

**ZONING BOARD OF ADJUSTMENT  
MEETING MINUTES  
JANUARY 17, 2013 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: Bennett, Farrell (15 minutes late), Florek, Sobieski, Yodakis and Karcher

ABSENT: Burry, Karch and Lewis

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

Mr. Steib, Esq. said there were three appointments for the Zoning Board that needed to take the Oath of Office. Mr. Steib gave the Oath of Office to Mr. Sobieski and Mr. Yodakis and Mr. Karcher.

The Nominating Committee’s recommendation was Ed Sobieski as Chairman, Bruce Bennett as Vice-Chairman, Ken Florek as Secretary and Ruth Leininger as Assistant Secretary. There were no other nominations from the Board; nominations were closed.

Motion to Adopt a full slate:

OFFER: Florek

SECOND: Karcher

AFFIRMATIVE: Sobieski, Bennett, Florek, Yodakis and Karcher

NEGATIVE: None

ABSTAIN: None

The Board adopted the schedule for meeting dates for the remainder of 2013 at 8:00 p.m. in the meeting room at Town Hall as follows:

February 21, 2013	August 15, 2013
March 21, 2013	September 19, 2013
April 18, 2013	October 17, 2013
May 16, 2013	November 21, 2013
June 20, 2013	December 19, 2013
July 18, 2013	

Motion to adopt schedule:

OFFER: Florek

SECOND: Karcher

AFFIRMATIVE: Sobieski, Bennett, Florek, Yodakis and Karcher

NEGATIVE: None

Motion to Appoint Township Engineer, Glenn Gerken:

OFFER: Yodakis

SECOND: Karcher

AFFIRMATIVE: Sobieski, Bennett, Florek, Yodakis and Karcher

NEGATIVE: None

Motion to Appoint Zoning Board Attorney, Michael B. Steib, Esq.:

OFFER: Yodakis

SECOND: Karcher

AFFIRMATIVE: Sobieski, Bennett, Florek, Yodakis and Karcher

NEGATIVE: None

Motion to Appoint Landscape Architect, Julie McGowan:

OFFER: Yodakis

SECOND: Florek

AFFIRMATIVE: Sobieski, Bennett, Florek, Yodakis and Karcher

NEGATIVE: None

Motion to Approve the December 20, 2012 Meeting Minutes:

OFFER: Florek

SECOND: Yodakis

AFFIRMATIVE: Sobieski, Bennett, Florek, Yodakis and Karcher

NEGATIVE: None

## **RESOLUTIONS:**

### **ZB899 – DiFazio – Block 12, Lot 23.04 – 7 Ponderosa Drive**

Memorialization of Resolution to retain an inground swimming pool in the A-1 Zone. A variance is required to permit a 45' rear setback where 50' is required.

Motion to Memorialize the Resolution:

OFFER: Yodakis

SECOND: Florek

AFFIRMATIVE: Sobieski, Bennett, Florek and Yodakis

NEGATIVE: None

### **ZB900 – Zuppichini – Block 16, Lot 53.13 – 8 Meadows Run Drive**

Memorialization of Resolution to retain an existing deck that was constructed without municipal approval. Variances are required to permit a rear setback of 42' where 50' is required and a total lot coverage of 21.5% where 20% is the maximum permitted and 21.71% currently exists.

Motion to Memorialize the Resolution:

OFFER: Florek

SECOND: Yodakis

AFFIRMATIVE: Sobieski, Bennett, Florek and Yodakis

NEGATIVE: None

**ADMINISTRATIVE ITEMS:**

None

**APPLICATIONS: Old Business**

None

**APPLICATIONS: New Business:**

**ZB898 – Sachdev – Block 35, Lot 7.03 – 1 Wide Horizon Drive**

Application to construct an inground swimming pool, raised patio and fence in the A-1 Zone. Variances are required to permit a raised patio side setback of 72.26' where 86' is required, a pool side yard setback of 35' where 40' is required and total lot coverage of 22.1% where 20% is the maximum permitted.

Nine items were marked as exhibits – zoning review, application, site plan, Board of Health comments, Fire Marshall's review, Architectural Review Committee's comments, color mounted site plan, photoboard with three photos and a photoboard with sample materials and an aerial photo of area.

Mike Simpson, Architect and Planner – sworn. Mr. Simpson explained the property is located on the corner of Laird Road and Wide Horizon Drive and the home was built in 2000. The Sachdev's are not the original owners and they would like to enlarge the existing raised patio so that it can be used for outdoor dining. There is a large chimney that protrudes into the existing patio limiting the space for a large table and seating. There is a 75' landscape easement along Laird Road that is heavily landscaped and prohibits you from being able to see their back yard. The proposed patio will replace the existing patio and masonry steps at the rear door of the house and would provide a better transition from the house to the existing at grade patio. The property is further constrained by being a corner lot which contains two fronts, a 20' x 40' pool is proposed in the only logical location. A variance is required to permit a 35' rear setback where 40' is required however there is a large greenway that abuts the property in that location and the pool would be more than 300' from any neighboring property.

Mr. Simpson said the surrounding properties appear to exceed the maximum permitted 20% lot coverage. He calculated this from aerial views that are available on the internet. It was his opinion that what is being proposed for this property would be in keeping with the surrounding properties.

Open to the public. Jim Goedeke, Colonial Terrace asked if they thought of using a permeable material? Mr. Simpson said yes they did, however it would still count towards coverage. The Board agreed that the property is very well buffered with the easement and greenways and granting a variance for the setbacks did not bother them much. However they all felt the total lot coverage was excessive.

The applicant asked to carry the application so they can try to reduce the lot coverage and granted an extension of time to March 31, 2013. This application is carried to the February 21, 2013 meeting with no further notice.

**ZB901 – DeGrazio – Block 13, Lot 11 – 37 Ann Street**

Application for a complete ground level reconstruction and second story addition over existing breezeway and garage. Variances are required to permit a front setback of 63.16’ where 75’ is required and 63.16’ currently exist and a rear yard setback of 45.48’ where 50’ is required and 43.24’ currently exist.

Seven items were marked as exhibits – zoning review, application, architectural/floor plans, Fire Marshall’s review, photo of the back of the home, photo of the front of the house from the road and a photo of area attached by a breezeway.

John DeGrazio, applicant – sworn. Mr. DeGrazio told the Board that he has a very small house, the smallest house on the street, and they just need more space. He is a musician and his wife is an artist so they want to have room for his baby grand piano and his wife’s easel and art supplies. They would like to convert the garage to an art/music room and build a 2<sup>nd</sup> story that will be used as an office/library. He is not changing the footprint of the existing home; he is adding a 2<sup>nd</sup> story over the existing garage. They are proposing to have a natural stone/cedar siding so that the home has a barnlike look.

Open to the public with no comment. The Board felt the applicant was staying in the existing footprint and updating the house making it an asset to the neighborhood. It was stipulated that a second kitchen is not permitted.

Motion to Approve the Application:

OFFER: Yodakis

SECOND: Karcher

AFFIRMATIVE: Sobieski, Bennett, Farrell, Florek, Yodakis and Karcher

NEGATIVE: None

**DISCUSSION ITEMS:**

**2012 Zoning Board Annual Report**

Mr. Anfuso stated the Annual Report is exactly the same as last month except he updated it to include the two applications from the December meeting. The Board thought the report was well done and thanked Mr. Anfuso.

Motion to Approve and Memorialize the Resolution:

OFFER: Yodakis

SECOND: Karcher

AFFIRMATIVE: Sobieski, Bennett, Farrell, Florek, Yodakis and Karcher

NEGATIVE: None

**EXECUTIVE SESSION**

None

**MOTION TO ADJOURN**

A motion was made by Mr. Yodakis at 9:05 p.m. to adjourn the meeting, seconded by Mr. Farrell and unanimously carried.

I hereby certify that the above is a true and exact copy of the Meeting minutes for the meeting conducted on January 17, 2013 adopted by the Board of Adjustment of the Township of Colts Neck at its meeting held on February 21, 2013.

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