

**ZONING BOARD OF ADJUSTMENT  
MEETING MINUTES  
FEBRUARY 21, 2008 AT 8:00 P.M.**

Mr. Yodakis called the meeting to order by reading the following statement: "As Chairman and Presiding Officer of the Colts Neck Zoning Board, I hereby declare that the notice requirements of the law have 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: Yodakis, Bennett, Barnett, Burry, Karch (5 minutes late), Sobieski, Wagar and Goubeaud

ABSENT: Saavedra

Also Present: Michael Steib, Esq., Timothy Anfusio, P.P. and Ruth Leininger

**Approval of Minutes**

Motion to Approve the Minutes of January 17, 2008:

OFFER: Burry

SECOND: Barnett

AFFIRMATIVE: Yodakis, Bennett, Barnett, Burry, Sobieski and Goubeaud

NEGATIVE: None

**RESOLUTIONS:**

**Application ZB732 – Wilson – Block 9, Lot 23 – 23 Blackbriar Drive**

Memorialization of resolution granting approval for a one year extension of time to the approve variance. The extension of time will begin December 21, 2007 and expire December 21, 2008.

Motion to Memorialize the Resolution:

OFFER: Burry

SECOND: Barnett

AFFIRMATIVE: Yodakis, Bennett, Barnett, Burry, Sobieski and Goubeaud

NEGATIVE: None

**Application ZB756 – Pagliano – Block 38, Lot 13 - 240C Swimming River Road**

Memorialization of resolution granting approval to retain an addition and new second floor to a 34' x 24' detached garage. Variances are required to permit a front yard setback of 14.9' where 100' is required, a total floor area of 1,231 s.f. where 1,200 s.f. is the maximum permitted and to allow the issuance of a building permit to a lot that does not front on a municipal street.

Motion to Memorialize the Resolution:

OFFER: Barnett

SECOND: Burry

AFFIRMATIVE: Yodakis, Bennett, Barnett, Burry and Goubeaud  
NEGATIVE: None

**ADMINISTRATIVE ITEMS:**

None

**APPLICATIONS: Old Business**

**Application ZB772 – Willow Brook Stables – Block 9, Lot 2.01 – 75 Willow Brook Road**

Application to construct a riding arena and remove outdoor lighting in the AG Zone. Variances are required to permit a side yard setback of 50.48' where 100' is required and a total lot coverage of 15.22% where 10% is the maximum permitted.

The attorney for the objectors requested this application be carried because he had a conflict this evening. The attorney for the applicant consented and gave an extension of time to May 31, 2008. This application is carried to the April 17, 2008 meeting with no further notice.

**Application ZB774 – Mavica – Block 12.01, Lot 12 – 37 Acorn Place**

Application to demolish the existing dwelling, except garage foundation, and construct a new single family dwelling in the A-1 Zone. A variance is required to permit a 3 ½ story dwelling where 2 ½ stories is the maximum permitted.

The applicant has revised their plans so that a variance is not required.

Motion to Dismiss the Application Without Prejudice:

OFFER: Barnett

SECOND: Bennett

AFFIRMATIVE: Bennett, Barnett, Burry, Karch, Wagar and Goubeaud

NEGATIVE: None

**APPLICATIONS: New Business:**

**Application ZB779 - Abramova – Block 17.01, Lot 17 – 35 Country Club Lane**

Application to install a 5' pool fence. A variance is required to permit a 5' fence in the front yard where 4' is the maximum permitted.

Sal Alfieri, Esq. represented the applicant. Tatiana Abramova, applicant – sworn. Three items were marked as exhibits – zoning review, application and plot plan. The property is under contract and while the new owners were verifying that all permits were received, it was discovered that a separate contractor installed the pool fence than installed the pool. It was discovered that the contractor never took out a permit for the fence. The property is unique in that it has what is considered three front yards. The property is very heavily landscaped with 25' high trees along the street and the five foot high fence is directly behind the tree line. Open to the public with no comments.

The property is beautifully maintained and the fence is not visible behind the existing trees. The Board felt the property was unique in shape, but felt it was critical that the trees must remain. It was agreed the applicant would provide a landscape easement along the entire front property line to the existing fence line.

Motion to Approve the Application:

OFFER: Barnett

SECOND: Karch

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

NEGATIVE: None

**Application ZB784 – Welsh – Block 45.01, Lot 3 – 96 Hominy Hill Road**

Application to construct a two story addition in the A-1 Zone. A variance is required to permit a front setback of 72' where 75' is required.

Tom Welsh, applicant – sworn. Three items were marked as exhibits – zoning review, application and site plan. Mr. Welsh explained they plan on adding a two story addition to the existing home. The addition is totaling conforming except for the open front porch. The proposed porch required a variance for three feet.

The Board felt the portion of the front porch that did not conform was de minimis but aesthetically made a big difference to the home.

Motion to Approve the Application:

OFFER: Wagar

SECOND: Burry

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

NEGATIVE: None

**DISCUSSION ITEMS:**

None

**EXECUTIVE SESSION**

A motion was made by Ms. Barnett to go into an Executive Session, seconded by Mr. Karch and unanimously carried.

**MOTION TO ADJOURN**

A motion was made by Mr. Karch at 8:45 p.m. to adjourn the meeting, seconded by Ms. Goubeaud and unanimously carried.

I hereby certify that the above is a true and exact copy of the Meeting minutes for the meeting conducted on February 21, 2008 adopted by the Board of Adjustment of the Township of Colts Neck at its meeting held on March 20, 2008.

---

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