

February 27, 2013

A regular meeting of the Allendale Board of Adjustment was held in the Municipal Building on February 27, 2013. The meeting was called to order at 8:10 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.

The following members answered roll call: Ms. Teng, Ms. Hart, Ms. Chamberlain, Mr. Jones, Mr. Manning, Mr. Redling and Ms. Weidner. Also present was Mr. Nestor, Board Attorney.

Action on the January 23 minutes will be carried to the next meeting.

Jason and Tracy Sammarco variance application – 78 Heather Court, Block 701, Lot 24

Jason Sammarco was sworn. Mary Scro, his architect, was accepted by the Board as an expert in her field.

Ms. Scro said the applicant is proposing to put on an enclosed screened in porch off the rear of their house. There is an existing deck that they are going to take down and replace with the screened in porch. The applicant is present because there is a pre-existing nonconforming side yard setback and a pre-existing nonconforming front yard setback. Everything they are building will be within those setbacks. The anomaly of this property is that it is a little square and they have a long thin back yard attached to it. The rear yard at its farthest point out is 495 ft. The porch will have a dining area, fireplace and doors to access the outside. She said this will definitely enhance the rear of the house and they are working on a landscape plan. While they are increasing the floor area ratio, they are allowed 19% and they are at 11%.

Ms. Scro said the increase in coverage is only 324 sq. ft. because of the deck. Mr. Manning asked is this is going to be heated. Ms. Scro said no because there will be a functioning fireplace.

Mr. Nestor said the 4 page set of plans will be marked A-1 with today's date. The set of six photographs were marked A-2 with today's date.

Ms. Weidner asked what will be the material for the porch. Ms. Scro said it will be bluestone and there will be some sort of patio when they are done and that will be bluestone.

Ms. Scro said the screened in porch was included in the floor area ratio calculations. The deck was not included.

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

Mr. Jones asked about the distances to the two rear yard properties. Mr. Sammarco said he would say the closest one is probably 1,000 ft. Ms. Scro said they did not include those calculations because they are so far away.

Mr. Tengi said she finds that the pre-existing nonconformities are not being extended in any way and the applicant is requesting a very small enclosed porch in the back where there is currently a deck which they are expanding slightly and enclosing. In addition this is a very large piece of property. It is wooded in the back and isolated where the addition is going. In addition the current non-conformities are not being increased in any way. She finds that this application is a very minimal request and believes the minor deviation from the zoning code is acceptable. In addition, the shape of the lot is very unique. She therefore moved to approve the application. Motion seconded by Ms. Hart. On roll call, all Board members voted in favor.

Kevin and Anne Marie Woessner variance application, 6 George St., Block 1604, Lot 22.
Kevin Woessner and Mary Scro, his architect were sworn.

Ms. Scro said the applicant's house was hit by a tree during the hurricane. They have crews there doing repairs and it made sense to do the proposed addition at the same time. The plans before the Board show a first floor bump out in the front of 7 ft. and also there was a side deck that was crushed by one of the trees, so in lieu of the deck they are proposing a sitting room off the kitchen on the side that is 12 x 14 ft. The house is a front to back split. The bedrooms are half a level up on the back of the house but it looks like a regular ranch from the front. They are proposing putting a second floor on top of that first floor in the front. On the second floor above the existing living room there will be a master suite so there will be a master bedroom, closet and bathroom on the second floor.

Ms. Scro said they are at 15.4% for floor area ratio and they will be going up to 21% whereas 23.5 is allowed. The setback requirements are 22.24 on either side and they are at 22.5 and 56.7. The rear yard setback requirement is 50 and they are at 40.5. They are not expanding that at all so it is a pre-existing non-conformity. The front yard setback is required to be 35 ft. and they are at 29.8. The neighbors are at 30.62 so the 29.8 is in keeping with the neighborhood. All of the houses on this road are closer to the street than this house.

Mr. Nestor said currently the front of the house is at 31 ½ ft. Ms. Scro said they are bumping out the front but they are not going beyond the 29.8 ft. and are staying short of that. She said there is a covered porch in the front and they are bumping out to there and a little bit beyond.

Mr. Nestor asked if this property has had any variances other than the variance that the Board granted for the pool. Ms. Scro said not that she is aware of. Mr. Nestor asked about the sunroom in the back. Mr. Woessner said that was there when he bought the house.

The Board asked if they are able to live in the house. Mr. Woessner said they are not and are currently living in Ramsey. He said the main top plate on the back of the house was cracked and the tree ripped through the roof. There is about a 20 ft. hole in the back of the roof.

Ms. Scro pointed out that there is no increase in the current nonconformities.

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

Mr. Redling said he has a question about the fence. He asked how far the fence needs to be off the property line according to code. Mr. Nestor said the Board already addressed that situation when it approved the pool. His recollection is that the Board required the fence to be a certain height and a certain space off the property line and required some plantings. Ms. Scro said according to the plans that she has it is 6 ½ ft. off the property line on the Hillside Ave. side and the property line is 8 ft. in from the sidewalk.

Mr. Nestor said he believes the testimony was that the existing wood deck is going to become a sitting room. Ms. Scro said that is correct – there will be an enclosed sitting room, a landing off the back door and a step down. Mr. Nestor marked the survey showing the new addition area as A-1. Ms. Scro added that even though they are enclosing it, it will be smaller than the original deck so it will improve the front yard setback. She added that they are going to add a gable which will improve the curb appeal of the existing house.

Ms. Tengi asked if the entire house has to be redone inside. Mr. Woessner said a lot of it has to be redone because all of the dry walls were cracked everywhere. Three sheets were marked A-2 with today's date.

A Board member asked if there is a change in grade on the property. Ms. Scro said the property goes down in the back and there is about a 4 ft. difference from the front to the back.

Ms. Tengi commented that there is a mix of styles on the street and a lot of the homes have a second floor. Ms. Scro noted that the basement and the existing bedroom area above the basement is not going to change.

Ms. Tengi moved to approve the application as submitted. She said there are pre-existing nonconformities that are not being expanded upon in any way, shape or form. The applicant is keeping within all of the current dimensions. He is just enclosing a current porch on the side and is bringing it into better compliance from the front yard, and closer to the side and the back and is just providing extra space on the upper level which still complies with the square footage of our codes and is in compliance with the neighborhood and the block and will be a nice addition to the street. Motion seconded by Mr. Manning. On roll call, all Board members voted in favor.

On a motion by Ms. Tengi, seconded by Ms. Hart, the meeting adjourned at 8:40 p.m.

Respectfully submitted,

Barbara Knapp