**VOORHEES TOWNSHIP ZONING BOARD MINUTES OCTOBER 27, 2016**

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. Hal Willard, Mr. John Daddario, Mr. Habib Quraishi, Mr. Neal Cupersmith, Mr. Lee Cohen and Mr. Jeff Senges

Absent: Mr. Len Patton, and Mr. Manny Leoncio,

Also present: Board Solicitor Stuart Platt, Board Engineer Gary White of Churchill Engineers, and Elaine Powell, Zoning Board Secretary.

**APPROVAL OF MINUTES**

Mr. Weil motioned to approve the minutes from October 13, 2016; seconded by Mr. Willard. Motion carried by the assenting voice vote by all board members with Mr. Cupersmith and Mr. Cohen abstaining.

**MEMORIALIZATION OF RESOLUTIONS**

Appointment of John Palm, Esquire as Conflict Solicitor for the Remainder of 2016
Resolution No. 16-026

**NEW BUSINESS**

**Schaeffer Land, LLC Trust**
Case #ZC2016-016
MDR Zone 1317 Spruce Avenue Block 189, Lot 8

The Applicant is requesting the following such variance relief: (i) minimum side yard setbacks of ten feet on each side of the proposed building, where the Township code requires fifteen feet on each side (Township Code Section 152.015(D)(3)). There are also certain zoning non conformities currently existing on the lot that will not be remedied by the Application, specifically: (i) the subject lot is 6,250 square feet, where the zoning regulations require 15,000 square feet (Township Code Section 152.015(A)(2); and (ii) the minimum lot frontage is 50 feet, where the zoning requires 100 feet (township Code Section 152.015(B)(2). Requesting any other relief as may be deemed necessary by the Board and/or its professionals.

Mr. Peter Flannery, Esquire, of Bisgaier Hoff was present as legal counsel for the application. Mr. Jason Schaeffer, applicant, and Mr. Richard Clemson, P.E., were sworn in by Mr. Platt. Mr. Flannery opened by stating his client intends to demolish an existing home and build a new home.

Mr. Clemson referred the Exhibit A-1 as the variance plan submitted with the application. He stated that the existing lot is undersized with respect to lot size, lot frontage and existing side yard setbacks to the structures, both house and garage. The existing house and garage will be removed, which will eliminate the non-conforming garage, and the new home will be built with a conforming front yard setback of 35 feet. The variances requested would be to allow two (2) side yard setbacks of 10 feet where 15 feet is required.

Mr. Platt questioned the proposed bump out shown on the architectural drawing but not on the variance plan. Mr. Schaeffer stated that it was a cantilevered fireplace, which would be 30"above ground and about 6' high.

Mr. Clemson submitted Exhibit A-2, an aerial dated 2015, showing the location of the property and the numerous other 50-foot wide lots in the area. The aerial is to show that this lot and the proposal is not out of character for the neighborhood. Mr. Platt questioned how other lots measure up with regard to side setbacks. Mr. Clemson stated that the property immediately to the south has a side yard setback of 4-feet and the aerial shows other lots that are equal to or less than 10-feet. Mr. Clemson further stated that they are improving the front-yard setback and thereby improving the aesthetics of the property as well as air and light in the front-yard. In addition, by eliminating the garage, they are eliminating a 1-foot setback. This lot cannot be enlarged as all of the other lots are occupied with homes.

Mr. Schaeffer added that the building width of 30-feet is the minimum they could build to make a livable home. He submitted architectural drawings depicting three (3) different elevations of homes that are similar to ones he has built in Collingswood and Haddonfield. This plan was marked as Exhibit A-3. Mr. Flannery submitted three (3) sheets of ten (10) photographs, which were marked as Exhibit A-4 collectively, showing the existing dilapidated home.

Mr. White, Zoning Board Engineer, went over his review letter dated October 10, 2016. He corroborated the existing non-conforming lot with respect to lot size and frontage. He requested that the existing low point on the property be graded and recommended that the board grant additional relief for grading within 5 feet of the side property line.

The application was opened to the public for comment. Jeanne Revelli of 1321 Spruce Avenue was sworn in. She resides on Lot 11 immediately to the right of the property. Ms. Revelli stated that she does not have a problem with a new house as the current home has been in shambles for years. Her concerns are that when they demolish the garage, her yard and pool will be open as the garage is part of her "fence." She is also concerned about additional water runoff onto her property, the parking of construction vehicles in front of her driveway and the location of the temporary spot-a-pot. Mr. Platt stated that a grading plan is reviewed to make sure there is no additional runoff. Mr. White added that the grading review will prevent additional water and should reduce amount of water currently experiencing.

Mr. Schaeffer agreed to put up a chain-link fence in place of the garage and agreed to speak to her prior to placement of the spot-a-pot.

Denise Maista of 1312 Locust Avenue was sworn in. She lives behind the subject property. She has the same concerns with regard to water runoff. As far as conformity, she stated that nothing in Kirkwood is conforming. The lot next door to her is even narrower than the subject property. She stated there were culverts in the back of the property and questioned whether they worked. Mr. White stated that there will be minimal grading in the back and the culverts were shown on the plan.

The application was closed to the public.

Mr. Flannery summed up the application by stating that Mr. Schaeffer was taking a dilapidated property and building a new home, which would enhance the area and eliminate some nonconformities.

Mr. Weil made a motion to approve the application and Mr. Cohen seconded the motion with the following conditions:

1. Must submit a grading plan for engineering review and approval.
2. The bump out may not exceed 24" into the side setback area and may not exceed a height of more than 6 feet from the finished first floor.
3. The fence shall be temporarily replaced when the garage is demolished so that the pool at 1321 Spruce Avenue will be enclosed.
4. In addition to the two (2) side setback variances, the applicant is granted relief to grade within 5 feet of the side property line.

Ayes: Mr. Cohen, Mr. Weil, Mr. Willard, Mr. Daddario, Mr. Quraishi, Mr. Cupersmith and Mr. Senges.

Nays: None

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The meeting was opened to the public. The public portion of the meeting was closed.

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

Elaine D. Powell
Zoning Board Secretary