

April 28, 2010

A regular meeting of the Allendale Board of Adjustment was held in the Municipal Building on April 28, 2010. The meeting was called to order at 8:08 p.m. by Ms. Teng, Chairperson, who announced that the requirements of the Open Public Meetings Act were met by the required posting and notice to publications.

Motion was made and seconded to approve the minutes of the March 24, 2010 meeting. Approval was unanimous.

Resolution of memorialization was submitted by the Board Attorney with regard to the Frank Paporozzi variance application for an extension of time. On a motion by Mr. Redling, seconded by Ms. Hart, the resolution was approved as submitted. On roll call, all Board members present voted in favor.

Resolution of memorialization was submitted by the Board Attorney with regard to the Holmgren's Blackbelt Academy, LLC completeness review which was deemed complete. On a motion by Mr. Redling, seconded by Ms. Chamberlain, the resolution was approved as submitted. On roll call, all Board members present voted in favor.

Mary Barrise variance application, 191 Park Ave., Block 1702, Lot 10

Mark Braithwaite appeared as architect for applicant. Applicant, Mary Barrise and Mr. Braithwaite were sworn by the Board Attorney.

Mr. Braithwaite said Ms. Barrise would like to add a 1-1/2 story 598 s. f. wood frame addition to the existing dwelling. Plans consisting of 4 pages were marked A-1. Variances requested are minimum lot area, minimum lot width, rear yard setback and pre-existing, non-conforming structure. All are pre-existing conditions. Mr. Braithwaite said this lot is exceptionally narrow (75 ft.) and deep (approximately 225 ft.). The home is located off-center in the extreme rear of the property. The dwelling and the addition are approximately 137 ft. from the dwelling of the nearest neighbor.

Based upon the evidence, the Board found that the majority of the deficiencies are pre-existing and the situation is unique with the dwelling unit situated at the end of this deep lot within the rear yard setback. Based on the fact that the addition is actually lessening the rear yard deficiency, the Board found that the variance can be granted without detriment to the public good and will not substantially impair the intent and purpose of the zoning plan and Municipal Land Use Law.

On a motion by Mr. Jones, seconded by Ms. Weidner, the application was approved as submitted. On roll call, all Council members present voted in favor.

Richard Rizzo variance application, 145 Powell Rd., Block 1907, Lot 22

Property is in AA zone. Applicant requires front yard, lot area, lot width and side yard setback variances in addition to Floor Area Ratio variance.

Applicant agreed to eliminate the FAR variance from the application and return at the May 26 meeting with new plan amendments.

John McGeechan variance application – 50 Talman Place, Block 908, Lot 9

Mr. and Mrs. McGeechan were sworn. Applicants propose an 18 x 26 ft. addition on the northeast corner of the property. Photos were submitted and marked Exhibits A-1 and A-2. Drawings were submitted depicting the proposed master suite addition consisting of 18 x 26 ft. on the northeast corner of the property. The northwest corner of the front yard measures 34.8 ft. from the property line. The front porch measures 32.8 ft. from the property line and the distance from the property line to the first riser of the stairs measures 28.8 ft. The northeast end of the home measures 39.8 ft. from the property line with the curve of the cul de sac beginning to impact the property at that point. The addition will be in line with the front of the present structure and only the far right corner of the addition will impede by 3 ft. into the front yard setback of 35 ft.

Based on the testimony the Board found that addition is minimal, approximately 468 s. f. and only impedes the front yard setback in the far corner due to the angle of the cul de sac. After hearing the evidence, the Board found that the variances could be granted without substantial detriment to the public good and the intent and purpose of the zoning plan and zoning ordinance will not be impaired.

On a motion by Mrs. Chamberlain, seconded by Ms. Hart, the application was approved as submitted. All Board members present voted in favor.

Holmgren's Black Belt Academy, LLC, 240 W. Crescent Ave., Lot 2, Block 1005

Applicant is requesting site plan and use variance approval. Martin Holmgren, the applicant and his Attorney, Harold Cook were present. The applicant, traffic planner, commercial real estate agent and architect offered testimony and were questioned by the Board. The Borough experts were not present and the applicant did not complete his presentation. It was agreed that the matter would be continued to the next hearing date.

On a motion by Ms. Tengi, seconded by Mr. Jones, the meeting adjourned.

Respectfully submitted,

Barbara Knapp

Note: This is not a verbatim recordation due to technical difficulties with the recording equipment.