

**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

TAVIS KARROW, Secretary

DRAFT

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

Application/Resolution Number:	ZBA #2022-13
Property Address:	76 Lane of Acres; Block 64.19, Lot 28
Name of Owner/Applicant:	Scott and Kelly McBride
Date of Hearing:	7-19-2022
Appearances:	Scott McBride, Owner/Applicant Damien O. Del Duca, Esq., Applicant's Attorney Thomas B. Wagner, AIA, Applicant's Architect Clifton Quay, PE, Applicant's Planner Tavis Karrow, Board Secretary Jennifer Johnson, Esq., Board Solicitor Melanie Adamson, PE, Board Engineer
Board Members Present:	Wayne Partenheimer, Vice-Chairperson Steve Sweet Brittany Bonetti William Shanahan Lou Randazzo- Alternate Matt Mazza, Alternate

PROPERTY DESCRIPTION

Zoning District:	R-1
Structures on Lot:	Single Family Residential Dwelling

DEVELOPMENT PROPOSAL

The Applicants propose to construct a pool house in the rear, a new porch and foyer as well as additions to the dining room and primary bedroom of the existing single-family home.

RELIEF/VARIANCE REQUESTED

1. Section 135-26(D)(4)(b) — Maximum impervious coverage — 15% permitted; 23.4% existing; 23.1% proposed;
2. Section 135-26(D)(2)(d) - Minimum rear yard — 100 feet required; 86 feet existing; 83.89 feet proposed;
3. Section 135-26(D)(1)(a) — Minimum lot size — 80,000 sf required; 57,770 sf existing and proposed (existing non-conformity);
4. Section 135-26(D)(1)(d) — Minimum lot depth — 400 feet required; 272.50 feet existing and proposed (existing non-conformity);

5. Section 135-26(D)(2)(b) — Minimum side yard single — 30 feet required; 22.01 feet existing and proposed (existing non-conformity); and
6. Section 135-26(D)(2)(c) — Minimum side yard combined — 75 feet required; 73.23 feet existing and proposed (existing non-conformity).

SUBMISSIONS

1. Twenty copies of the variance application, including an application summary;
2. Exhibit A-1 Twenty half-size copies of floor plans and elevations prepared by Thomas B. Wagner, AIA, dated March 29, 2022 (11 pages);
3. Exhibit A-2 Three full-size and twenty half-size copies of Site Plans prepared by Stantec, dated April 6, 2022, no revision date (3 pages);
4. Exhibit A-3 Color photographs of the property;

SUMMARY OF TESTIMONY AND EVIDENCE

Scott and Kelly McBride ("Applicant") are the owners of property located at 76 Lane of Acres and designated as block 64.19, lot 28 on the municipal tax map. The Applicant proposes to construct a pool house in the back yard, add a new porch and foyer, as well as additions to the existing dining room and primary bedroom of the existing single-family home. The property is located in the R-1 zoning district.

The lot is undersized for the R-1 zone. The lot area is 57,770 sf, but 80,000 sf is required. The impervious coverage as of the date of the 2018 survey, which the plans are based upon, was 23.4%. This exceeds the 15% limit for the zone. The Applicant proposes to remove the existing canopy, slate pavers and landscaping wall in the rear as well as portions of the brick walkway and pavers in the front and side of the home. The removal of those improvements will offset the proposed impervious coverage of 23.1% and is an improvement from the existing impervious coverage at the property.

The variances can be granted under both N.J.S.A. 40:55D-70(c)(1) (hardship). The lot is significantly undersized and shallower than the ordinance requires for the R-1 zone. The location of the single-family home on the lot directly relates to the existing rear yard and side yard nonconformities. The undersized lot also directly contributes to the existing nonconformity for impervious coverage.

The variances can also be granted under (c)(2) (where the benefits outweigh the detriments). The proposed pool house and improvements to the existing home will not have a detrimental impact on the Borough's zoning scheme as it will enhance the property and provide a visual benefit. The variances can be granted without substantial detriment to the public good and without substantially impairing the purpose and intent of the zoning ordinance. The proposed improvements are proportionate to existing single-family home and the lot. The proposed improvements are consistent with the other improvements throughout the neighborhood and will not stand out in any negative way.

No one from 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. The variances can be granted under both NJSA 40:55D-70c(1) and c(2).
4. The Applicant has provided testimony as to the proposed use of this specific property.
5. Strict application of the zoning ordinance requirements would result in an undue hardship on the Applicant.
6. To obtain a c(1) variance, the Applicant has to show a hardship specific to the Property.
7. 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.
8. The Board was compelled by the C1 argument given the lot size is significantly undersized and shallower than the ordinance requires for the R1 zone.
9. Mr. Randazzo appreciates that the impervious coverage was reduced by a little.
10. The application advances the purposes of the MLUL in that it promotes a desirable visual environment and is in keeping with the character of the neighborhood.
11. 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.
12. 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.
13. 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: Partenheimer
Seconded by: Shanahan

Board Members voting to grant the requested variances: Partenheimer, Shanahan, Sweet, Bonetti, Randazzo, Mazza

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 19, 2022.

Dated: _____, 2022

TAVIS KARROW, Secretary

DRAFT

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

Application/Resolution Number: ZBA #2022-17
Property Address: 329 Springfield Terrace Block 24, Lot 11
Name of Owner/Applicant: Eileen Sanville
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-7
Structures on Lot: Single Family Dwelling

DEVELOPMENT PROPOSAL

The Applicant is requesting permission to remove and replace the existing front porch.

RELIEF/VARIANCE REQUESTED

1. 135-32(D)(4)(a) Building Coverage- Required 25%, Existing 36.5%, Proposed 36.5%
2. 135-32(D)(4)(b) Impervious Coverage- Required 40%, Existing 42.4%, Proposed 42.4%

3. Section 135-32(D)(2)(a) Front yard setback- Required 20', Existing, 5.1', Proposed 5.1'. Second front yard – Required 20', Existing- 7', Proposed 7'

SUBMISSIONS

Applications

Survey, not signed and sealed

SUMMARY OF TESTIMONY AND EVIDENCE

Eileen Sanville is the owner, applicant and occupant of 329 Springfield Terrace. The Applicant was unable to attend the meeting because of vacation plans so her adult son, Phil Sanville was present at the meeting in her place. Ms. Sanville is looking to rebuild the front porch on her home which is badly deteriorated and rotting in various places. The home sits on a corner lot so it has two front yards. The plan is to rebuild in-kind and not add any additional building or impervious coverage. The front steps on Springfield Terrace are actually in the Borough's right of way. The Applicant assured the Board these will not be touched and will remain as-is.

No one from 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. Mulholland and Mr. Partenheimer believe this is an appropriate variance to grant under a C-2 argument since it would be in the interest of public safety and health to have the porch replaced.

8. 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.
9. 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. A current, signed and sealed survey must be delivered to the Construction Office.
2. The steps in front of the porch may not be replaced.
3. The applicant's engineer must make appropriate revisions to the plan pursuant to the Zoning Board's action.
4. Two (2) copies of the final plan and a digital copy shall be submitted to the Borough of Haddonfield for review, approval and signature.
5. The Applicant must contact the Zoning Board office to settle any outstanding review escrow accounts prior to receiving approved plans.
6. 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.
7. 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: Burns
Seconded By: Partenheimer

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

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:

TAVIS KARROW, Secretary

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

Application/Resolution Number: ZBA #2022-19
Property Address: 530 Chews Landing Road
Name of Owner/Applicant: Leonard De Novellis
Date of Hearing: 7-12-2022
Appearances: Walter S. Chepurny, R.A. Beechwood Landscape Architecture
and Construction, LLC
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-2
Structures on Lot: Single Family Dwelling

DEVELOPMENT PROPOSAL

The Applicant is requesting permission to add a patio area because they currently have no outdoor space to sit and enjoy the outdoors.

RELIEF/VARIANCE REQUESTED

Section 135-27(D)(4)(b) Impervious coverage 25% required, 26.99% existing 26.31% proposed

SUBMISSIONS

Application

Landscape Plans prepared by Walter S. Chepurny, R.A., Beechwood Landscape Architecture and Construction, dated 2/10/22, updated 2/24/22

Survey, prepared and signed by Joseph Feldman, dated 9/23/98

SUMMARY OF TESTIMONY AND EVIDENCE

Applicant recently moved to 530 Chews Landing Road, Haddonfield with his senior mother. There is no dedicated outdoor space in the way of a patio. They would like to install a patio at grade adjacent to the existing driveway by expanding the existing concrete walk/breezeway by an additional 170 sf. They are proposing to remove the meandering concrete walkway to the front door and utilize stepping stones on grade as a means of access. No one uses the front walkway except for the mail carrier. The patio space will serve as a means of entry into the home in addition to hosting a small seating area.

No members of the public spoke.

FINDING OF FACT AND CONCLUSIONS

1. The Board has jurisdiction over the subject matter requiring a decision.
1. The Board Secretary had identified as complete all necessary items to apply to the Board for variance approval.
2. 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.
3. The variances can be granted under NJSA 40:55D-70c(2).
4. The Applicant has provided testimony as to the proposed use of this specific property.
5. 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.
6. Sweet said they are improving the situation because they are capturing storm water so the neighbors are better off.
7. Burns said it is a corner lot so it's hard to not have any outdoor living space.

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. 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.

10. 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. A current, signed and sealed survey must be delivered to the Construction Office.
2. The applicant's engineer must make appropriate revisions to the plan pursuant to the Zoning Board's action.
3. Two (2) copies of the final plan and a digital copy shall be submitted to the Borough of Haddonfield for review, approval and signature.
4. 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.
5. The Applicant must contact the Zoning Board office to settle any outstanding review escrow accounts prior to receiving approved plans.
6. 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.
7. 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: Burns
Seconded: Pukenas

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

TAVIS KARROW, Secretary