

**ZONING BOARD OF ADJUSTMENT  
SPECIAL MEETING MINUTES  
MARCH 18, 2010 AT 8:00 P.M.**

Mr. Karch called the meeting to order by reading the following statement: “As Presiding Officer of the Colts Neck Zoning Board, I hereby declare that the notice requirements of the law has been satisfied by prominently posting a notice of this meeting on the Township Bulletin Board, and that there has been transmitted by regular mail a copy of said Notice to the Asbury Park Press, and that a copy is on file in the office of the Township Clerk.”

**Roll Call**

PRESENT: Karch, Burry, Bennett, Hesslein, Sobieski, Wagar, Yodakis and Farrell

ABSENT: Lewis

ALSO PRESENT: Timothy Anfuso, P.P., Mike Steib, Esq., and Ruth Leininger

**Approval of Minutes:**

Motion to Approve the February 18, 2010 Meeting Minutes:

OFFER: Burry

SECOND: Hesslein

AFFIRMATIVE: Karch, Burry, Bennett, Hesslein, Sobieski, Wagar and Yodakis

NEGATIVE: None

**RESOLUTIONS:**

**Application ZB837 – Katrina Miller – Block 45.03, Lot 1 – 55 Mine Brook Road**

Memorialization of resolution granting approval for a 60’ x 100’ indoor riding arena in the A-5 Zone. A variance is required to permit a front yard setback of 79.4’ where 150’ is required.

Motion to Memorialize the Resolution:

OFFER: Burry

SECOND: Sobieski

AFFIRMATIVE: Karch, Burry, Bennett, Hesslein, Sobieski, Wagar and Yodakis

NEGATIVE: None

**ZB838 – Joseph DiSalvo – Block 35.02, Lot 3 – 21 Brisbane Hill Drive**

Memorialization of resolution granting approval for a first and second story addition and front porch to an existing single family dwelling in the A-1 Zone. A variance is required to permit a front yard setback of 70.81’ where 75’ is required.

Motion to Memorialize the Resolution:

OFFER: Sobieski

SECOND: Yodakis

AFFIRMATIVE: Karch, Burry, Bennett, Hesslein, Sobieski, Wagar and Yodakis

NEGATIVE: None

**ZB839 – Chris Kolefas – Block 7.07, Lots 7 & 27 – 22 Maple Drive**

Memorialization of resolution granting approval to retain a new single family dwelling in the A-2 Zone. A variance is required to permit a side setback of 49.6' where 50.1' is required.

Motion to Memorialize the Resolution:

OFFER: Burry

SECOND: Wagar

AFFIRMATIVE: Karch, Burry, Bennett, Hesslein, Sobieski, Wagar and Yodakis

NEGATIVE: None

**ADMINISTRATIVE ITEMS:**

None

**APPLICATIONS: Old Business**

**Application ZB829 – Jack Petillo – Block 16, Lot 33.10 – 22 Homestead Drive**

Application to construct a new single family dwelling in the A-1 Zone. A variance is required to permit a building coverage of 7.1% where 6 % is the maximum permitted.

The Board received a letter from the applicant's attorney stating they were still working with professionals to revise their plans and requested the application be carried to the April meeting and granted an extension of time to May 31, 2010. This application is carried to the April 15, 2010 meeting with no further notice. This application has been carried twice, the Board directed Mr. Anfusio to tell the applicant if they did not advance the application in April they will dismiss the application without prejudice.

**APPLICATIONS: New Business**

**ZB819 – Michael Savo –Block 51, Lot 2.31 – 1 Air Dancer Lane**

Application to construct a new single family dwelling in the AG Zone. Variances are required to permit a front yard setback of 86.3' from Air Dancer and 88.6' from Squan Song where 215' is required, a side yard setback of 121.8' and 125' where 190' is required, a building height of 37.96' where 35' is the maximum permitted, a spire height of 45.58' where 43.75' is the maximum permitted and a total lot coverage of 17.41% where 15% is the maximum permitted.

Nine items were marked as exhibits – zoning review, application, variance plan, elevation/floor plan, Board of Health comments, Fire Prevention review, Architectural Review Committee comments, photoboard with six photos and a rendering showing geometry of 90' rule for property.

Michael Savo, applicant and A.J. Garito, Engineer – both sworn. Photos were shown of the vacant 3.32 acre lot where Mr. Savo would like to build a house showing that the majority of the property has frontage. Four of the variances that are requested have to do with the 90’ rule. Mr. Garito showed the house can fit on the lot without invoking the 90’ rule; however this would create the least amount of backyard privacy for the applicant, would look out onto neighboring backyards and lose the view of Due Process Golf Course.

David Feldman, Architect – sworn. Mr. Savo came to Mr. Feldman with photos of the style house he would like to build. Many of the photos included heights of up to 60’. Mr. Feldman worked within the guidelines as best as possible but still creating the style of home Mr. Savo desired. Proportion becomes the problem when designing a house of this size. There were no objections from the Fire Marshall regarding the building height. The cabana is not designed yet but it will conform to all zoning regulations.

Open to the public with no comments. The Board thought the house was beautiful and did agree the lot was a hardship with so much frontage however the house could be built without the setback variance. Total lot coverage was a big issue with some members stating it is the design and depth of the house that is creating the problem; some houses do not fit on some lots.

The applicant requested the application be carried to the April meeting to try and make modifications. This application is carried to the April 15, 2010 meeting with no further notice.

**DISCUSSION ITEMS:**

None

**EXECUTIVE SESSION**

None

**MOTION TO ADJOURN**

A motion was made by Mr. Burry at 9:00 p.m. to adjourn the meeting, seconded by Mr. Wagar and unanimously carried.

I hereby certify that the above is a true and exact copy of the Meeting minutes for the meeting conducted on March 18, 2010 adopted by the Board of Adjustment of the Township of Colts Neck at its meeting held on April 15, 2010.

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Ruth Leininger, Assistant Secretary  
Board of Adjustment of the  
Township of Colts Neck