

Jaclyn Bradley
Zoning Administrative Officer
Stella R. Sytnik
Zoning Board Secretary



DAILY OFFICE HOURS
8:30 A.M. TO 4:30 P.M.
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2400 Voorhees Town Center
Voorhees, NJ 08043

ZONING BOARD OF ADJUSTMENT

AGENDA FOR APRIL 8, 2021

7:00 P.M. REGULAR MEETING VIA ZOOM WEBINAR

CALL TO ORDER

FLAG SALUTE

NOTICE:

The Zoning Board of Adjustment reserves the right to change the order of the published agenda. All changes to the agenda will be announced at the beginning of each meeting.

It is the intent of the board (and at the discretion of the Chairman) to not begin a new application after 10:00 P.M. and to adjourn the meeting by 11:00 P.M.

It is a further policy of the Board that members of the public will be limited to five minutes when speaking on an application. When a person is representing a group of people, he or she may speak for ten minutes.

I am required to advise you that there is a no smoking policy in this building. In the event of a fire or other emergency please utilize the exit at the rear of the room.

For those of you in attendance that are in possession of a paging device or cell phone, kindly turn it off or put in on vibrating mode. The sudden alerting tones of either device are disrupting to the proceedings as well as to the recording equipment used by the Board. Also, if you find it necessary to converse with your applicant, professional, or attorney, please do so in the lobby at the rear of the meeting room.

Thank you for your cooperation.

This Board is a quasi-judicial Board therefore this meeting shall be conducted in a similar manner to a judicial proceeding. Decorum appropriate to a judicial hearing must be maintained at all times and any questions or comments must be limited to issues that are relevant to what the Board may legally consider in reaching a decision.

OPEN PUBLIC MEETINGS ACT STATEMENT

This meeting is being held in compliance with the requirements of the 'Open Public Meetings Act' and has been duly noticed and published as required by law.

ROLL CALL

RESOLUTIONS FOR APPROVAL

ZC2020-022 Dale & Marilyn Keith; 10 Hardwicke Drive, Block 199.02, Lot 3; Bulk Variance (c) to allow deck area in rear yard property to occupy 33.8% where 25% permitted and 5 ft fence in the side.

ZC2020-028 WA Outdoor Advertising, LLC; 351 Route 73, Block 222, Lot 27; Use (d) Variance and Minor Site Plan Variance to permit conversion of a static billboard into a digital in MB Zone and to permit 490 ft distance from the existing sign where 500 ft is required.

MINUTES FOR APPROVAL

March 25, 2021

NEW BUSINESS

Stacy & Amir Vana
203 Kresson Gibbsboro Road
Block 218.42, Lot 1.01
Action Date: 6/3/21

75 Zone

Case #ZC2020-008

The Applicant is seeking relief from numerous Sections of the ordinance to permit an existing retaining wall, pool equipment, and a tree house to remain as built.

The retaining wall requires relief from:

- §150.12(B)(1) to permit a retaining wall to remain along the eastern property line (common property line with lot 1.02) where grading, construction or alterations within 5-feet of a property line are prohibited.

The pool equipment requires relief from:

- §150.12(B)(1) to permit pool equipment to remain at 1.81' from a side property line where grading, construction or alterations within 5-feet of a property line are prohibited.

The existing tree house requires relief from:

- §150.12(A) to permit the tree house to remain where such structures are not expressly permitted,
- §150.13(A)(2) to permit the tree house to remain at a height exceeding 15' where accessory structures are prohibited from exceeding 15'.
- §150.13(A)(7)(e) to permit the tree house to remain at 365 S.F. in total area where sheds are prohibited from exceeding 200 S.F. in total area between all sheds on a given property.
Note: This Section only applies if the tree house is deemed to be a "shed." If it is deemed a shed, it will effectively prohibit the property owner from installing any other shed on the property since sheds shall not exceed 200 S.F. in total area. (Note: A second shed is shown to be proposed on the submitted plan.)
- §154.016(D) to permit the tree house to remain within the outer "Zone Two" of the Stream Buffer Conservation Zone where any use not authorized within §154.016(C) is prohibited. (Tree houses are not authorized in §154.016(C).)

In addition to the above, variances and/or design waivers would also appear necessary for the following:

The proposed fencing requires relief from:

- §150.14(B)(1)(a)2 permits fencing of 4' in height or less to be installed within a side yard, however, the plan indicates that 6' high fencing is proposed in a side yard.
- §150.14(B)(3)(f)1 requires that evergreens of a minimum height of 3' at planting be planted in front of all fences 5' and higher which parallel a front property line, however, no such plantings have been indicated on the submitted plan.

The proposed ground-level shed requires relief from:

- §150.13(A)(7)(e) to permit sheds on a property to exceed 200 S.F. in area.
Note: This variance is only necessary if the existing tree house is permitted to remain on-site and has been deemed to be a shed.

Any other variances or waivers as may be required.

Patidar Brothers, LLC (Dunkin Donuts) 100 Zone Case #ZC2020-009
101 Route 73
Block 247, Lot 14
Action Date: 4/5/21

The Applicant is seeking approval for a preliminary and final site plan for an 1,844 square foot Dunkin restaurant with drive-thru and accessory uses, such as parking, with variances from:

- Section 150.102(A) - Fast Food Restaurants are not permitted principal uses in the MB zone. A d-1 variance is required.
- Section 150.14(C)(2) - Within any non-residential zoning district, no fence may be erected, altered or reconstructed forward of any building in the front yard; a 4-foot vinyl fence is proposed along the westerly property line within the front yard area along Lake Villa Drive.
- Section 150.15E(6) - Functional/directional signs shall not exceed 3 S.F. in area per sign and shall not include company logos or other advertising information; a "DD" logo sign is proposed on the height restriction bar at the drive-thru lane, said sign would also provide a 3.1 S.F. sign area.
- Section 150.15H(2)(a) - Within an MB Zone, each commercial establishment may have one (1) sign on or attached to the facade of the establishment on each public street frontage provided the sign shall not project or extend more than 2 feet beyond the building line and shall not exceed 15% of the facade area facing the street or 150 S.F., whichever is smaller, whereby two (2) wall signs would be permitted; four (4) facade signs are proposed, one (1) along Route 73, two (2) along Lake Villa Drive and one (1) along the northern building facade.
- 152.102(A)(Schedule) - The minimum required rear yard setback is 100 feet; 55.98 feet is indicated as proposed to the westerly property line. It should be noted that the property is a corner lot which contains two front yards, one side yard, and one rear yard. The rear yard shall always be opposite the front entrance to the primary structure.
- Section 152.102(8)(2) - The maximum permitted total impervious coverage with sewer service is 60%; approximately 72.9% is proposed.
- Section 152.102(E) - The parking setback for all uses shall be 50 feet from Route 73, 50 feet from a residential zone or use and 20 feet when the parking setback is not from Route 73, a residential zone or use or to a side lot line; 10.2 feet is proposed to parking from the Route 73 right-of-way line and 11.9 feet is proposed to the loading zone from the westerly property line which is an MOR zone boundary. We also note that the parking setback is 15 feet where proposed parking facilities are contiguous to existing parking facilities which serve non-residential uses. The parking setback on the northerly property line which abuts the auto salvage yard is 10 feet.
- Section 152.006(A)(4) - The Applicant indicates a 25-foot-wide buffer required to a residential use/zone along the westerly property line whereby a typical 25-foot-wide buffer shall be comprised of three (3) rows of trees/shrubs as specified planted 5 feet on center; an approximate 12-foot-wide buffer is provided with one (1) row of trees at 6 feet-10 feet on center and a 4 foot and 6-foot vinyl fence along the westerly property line. We note that per Ordinance Section

152.102(A) that the entire rear yard area within an MB Zone shall consist of a landscape buffer, whereby 100 feet would be required.

- i. Section 154.006(F)(3)(b) - The number of street trees along Route 73 shall average one (1) for every 35 linear feet of property frontage, whereby the Applicant indicates five (5) street trees and three (3) evergreen trees required along Route 73; four (4) street trees and zero evergreens are proposed.
- j. Section 154.015(A)(4)(c) - Parking may not encompass more than 50% of the lot frontage within 170 feet of the Route 73 right-of-way; the parking area along Route 73 encompasses more than 50% of the Route 73 lot frontage.

The Applicant also indicates that the following existing condition nonconformity would remain pertinent to the property:

- k. Section 152.102(A)(Schedule) -The minimum required lot area is 2 acres; 0.7 acres (30,571 S.F.) is provided.

In addition to the above, variances and/or design waivers would also appear necessary for the following:

- l. Section 154.007(B)(3)(b) - The maximum mounting height of exterior lighting for a building with a height of up to 24 feet is 14 feet; 16 foot and 20-foot light fixture mounting heights are noted as proposed.
- m. Section 154.015(A)(B)(b) - A 0.9 footcandle maximum is allowed in parking areas and walkways for non-residential uses; lighting levels greater than 0.9 footcandle are proposed within the parking areas and walkways.
- n. Section 152.102(C)(2) - The minimum required previous area with sewer service is 40%; approximately 27% is proposed.
- o. Section 154.015(A)(1)(d) - No more than two-thirds of the building shall be at the same setback line and the offset shall be at least equal to 10% of the average depth of the building; no building offset appears proposed along the north, south and east facades of the building.
- p. Section 154.015(A)(5)(b) - Refuse areas shall meet the setback requirements for parking lots and structures (50 feet from residential use/zone), no chain link doors are permitted, all wall screening shall be 8 feet in height and landscaping shall be utilized; an approximate 13-foot setback is proposed to the westerly property line adjoining a residential zone, chain link gating is proposed with 6-foot walls and no landscape plantings are proposed surrounding the enclosure.
- q. Section 154.015(A)(6)(c) - Ten percent of the area within a parking area shall be landscaped with evergreen and deciduous trees; no interior parking area landscaping is proposed.
- r. Section 154.015(A)(6)(d) - For every 10 parking spaces, 1.5 trees with a minimum caliper of 3 inches shall be required; two (2) trees appear proposed along the parking areas.
- s. Section 154.015(A)(7)(h) - Textured pedestrian crosswalks shall be provided from parking areas to all buildings; no crosswalks are provided from the northerly and easterly parking areas.
- t. Section 154.015(A)(9)(b) - Special architectural features such as clock/bell towers, cupolas and ornamental portions of parapet walls may exceed the height limit by up to 10 feet but shall not encompass more than 10% of the building facade wall and signage shall not be included within the additional height; the parapet tower along the east facade of the building encompasses 11.4% of the facade area and the parapet tower on the east and south facades contain proposed signage.
- u. Section 154.015(A)(10)(a) - Windows, doors, display windows or arcades shall make up at least 50% of building walls that face streets; less than 50% of such elements are proposed along the southern building facade facing Lake Villa Drive.
- v. Any other variances or waivers as may be required.

COMMENTS FROM THE PUBLIC

COMMENTS FROM THE BOARD

NEXT MEETING DATE(s): April 22, May 6, May 20, June 10.

ADJOURNMENT