

**ZONING BOARD OF ADJUSTMENT
MEETING MINUTES
SEPTEMBER 20, 2012 AT 8:00 P.M.**

Mr. Bennett 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, Florek, Karch (10 minutes late) and Karchar

ABSENT: Yodakis, Sobieski, Burry and Lewis

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

Approval of Minutes:

Motion to Approve the August 16, 2012 Meeting Minutes:

OFFER: Farrell

SECOND: Florek

AFFIRMATIVE: Bennett, Farrell and Florek

NEGATIVE: None

RESOLUTIONS:

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

Memorialization of Resolution to 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.

Motion to Memorialize the Resolution:

OFFER: Florek

SECOND: Karch

AFFIRMATIVE: Florek and Karch

NEGATIVE: None

ADMINISTRATIVE ITEMS:

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.

Mr. Anfuso send a letter on August 20, 2012 on behalf of the Board advising that the applicant must proceed with the application this month or the Board would dismiss the application. A letter was received from the applicant's attorney requesting one more adjournment. The Board felt the applicant had ample time to proceed with this application and dismissed the application without prejudice.

Motion to Dismiss the Application Without Prejudice:

OFFER: Florek

SECOND: Farrell

AFFIRMATIVE: Bennett, Farrell, Florek and Karchar

NEGATIVE: None

APPLICATIONS: New Business:

ZB896 – Dietrich – Block 21.01, Lot 7 – 8 Hialeah Drive

Application to retain a front porch that was installed without proper municipal approvals. Variances are required to permit a front setback of 69.3' where 75' is required and a building coverage of 6.72% where 6.6% is the maximum permitted.

Robert Dietrich, applicant – sworn. Ten items were marked as exhibits – zoning review, application, plot plan, sketch of front entry, photo of front of house, photo of side view, Board of Health comments, Fire Prevention review, color photo of side and color photo of front.

Mr. Dietrich told the Board in 2009 he started a paver sidewalk and liked the way it looked so he laid the pavers on top of his existing stoop that was not covered. They thought that looked nice and decided to add a roof with columns and railing. They added about 1 ½' to each side of the preexisting stoop. The majority of the homes in the neighborhood have front porches. They did not have any idea that a building permit was required for this type of work, now they are selling their home and found out that not only a building permit was required but a variance as well.

Open to the public with no comment. The Board felt the front porch enhanced the aesthetics of the home by looking nice and open. The encroachment is marginal and was consistent with the neighborhood. The Board stipulated the porch can not be enclosed.

Motion to Approve the Resolution:

OFFER: Karchar

SECOND: Farrell

AFFIRMATIVE: Bennett, Farrell, Florek, Karch and Karchar

NEGATIVE: None

DISCUSSION ITEMS:

None

EXECUTIVE SESSION

None

MOTION TO ADJOURN

A motion was made by Mr. Farrell at 8:20 p.m. to adjourn the meeting, seconded by Mr. Karchar and unanimously carried.

I hereby certify that the above is a true and exact copy of the Meeting minutes for the meeting conducted on September 20, 2012 adopted by the Board of Adjustment of the Township of Colts Neck at its meeting held on October 18, 2012.

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