

**ZONING BOARD OF ADJUSTMENT
MEETING MINUTES
JULY 17, 2014 AT 8:00 P.M.**

Mr. Florek 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. I further order that this public announcement be placed in the minutes of this meeting”.

Salute the Flag

Roll Call

PRESENT: Florek, Burry, Sobieski, Yodakis and Burke

ABSENT: Bennett, Farrell and Karch

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

Approval of Minutes:

Motion to Approve the June 19, 2014 Meeting Minutes:

OFFER: Burry

SECOND: Sobieski

AFFIRMATIVE: Florek, Burry, Sobieski, Yodakis and Burke

NEGATIVE: None

RESOLUTIONS:

ZB925 – Denk – Block 17, Lot 6.04 – 6 Pegasus Drive

Memorialization of Resolution to construct a front porch in the AG Zone. A variance is required to permit a front setback of 199’ where 232’ is required and 207’ currently exists.

Motion to Memorialize the Resolution:

OFFER: Burry

SECOND: Yodakis

AFFIRMATIVE: Florek, Burry, Sobieski, Yodakis and Burke

NEGATIVE: None

ADMINISTRATIVE ITEMS:

None

APPLICATIONS: Old Business

Z924 – Divino – Block 35.05, Lot 8 – 21 Dana Lane

Application to construct an addition, porch, partial second story addition and to retain a shed in the A-1 Zone. Variances are required to permit a principal front setback of 71.6’ where 85’ is required, principal side setback of 48.6’ where 50’ is required, accessory side setback of 17.3’ where 25’ is required and a total building coverage of 7.82% where 6.6% is required.

Mr. Steib, Esq. announced this application is a continuation from the June 19, 2014 meeting and Mr. Divino, applicant and Mr. Simpson, architect are both under oath. Five new items were marked as exhibits – zoning review, three alternate plans and a new proposal.

Mr. Simpson told the Board they surveyed homes in the surrounding neighborhood and found 36 homes that appeared larger than the permitted 6.6% building coverage. After reviewing records at the Township, they found that five of these homes received variances; although this does not set a precedent it does show a larger home is characteristic for their neighborhood. Mr. Simpson reviewed two alternative plans, one with a detached garage and one where the addition goes out the rear but is less functional and loses a minimum of one tree. They felt the original plan was a better planning alternative and solves all of the family’s needs.

Open to the public with no comments. The Board struggled with the fact that there were alternatives requiring less variances and did not feel the proposed house fit on the lot. Although the enhanced setbacks were a result of the 90 foot rule, the fact that the building coverage was exceeded was a great concern to most.

After hearing the comments from the Board the applicant requested to eliminate the game room but to cover the front porch, modernize the front of the home. They showed a plan with just this work that would still require a variance for 6.8% building coverage.

The Board thought this was a reasonable compromise and approved the application based on Tim Anfuso’s review of the new calculations.

Motion to Approve the Application:

OFFER: Sobieski

SECOND: Burry

AFFIRMATIVE: Florek, Burry, Sobieski, Yodakis and Burke

NEGATIVE: None

APPLICATIONS: New Business:

None

DISCUSSION ITEMS:

None

EXECUTIVE SESSION

None

MOTION TO ADJOURN

A motion was made by Mr. Sobieski at 9:15 p.m. to adjourn the meeting, seconded by Mr. Burry 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 17, 2014 adopted by the Board of Adjustment of the Township of Colts Neck at its meeting held on August 21, 2014.

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