

**ZONING BOARD OF ADJUSTMENT
MEETING MINUTES
AUGUST 19, 2010 AT 8:00 P.M.**

Mr. Burry 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: Burry, Bennett, Hesslein, Sobieski, Wagar, Yodakis, Farrell and Lewis

ABSENT: Karch

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

Approval of Minutes:

Motion to Approve the July 15, 2010 Meeting Minutes:

OFFER: Hesslein

SECOND: Lewis

AFFIRMATIVE: Burry, Bennett, Hesslein, Yodakis, Farrell and Lewis

NEGATIVE: None

RESOLUTIONS:

ZB845 – Lalima – Block 29, Lot 1 – 135 Bucks Mill Road

Memorialization of Resolution granting approval to retain two existing arbors attached to the pool cabana. Variances are required to permit a rear setback of 48.5’ where 50’ is required, a building separation of 7.76’ in between the arbor and hot tub where 10’ is required, an accessory structure building footprint of 2,704 s.f. where 900 s.f. is the maximum permitted, an accessory structure total floor area of 3,605.85 s.f. where 1,200 s.f. is the maximum permitted and a total lot coverage of 20.19% where 20% is the maximum permitted.

Motion to Memorialize the Resolution:

OFFER: Hesslein

SECOND: Farrell

AFFIRMATIVE: Burry, Bennett, Hesslein, Yodakis, Farrell and Lewis

NEGATIVE: None

ADMINISTRATIVE ITEMS:

None

APPLICATIONS: Old Business

None

APPLICATIONS: New Business

ZB850 – O’Connor – Block 22.9, Lot 5 – 60 Carriage Hill Drive

Application to remove an existing deck and construct a new 16’ x 38’ deck with a partial roof in the A-1 Zone. A variance is required to permit a building separation of 11’ where 20’ is required.

Seven items were marked as exhibits – zoning review, application, survey, Board of Health review, deck floor plans, proposed deck plan and proposed deck plan with roofing.

Kevin O’Connor, applicant – sworn. Currently there is a nonconforming deck that extends from the house to the pool that is old and unsafe, they would like to replace it with a manufactured product. The new deck would be 11’ from the pool, still nonconforming but not as much. They would also like to have an open air shingled roof over half of the deck making the space more usable and a protection from the sun.

Open to the public with no comments. The Board felt they were making the situation better, as long as the Fire Marshall did not have any concerns. The Board also conditioned the approval on the applicant receiving a letter from the Fire Marshall, NJDEP flood hazard permit by rule and restricting the roofed area can not be enclosed.

Motion to Approve the Application:

OFFER: Yodakis

SECOND: Wagar

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

NEGATIVE: None

ZB851 – Manhire – Block 21, Lot 2 – 585 Lovett Road

Application to install an 11’ x 20’ pergola on the upper deck in the A-1 Zone. A variance is required to permit a 45’ side yard setback where 54’ is required.

Six items were marked as exhibits – zoning review, application, location survey, architectural rendering, photo of rear property prior to improvements and photo of rear property after improvements. Laurie and Richard Manhire, applicants – sworn.

The applicants stated they were at the end of their extensive home renovation project and felt the back yard looked empty. After reviewing magazines and speaking with a landscaper they decided a decorative pergola on top of the existing deck would be the solution. The contractor said a permit was

not required for the pergola, however when the building inspector came out for other inspections they were told otherwise.

Open to the public with no comments. The Board felt both the roof and sides of the pergola are open and it is placed on top of the existing deck that was previously approved; this was a diminimis feature.

Motion to Approve the Application:

OFFER: Farrell

SECOND: Sobieski

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

NEGATIVE: None

DISCUSSION ITEMS:

None

EXECUTIVE SESSION

None

MOTION TO ADJOURN

A motion was made by Mr. Hesslein at 8:25 p.m. to adjourn the meeting, seconded by Mr. Lewis and unanimously carried.

I hereby certify that the above is a true and exact copy of the Meeting minutes for the meeting conducted on August 19, 2010 adopted by the Board of Adjustment of the Township of Colts Neck at its meeting held on September 16, 2010.

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