The Chairman called the meeting to order and stated it was being held in compliance with the "Open Public Meeting Act" and had been duly noticed and published as required by law.

ROLL CALL

Present: Mr. Robert Weil, Mr. John Daddario, Mr. Len Patton, Mr. Hal Willard, Mr. Manny Leoncio and Mr. Jeff Senges

Absent: Mr. Lee Cohen, Mr. Habib Quraishi, and Mr. Neal Cupersmith

Also, present, Mrs. CherylLynn Walters, Board Solicitor

APPROVAL OF MINUTES

Mr. Willard motioned to approve the minutes from March 24, 2016; seconded by Mr. Patton. Motion carried by the assenting voice vote by all board members with the exception of Mr. Weil and Mr. Leoncio who abstained.

MEMORIALIZATION OF RESOLUTIONS

Safety-In-Groups
2515 Evesham Avenue
Block 207; Lot 4.18
Resolution No.16-015

APPOINTMENT OF ACTING ZONING BOARD SECRETARY

Mr. Willard motioned to appoint Elaine Powell as Acting Zoning Board Secretary, seconded by Mr. Weil.

Ayes: Mr. Weil, Mr. Daddario, Mr. Willard, Mr. Leoncio, Mr. Patton, and Mr. Senges
Nays: None

OLD BUSINESS

Shirley Frank
4 Cedar Hill Court
Block 230.10, Lot 12
MDR-Zone
Case #Z2015-011

Application continued from February 11, 2016. The applicant is seeking relief from Sections 152.015(D) and (G), 150.13, 150.12 and 150.14(B)(1) of the ULDO to permit the following: To allow the paver patio to remain with a side-yard setback of "0" feet and a rear yard set-back of "0" feet where 15 feet is required; to allow accessory structures to occupy more than 25% of the rear-yard area and to allow an impervious coverage of 81% where the maximum permitted is 45%; to allow the paver patio driveway to be constructed within 5 feet of the side and rear property lines where in no event shall grading, construction or alteration of a lot be permitted within 5 feet of a side or rear property line; and to allow the 6-foot high fence to remain constructed in the side-yard area where only a 4-foot high fence is permitted. Applicant is also requesting any other relief that may be deemed necessary by the Board and/or its professionals.

Allen and Shirley Frank were present and requested that the board adjourn their hearing to future date to allow them additional time to submit requested drainage calculations and plans from their engineer. When questioned by the board, the applicant agreed to extend their action date to September 30, 2016. The applicant was informed that they would have to provide re-notice due to the length of time between meetings.

On motion by Robert Weil, seconded by Hal Willard, the Board voted to continue the application to their May 26, 2016 meeting on the condition that applicant provide re-notice to public.

Ayes: Mr. Robert Weil, Mr. John Daddario, Mr. Len Patton, Mr. Hal Willard, Mr. Manny Leoncio and Mr. Jeff Senges
Nays: None

NEW BUSINESS

Francisco Ayoub
1504 Walnut Avenue
Block 161, Lot 117
MDR Zone
Case #2015-017

Seeking relief from Sections 152.015(D)(3) and 150.13(A)(6) of the ULDO to permit the concrete patio to remain with a side yard setback of 2.53 feet and a rear yard setback of 11.65 feet where 15 feet is required. The applicant also requests any other variances, waivers and/or relief as may be deemed necessary by the Board and/or it professionals.

Mr. Francisco Ayoub and Mr. Jack Ayoub were sworn in. Mr. Jack Ayoub stated that he was there to assist Mr. Francisco Ayoub in interpreting the board's questions due to his limited English. Elaine Powell was sworn in as Assistant Zoning Officer and testified that the applicant required an additional variance from Section 150.13(A)(1) for allow accessory uses to occupy 28% of the rear-yard area where the maximum allowed is 25%.

Mr. Senges questioned why pool decking was constructed at 11.65' where 15' is required. My. F. Ayoub stated that the pool company recommended additional coping to hold pool in place and assist in grading. Mr. F. Ayoub submitted additional pictures to the board and Mrs. Walters marked them as exhibits A-2 and A-3, with the previously submitted pictures (4 in total) marked as A-1. Mr. Senges then questioned the concrete that is only 2.53 feet from the property line. Mr. Ayoub stated that was placed there on a slight incline to direct water away from the house and steps onto the grass area due to the topography on that side of the yard.

Mr. Senges then opens the meeting to the Public. Seeing no Public comment, the Public Portion is closed.

Mr. Weil makes a motion to approve the rear-yard setback of 11.65 feet where 15 feet is required, the side-yard setback of 2.53 feet where 15 feet is required, and to allow the accessory structures to occupy 28% of the rear-yard where the maximum permitted is 25%. Mr. Hal Willard seconded the motion.

Ayes: Mr. Robert Weil, Mr. John Daddario, Mr. Len Patton, Mr. Hal Willard, Mr. Manny Leoncio and Mr. Jeff Senges
Nays: None

The meeting was opened to the public.

Mr. Mike Wyland, 31 Chippenham Drive, was sworn in. Mr. Wyland stated that he owns the property behind Shirley Frank. He and his wife purchased the property in 2014 and they noticed that the back corner of their property was extremely wet and there was a different fence, but they did not know what was causing the drainage issue. Then they received the notice regarding the hearing and Mr. Frank approached them offering the fence as a gift. Mr. Wyland contacting his attorney who advised them not to sign anything.

Mrs. Walters informed the Wylands that the hearing regarding the Franks application will be held on May 26, 2016 and that the Board has no jurisdiction to grant relief for encroachments over the property line. She further informed them that the Board's Engineer and the Applicant's Engineer are working on a solution to the drainage problems.

When questioned about the paver patio, Mr. Senges informed Mr. Wyland that the Board could not discuss the application further but would have to wait to hear all testimony at the May 26, 2016 meeting.

The public portion of the meeting was closed.

Seeing no further business Mr. Willard makes a motion to adjourn, seconded by Mr. Weil.

Elaine D. Powell
Acting Zoning Board Secretary