

**A RESOLUTION OF THE ZONING BOARD OF ADJUSTMENT  
OF THE BOROUGH OF HADDONFIELD**

Application/Resolution Number: ZBA #2022-18  
Property Address: 44 Gill Road Block 64.08 Lot 5  
Name of Owner/Applicant: Keith Pizer and Candace Foster  
Date of Hearing: 7-12-2022  
Appearances:  
Tavis Karrow, Board Secretary  
Jennifer Johnson, Esquire, Board Solicitor  
Melanie Adamson, PE, Board Engineer  
Board Members Present:  
Kevin Burns  
Brian Mulholland  
Brian Pukenas  
Wayne Partenheimer  
Steve Sweet  
Brittany Bonetti  
Kas Ghodoussipour  
Lou Randazzo

**PROPERTY DESCRIPTION**

Zoning District: R-5  
Structures on Lot: Single Family Dwelling

**DEVELOPMENT PROPOSAL**

The Applicant seeks bulk variance approval for the rear yard setback requirement for an existing non-conforming lot. The intention is to rebuild a small portion of the back of the house in order to enlarge the existing kitchen and sunroom by 200 sf.

**RELIEF/VARIANCE REQUESTED**

Sec 135-30(D)(2)(d) Rear Yard setback Required 40', Existing 39', Proposed 35'

## **SUBMISSIONS**

Application  
Survey of Premises  
Floor Plan  
Proposed Elevations

## **SUMMARY OF TESTIMONY AND EVIDENCE**

The Applicants testified on their own behalf. They asked the Board to consider this variance of 200 sf on the rear of their home. The addition will be one story tall and in line with the current structure of the house. The current setback is 39' and they are requesting an addition of 4' so the new setback would be 35'. They will be updating the siding, windows and other aesthetic upgrades to the house.

The Applicants feel this improvement is in keeping with the existing neighborhood. The style and structure will be maintained as well as the charm of the existing property. The proposed project would be an improvement to the neighborhood.

No members of the public spoke.

## **FINDING OF FACT AND CONCLUSIONS**

1. The Board has jurisdiction over the subject matter requiring a decision.
2. The Board Secretary had identified as complete all necessary items to apply to the Board for variance approval.
3. To obtain a c(2) variance, the Applicant has to show the variance is for a specific property, advances a purpose of zoning and that the benefits of granting the variance substantially outweigh any detriments of granting the variance.
4. The variances can be granted under NJSA 40:55D-70c(2).
5. The Applicant has provided testimony as to the proposed use of this specific property.
6. The granting of the variances does not represent any detriment to the zone plan or ordinance as it will enhance the property and provide a visual benefit.
7. Mr. Pukenas stated that the neighbor already has a two story addition and this is more modest than that.
8. The Board was convinced by the fact that this design plan promoted a purpose of the MLUL in that it provides sufficient space in appropriate locations for recreational use and open space.
9. Ms. Bonetti mentioned that it creates a desirable visual environment. Ms. Sweet agreed.
10. The relief requested can be granted without violating the spirit and intent of the zoning ordinance, the zone plan and the Master Plan, primarily because the applicant is providing a plan that improves the drainage conditions in the area.
11. Due notice has been given in accordance with the Municipal Land Use Law (N.J.S.A. 40:55D-1 et. seq.) and the rules of the Haddonfield Board of Adjustment.

## RESOLUTION

**NOW, THEREFORE, BE IT RESOLVED**, by the Zoning Board of Adjustment of the Borough of Haddonfield, that the application for a variance be and is hereby granted, pursuant to N.J.S.A. 40:55D-70(c).

### **CONDITIONS OF APPROVAL**

1. The applicant's engineer must make appropriate revisions to the plan pursuant to the Zoning Board's action.
2. Two (2) copies of the final plan and a digital copy shall be submitted to the Borough of Haddonfield for review, approval and signature.
3. Submission of an individual lot grading plan to the Haddonfield Borough Engineer in accordance with Section 135-93.2 for review and approval prior to issuance of a building permit.
4. The Applicant must contact the Zoning Board office to settle any outstanding review escrow accounts prior to receiving approved plans.
5. The development approved by this resolution must comply with the plans and specifications submitted with this application. If the plans and specifications change, the Applicant is required to re-apply to the Zoning Board with the modified plans.
6. Applicant must comply with all other applicable ordinances and codes including but not limited to Shade Tree Ordinance, building codes, fire codes and all water management requirements.

Motion By: Mulholland  
Seconded by: Partenheimer

Board Members voting to grant the requested variances: Burns, Mulholland, Pukenas, Partenheimer, Sweet, Bonetti, Ghodoussipour

Board Members voting to deny the requested variances: None

**AND, BE IT FURTHER RESOLVED** that a copy of this Resolution be maintained on file by the Construction Office of the Borough of Haddonfield available upon request and that a brief notice of this decision shall be published in the official newspaper of the Borough of Haddonfield by the Applicant.

**CERTIFICATION**

I hereby certify that the foregoing is a true, accurate and complete copy of the resolution of memorialization adopted by the Zoning Board of Adjustment of the Borough of Haddonfield at its regular monthly meeting on August 16, 2022, memorializing action taken by the Zoning Board on July 12, 2022.

Dated: August \_\_\_\_\_, 2022

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**TAVIS KARROW, Secretary**

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