

August 24, 2011

A regular meeting of the Allendale Board of Adjustment was held in the Municipal Building on August 24, 2011. The meeting was called to order at 8:10 p.m. by Ms. Tengi, Chairperson, who announced that the requirements of the Open Public Meetings Act were met by the required posting and notice to publications.

The following members answered roll call: Ms. Tengi, Ms. Chamberlain, Ms. Hart, Mr. Manning and Ms. Weidner. Mr. Jones and Mr. Redling were absent.

On a motion by Ms. Tengi, seconded by Ms. Chamberlain, the minutes of the meeting of July 27, 2011 were approved as submitted. All Board members present voted in favor.

Resolution of memorialization was submitted by the Board Attorney with regard to the Nebil Kazancioglu variance application. Mr. Nestor said he will amend the resolution to indicate that the garage is to be used for automobiles and storage only and not for any living space. Ms. Hart moved, seconded by Ms. Weidner, to adopt the resolution as amended. On roll call, all Board members present voted in favor.

Resolution of memorialization was submitted by the Board Attorney with regard to the Arcasoy variance application. Mr. Tengi moved, seconded by Ms. Chamberlain, to approve the application as amended. On roll call, all Board members present voted in favor.

Mr. and Mrs. Warzala variance application, 53 Harreton Rd., Block 508, Lot 16
Mr. and Mrs. Warzala and their architect, Anthony Addesso were sworn.

Mr. Addesso said applicants would like to expand their existing ranch house. The expansion will be going out towards the rear and they will be doing some cosmetic changes to the front. They will be expanding it to include an additional master suite and family room on the first floor. They will be renovating some of the existing spaces, expanding the existing kitchen area and changing the existing living room to a dining room. Due to the topography they have a half open basement with some windows and they will be creating a family room and exercise area down there. There is an existing room downstairs with a laundry room and utility room in the basement. They will be expanding the home to the rear and will be doing some cosmetic work. They will add a portico to the front to give some coverage and protection to the front door. They will be reworking the roof line to the front and will add some gables taking away the straight linear ranch style that is there now allowing them to roof the entire house. They will be asking for a variance for minimum lot size. 26,000 sq. ft. is required and the lot size is 20,700 sq. ft. Minimum lot width required is 130 ft. and they have 115 ft. The front yard setback required is 40 ft. and they have 37.7 ft. All of these conditions are pre-existing and all of the other requirements are in compliance with the zoning ordinance. The height measurements were taken from the point of lowest grade.

Ms. Hart asked about the attic windows. Referring to page A-1, Mr. Addesso said looking at the front door the window to the left on the lower portion is a box window for the dining room.

They are creating a cathedral ceiling in the area of the window above. The window on the right side of the attic is a purely decorative window into the attic.

Mr. Nestor asked how access will be gained to the attic. Mr. Adesso said they are planning on putting a pull down stair in the corridor next to the existing bedrooms. They do have a number of cathedral ceilings. There is one over the master bedroom, another type of cathedral ceiling in the family room and one in the dining area in the foyer so they actually have a flat attic over the master bedroom, the existing bedroom cluster in the front and over the kitchen area.

Mr. Manning asked if the increase in the size of the house is going to impact the setbacks. Ms. Hart said they are still below the limit. Ms. Hart asked if the front steps are going out any further. Mr. Adesso said they are reducing the top platform about 1-1/2 ft. It is not coming any closer to the front yard property line.

Ms. Chamberlain said with the steps the front yard setback is 31 ft. and the required is 40 ft. but it is a pre-existing condition.

Mr. Manning asked if there is going to be any change as far as the driveway is concerned. Applicant said there will be no change. Ms. Hart asked if the driveway goes over the property line. Applicant stated that technically the pavement does encroach into the other property by about 8 inches or so according to the survey. Ms. Tengi said from a legal standpoint this is something that is usually pointed out prior to the closing.

Mr. Nestor asked if they will be changing the driveway. Applicant said they will be modifying the walkway in the front slightly to accommodate the new stairs and also out towards the back to get to the new deck.

Ms. Weidner asked about the overhang on the front stoop. Applicant stated that the overhang on the stoop comes out to the front edge of the platform. The roof edge will be aligned with the front edge of the front step.

Referring to the 3rd page of the diagram showing the rear elevation, Mr. Nestor asked if there is a living area in the area of the basement windows to the left of the staircase. Applicant said part of it is the family room. Mr. Nestor asked if the big window above it is the next floor up. Applicant said that is the master bedroom. The window above is part of the cathedral ceiling and is basically for aesthetics. Ms. Tengi said the Board is trying to insure that there is no third story on the house which is prohibited by ordinance.

The meeting was opened to the public for comments and there being none, the meeting was closed to the public.

Mr. Nestor asked what is the hardship that brings the applicant before the Board. Mr. Adesso said the hardships they have are that all of the variances they are requesting are pre-existing. They are not pushing forward any further. They are making some modifications but they are not moving the front wall forward. Obviously the lot size cannot change and they have no power to

change the lot width. Everything else is in conformance. If they were held to the requirements they would not be able to make these improvements at all.

Ms. Hart asked if applicant is aware that there is a storm drain easement on the property. Ms. Tengi said they just cannot build on the easement.

Mr. Manning asked if they are proposing a railing around the deck. Mr. Adesso said they are. Railings are required when you are over 18 inches above grade.

Ms. Tengi asked when the house was purchased. Applicant stated it was purchased in January of 2010.

Mr. Nestor asked what is the makeup of the landscaping on either side of the addition. Applicant said at the rear of the home on both sides is just lawn area. There are a few shrubs outside the end of the existing deck.

Ms. Tengi commented that applicant is nearly doubling the size of the house. She suggested talking to the Tax Assessor to get an idea of what the tax increase will be.

Mr. Manning asked if applicant is thinking of changing the grading in the front at all. Applicant said other than putting in new pavement, they are not.

Mr. Manning said he likes the plans. They are very clear and easy to read. Looking at the house you get a feel for how it is going to look in the neighborhood and he believes it will improve the flavor of the neighborhood and the hardship is indeed a hardship. He does not see a conflict with the zoning code and moved to approve the plans as presented with the stipulation that the attic area is just for storage and not to be used for any living purposes. In addition, there will be pull down stairs and no stationary stairs will be incorporated. Motion seconded by Ms. Weidner. On roll call all Board members voted in favor.

On a motion by Ms. Hart, seconded by Ms. Chamberlain, the meeting adjourned at 8:45 p.m.

Respectfully submitted,

Barbara Knapp