

**ZONING BOARD OF ADJUSTMENT  
MEETING MINUTES  
JULY 19, 2012 AT 8:00 P.M.**

Mr. Yodakis 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: Yodakis, Bennett, Burry, Farrell, Florek and Karch

ABSENT: Sobieski, Lewis and Karchar

ALSO PRESENT: Timothy Anfusio, P.P., Michael B. Steib, Esq., and Ruth Leininger

**Approval of Minutes:**

Motion to Approve the June 21, 2012 Meeting Minutes:

OFFER: Karch

SECOND: Burry

AFFIRMATIVE: Yodakis, Bennett, Burry, Florek and Karch

NEGATIVE: None

**RESOLUTIONS:**

**ZB892 – Bryan – Block 19, Lot 11.01 – 45 Phalanx Road**

Memorialization of Resolution granting approval install a generator as well as retain existing driveway entrance piers that were constructed without proper municipal approvals in the AG Zone. A variance is required to permit a generator front yard setback of 250’ where 400’ is required and an entrance pier setback of 25.8’ where 30’ is required and a pier height of 14’2” where 7’ is the maximum.

Motion to Memorialize the Resolution:

OFFER: Burry

SECOND: Karch

AFFIRMATIVE: Yodakis, Bennett, Burry, Florek and Karch

NEGATIVE: None

**ADMINISTRATIVE ITEMS:**

**ZB797 – Kling – Block 22.02, Lot 12 – 151 Montrose Road**

Application for three one year extensions of time to the approved variance. The extension of time will begin December 18, 2009 and expire December 18, 2012

The Board questioned why the applicant needed three extensions. Mr. Anfuso clarified that Mr. Kling was not the original applicant. When Mr. Kling purchased this house the variance had already expired. The variance was to allow a 15' separation between the house and the pool; there have not been any changes to our zoning that would affect this application. The Board stipulated this would be the final extension they would grant for this variance.

Motion to Approve the Extensions of Time:

OFFER: Burry

SECOND: Farrell

AFFIRMATIVE: Yodakis, Bennett, Burry, Farrell, Florek and Karch

NEGATIVE: None

### **APPLICATIONS: Old Business**

#### **ZB893 – RTG One, LLC. – Block 19, Lot 1 – 199 Route 34**

Application for a Use Variance to construct a 30 seat Brick Oven Pizza Restaurant in the A-1 Zone.

The applicant requested this application be carried to the August meeting and granted an extension of time to August 31, 2012. This application is carried to the August 16, 2012 meeting with no further notice.

### **APPLICATIONS: New Business:**

#### **ZB891 – Ciccone – Block 13, Lot 26 – 221 Heyers Mill Road**

Application construct a rear porch in the A-1 Zone. A variance is required to allow building coverage of 7.08% where 6.6% is the maximum permitted.

The applicant requested to carry this application to the August meeting. Mr. Steib, Esq. stated he reviewed service for this application and announced it is carried to the August 16, 2012 meeting with no further notice.

#### **ZB895 – Cognata – Block 1.01, Lot 2.04 – 8 Richmond Court**

Application to renovate a fire damaged dwelling in the A-1 Zone. Variances are required to permit a building coverage of 7.67% where 6% is the maximum permitted and 6.4% currently exists and total lot coverage of 21.67% where 20% is the maximum permitted and 21.7% currently exists.

Six items were marked as exhibits – zoning review, application, architectural plans, Board of Health comments, Architectural Review comments and a packet consisting of four photos. Steve Cognata, applicant and Mike Monroe, Architect – both sworn.

Mr. Cognata explained on March 8, 2012 a fire started in the basement of their home while they slept and burned about four hours before the smoke alarms went off. Luckily they all were able to get out safely but the home has extensive damage. His family wants a different floor plan and feel to the home that chased them out in the middle of the night.

Mr. Monroe explained how he had rearranged the interior floor plan, moved an existing wood deck and changed the roof line. He brought the rooms up to current standards and opened up the kitchen making the lay out the home more sensible. He made numerous attempts to make the house smaller with the problem of working around existing elements; the house is not a complete loss. They are adding an open front porch and tower although they are keeping the same amount of bedrooms but moving the stairs to make the circulation better.

Open to the public. Is the garage closer to the property line? No, the left side of the house will remain the same.

The Board sympathized with the applicant but felt it was a bit much. It was understood that the building coverage was currently over what was permissible but the Board felt this was an opportunity to make the house more in conformance not less.

The applicant requested a five minute recess. The homeowners are anxious to get the construction started so they can move on. Mr. Monroe felt confident he could remove approximately 725 s.f. if that was more acceptable to the Board. He asked if he could prepare new plans showing this for next months meeting and requested a resolution be prepared so if the Board saw fit to approve the application it could also be memorialized so the homeowner would not lose any time. The Board was agreeable to this and authorized the attorney to prepare a resolution for the next meeting. This application is carried to the August 16, 2012 meeting with no further notice.

#### **DISCUSSION ITEMS:**

None

#### **EXECUTIVE SESSION**

None

#### **MOTION TO ADJOURN**

A motion was made by Mr. Farrell at 8:55 p.m. to adjourn the meeting, seconded by Mr. Florek and unanimously carried.

I hereby certify that the above is a true and exact copy of the Meeting minutes for the meeting conducted on July 19, 2012 adopted by the Board of Adjustment of the Township of Colts Neck at its meeting held on August 16, 2012.

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