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. Brocco, Mr. Cohen, Mr. Cupersmith, Mr. Daddario, Mr. Leoncio, Mr. Willard, Mr. Schwenke, Mr. Senges

Absent: Mr. Weil

Also, present, Chris Norman, Board Solicitor and Corrine Tarcelli, Zoning Board Secretary

**RESOLUTIONS FOR APPROVAL**

Mr. Cohen motioned to approve the Resolution for Case #ZC2019-006, Safety In Groups, 2515 Evesham Avenue, Block 207, Lot 4.18 – Relief from Condition #5 of its Use Variance approval previously granted by Resolution No. 11-17; seconded by Mr. Willard; none (0) against, Mr. Cupersmith, Mr. Leoncio and Mr. Senges abstained.

**NEW BUSINESS**

**Derek and Lisa Franchetti**

4 Silver Hill Court

Block 230.14, L19

Seeking Bulk Variance relief from 150.13(A)(1) to allow accessory buildings and uses to occupy 29.25% of the rear yard area where a maximum of 25% of rear yard area may be occupied by accessory buildings and uses; from 150.13(A)(6) to allow an in-ground pool apron to remain with a rear yard setback of 7.99’ where a minimum of 15’ is required for all accessory buildings and uses; from Section 150.13(A)(7)(c) to allow a 140 SF shed to remain with a side yard setback of 4.62’ where sheds with a maximum of 150 SF in floor area shall be a minimum of 10’ from any property line; and from Section 150.13(B)(1) to allow a 140 SF shed to remain with a side yard setback of 4.62’ feet, where in no event shall any improvement be permitted within 5’ of a side or rear property line required by the ULDO. Also seeking any and all other variances, waivers and/or other relief as may be deemed necessary by the Board and/or its professionals.

Mr. and Mrs. Derek and Lisa Franchetti were sworn in to testify. Mrs. Franchetti explained they purchased a bank owned home from Christiana Trust. Settlement was scheduled to take place on February 15th, 2019. Two days prior to the sale, February 13th, 2019, they were informed by the Voorhees Township Zoning Department the in-ground pool, apron and shed were installed without permits and the structures were non-conforming and did not meet various setback requirements, etc. They were also informed they could either have the structures removed or would have to apply for a Variance and go before the Board to request approval to have the structures remain. In order to obtain a Temporary Certificate for settlement, they placed funds in escrow and opted to apply for the Variance.

Mrs. Franchetti stated her and her husband saved money to purchase a home in Voorhees due to the school system. They were purchasing this home as their forever home and were looking forward to raising their daughter in this home. If they cancelled the transaction, they would lose their deposit. The home was built in 1974 and was vacant for five years.

Mr. Senges stated he is very familiar with bank owned properties and stated the Franchetti’s were in a unique situation in that this was not self-imposed but rather they inherited the problem because the previous homeowner’s did not pull the required permits.

The Board agreed and also stated they appreciated the fact that the Franchetti’s purchased a bank owned vacant property and placed it back into circulation.

The meeting was opened to the public. Seeing no one from the public, the public portion was closed.

Mr. Cupersmith motioned to approve relief from 150.13(A)(1) to allow accessory buildings and uses to occupy 29.25% of the rear yard area where a maximum of 25% of rear yard area may be occupied by accessory buildings and uses; from 150.13(A)(6) to allow an in-ground pool apron to remain with a rear yard setback of 7.99’ where a minimum of 15’ is required for all accessory buildings and uses; from Section 150.13(A)(7)(c) to allow a 140 SF shed to remain with a side yard setback of 4.62’ where sheds with a maximum of 150 SF in floor area shall be a minimum of 10’ from any property line; and from Section 150.13(B)(1) to allow a 140 SF shed to remain with a side yard setback of 4.62’ feet, where in no event shall any improvement be permitted within 5’ of a side or rear property line required by the ULDO; seconded by Mr. Cohen.

Ayes: Mr. Cohen, Mr. Willard, Mr. Daddario, Mr. Leoncio, Mr. Brocco, Mr. Cupersmith,

Mr. Senges

Nays: None

Abstentions: None

**Dominick Cinalli**

3 Stamford Drive

Block 199.07, Lot 13

Seeking Bulk Variance relief from Section 150.12(B)(1) to allow a 198 square foot shed to remain with a 4.7’ side-yard setback where in no event shall any improvement be permitted within 5 feet of a side or rear property line; from 150.13(A)(7)(a) to allow a 198 square foot shed to remain in a side yard where sheds shall only be permitted in the rear yard; from Section 150.13(A)(7)(d) to allow a 198 square foot shed to remain with a side yard setback of 4.7’ where sheds exceeding 150 square foot in floor area shall be a minimum of 15 feet from the side property line in the MDR 100A zone; from Section 150.14(B)(1)(a)(2) to allow a 6 foot fence to remain in a side yard where fences not exceeding 4 feet in height are required by the ULDO. Also seeking any and all other variances, waivers, and/or other relief as may be deemed necessary by the Board and/or its professionals.

Mr. Cinalli was sworn in to testify. He stated he purchased the home in 2008 and had the shed installed in 2012. He deliberately chose the location in that it was the furthest from his neighbors and the shed is alongside the neighbor’s shed whose rear property is adjacent to his. It is unobtrusive and sits directly behind the neighbor’s shed. He was unaware that he needed a permit because the shed wasn’t being placed on a slab. He was also unaware that he needed permits for a six foot fence. However, he installed the six foot fence to block the view of the shed. They purchased the 198 square foot shed because they now have three children, a finished garage, no basement and needed additional storage space. Because they have outgrown their existing home, they placed the home up for sale and purchased a larger home on the same street. It wasn’t until the Township received the survey for the change of ownership that he was made aware of the fact that the Township required permits and they could either remove the items or apply for a Variance and go before the Board to request permission to have the shed and the fence remain in their current locations. The shed and the fence have been in place since 2012 and no one has complained.

The meeting was opened to the public. Seeing no one from the public, the public portion was closed.

Mr. Cohen motioned to approve relief from Section 150.12(B)(1) to allow a 198 square foot shed to remain with a 4.7’ side-yard setback where in no event shall any improvement be permitted within 5 feet of a side or rear property line; from 150.13(A)(7)(a) to allow a 198 square foot shed to remain in a side yard where sheds shall only be permitted in the rear yard; from Section 150.13(A)(7)(d) to allow a 198 square foot shed to remain with a side yard setback of 4.7’ where sheds exceeding 150 square foot in floor area shall be a minimum of 15 feet from the side property line in the MDR 100A zone; from Section 150.14(B)(1)(a)(2) to allow a 6 foot fence to remain in a side yard where fences not exceeding 4 feet in height are required by the ULDO; seconded by Mr. Cupersmith.

Ayes: Mr. Cohen, Mr. Willard, Mr. Daddario, Mr. Leoncio, Mr. Brocco, Mr. Cupersmith,

Mr. Senges

Nays: None

Abstentions: None

Seeing no further business Mr. Senges made a motion to adjourn, seconded by Mr. Willard.

Meeting was adjourned.

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Corrine Tarcelli

Zoning Board Secretary