, O11, O10, O24, O25, O36, O37

Reviews current roof

Mr. Colleran – Attorney – went to Board Engineer

102.38G – Rear Yard setback – 10' minimum

Current is 0.14'

Drainage will go directly onto Mrs. Volari's property

Why not onto his property

Distort air and light

Variance only granted if no other are harmed

Heidi Volari: Attorney – here for other neighbors – Ronald Trakenberg, Barbara Soffer

On approved for other options

Did not give any other options – flat, hip, etc.

Did not meet burden of proof

Where are the other options?

Show what is out of ordinary

Also live at 7105 in summer

Heard what else it is being used for

What is the purpose when could just repair

Francis Turra: 104 S Pittsburgh Ave

Same Questions – why an addition when can just fix

Be considerate to others

Never seen any work on existing roof

Serena Boui

Spent much time with neighbor

Pitched roof will cause problems

Jeff Ashin – Questions

Never complained about the mold?

Yes

Was roof repaired in 2001?

No

Was a lowering to 2' offered?

Almost insulting

Yes

John Rosenberger: This is just a question and answer portion

Jeff Ashin:

Did I offer to move gutter from rear to front?
No, do not remember
Is there only light from Melbourne late in the day?
Sun come east to west, sun late in afternoon
When was photo O35 taken?
Not in evidence
O24, O25 – light is shown from where?
A street light
Raising the 3' would impact the light?
Yes

Mike Weissen: If they don't do a pitched roof and just fix it, would that take care of issues

Mrs. Volari – Yes, did my part to fix run-off now

Craig Hurless: Reviews report

Heard about improvements not on plans
Need topographical info on updated survey
Landscaping – recommend 1 tree on Melbourne
Refocus on what variance is for
Only variance – within rear yard setback
Existing non-conformity – 0.14'
Raising that portion of roof pulls in variance
Will meet building height needs

BOARD QUESTIONS:

Mike Weissen: is it 3.5' or 3'?

Plan is 3'

Craig Hurless: regardless, the height has to be less than 12'

John Rosenberger: Page 3 of review – minimum setback is 3'

It is 0.14' vs 3' required

Frank Cavallaro: Impact, not consider totality of all requests

John Rosenberger will address

Mike Weissen: Heard all issues – still going forward with application?

Yes, with a drainage plan

Clyde Yost: Heard will lower to 2' from 3'?

Yes, just want a pitch – want the garage back

Mike Weissen: Can you go the other way?

No

Steve Rice: Which Drainage?

Condition will be to design drainage that is OK with Engineer

Will it address other issues?

Only the roof is in this plan

Can you also take care of shower and AC drainage?

Yes

John Rosenberger: which pitch 2' or 3'?

Mike Weissen – want 2'

Consensus is 2'

John Rosenberger: Variance is for Rear yard and not to Mrs. Volari's

Rear yard of 0.14' vs 3' – vertical extension

Conditions: Survey to include topographical info

Design drainage system – to City Ordinance

Landscaping – 1 street tree on Melbourne Ave

Motion: Mike Weissen

2nd: Steve Rice

VOTE:

Clyde Yost: Yes

Hard case – try to satisfy all

Mike Weissen: Yes

Difficult based on opposition – good job with it

Took into account concessions and considerations

Steve Rice: Yes

With conditions

Frank Cavallaro: Yes

All same comments – hope this approach is taken to other roofs

Greg Maiuro: Yes

True hardship with flat roof – no detriment

Motion approved – 5 in favor, 0 opposed

8. Applicant:

Nicole & Steve Lieberman

6901 Monmouth Ave.

Block 181, Lot 1

Requesting "C" Variance for Front Yard, Side yard, And Height

Represented by Self

Sworn in: *Steve & Nicole Lieberman*

Rebuild house from Hurricane Sandy
Demo both house and detached garage

Plan for a better esthetic building
Would do in existing footprint, but does not fit into code

6' setback on Monmouth – same as other
Height is needed for FEMA requirements

Craig Hurless: plot plan shows window at 3' – reg is shown at 6'
Variance is technically 3' on both sides

BOARD QUESTIONS:

Steve Rice: The Bay window?
It is considered a walkout

Frank Cavallaro: driveway – 3' off Monmouth to the door
Garage will be under house
Exterior – driveway on 6' long side
Will be an apron, not a driveway

PUBLIC:

Albie Battaglia – 207 N Wissahickon
Very excited someone is investing in area
Concern is with fire pit prior to Sandy
Spoke with Building Dept. – Fire Pit would have to be added if not on same footprint
Lots of smoke
Code states many things on the Fire Pits
Want to see it done, but consider the fire pit issue
Fire Pit not shown on Plot plan
Would have to comply with codes

Greg Maiuro: Are you still planning on having the Pit
Steve Lieberman: want to keep – in center of property

John Rosenberger: Not passing on the pit – will have to conform

Eileen Risler – 202 N Newark
Happy to see the rebuild
Have issue with Fire Pit – prior to regulations – grandfathered
Would have to look at

John Rosenberger: There will be no action in regards to the fire pit
Own codes and conditions

BOARD QUESTIONS:

Clyde Yost – Garage right on sidewalk – could be an issue

Open to suggestions – amend to go additional 3’ back
6’ from property line to it now, 3’ more would make 9’

Frank Cavallaro – Parking under house and in line with each other

Ideally would not have garage – but cannot have driveway
Could have a carport one space back
Plan to use appropriately

Craig Hurless – Reviews report

2 front yards – 15’ required – 3’ planned on both
Side yard – 8’ required – 7.5’ planned
Height – 27’ required – 35’ planned – for flood regulations
Recommend items on page 3 & 4 as conditions

Unclean what is below 1st floor – plans need to show

Retaining wall – what is happening?

It is being removed

Grading and drainage – need on plot plan

Landscaping – need types and shrubs

Grass buffer strip needed

All other approvals as needed

Motion: Variances as noted

Conditions as per Engineer report

Motion: Frank Cavallaro

2nd: Mike Weissen

VOTE:

Frank Cavallaro: Yes

As per conditions

Steve Rice: Yes

Great improvement

Mike Weissen: Yes

Listened to neighbors

Clyde Yost: Yes

Hardship with 2 front yards – a good improvement

Greg Maiuro: Yes

A true hardship

Motion Approved: 5 in favor, 0 opposed

9. Other Business

- i. None

Motion to adjourn: ___ Steve Rice _____

Second: _____ Frank Cavallaro _____

Meeting adjourned at __9:15 _____ PM