

**ZONING BOARD OF ADJUSTMENT
TOWNSHIP OF MONROE**

ANNUAL REPORT FOR 2020

A. STATUTORY REQUIREMENT

The Zoning Board of Adjustment (ZBA) is required to review its actions on an annual basis pursuant to the New Jersey Municipal Land Use Law (MLUL), N.J.S.A. 40:55D 70.1, which provides:

40:55D 70.1: Report on variance applications, amendment recommendations.

The board of adjustment shall, at least once a year review its decisions on applications and appeals for variances and prepare and adopt by resolution a report on its findings on zoning ordinance provisions which were the subject of variance requests and its recommendations for zoning ordinance amendment or revision, if any. The board of adjustment shall send copies of the report and resolution to the governing body and planning board.

This report provides information on all applications that proceeded to decision and memorialization by resolution by the ZBA in 2020.

B. DISCUSSION OF APPLICATIONS

1. RESOLUTION #13-2020
 ROBERT R. BARONE, JR.
 1690 GLASSBORO ROAD

The Applicant sought approval for use and height variances for an existing L-shaped 60' x 26'³/₄' (1,840 sf) detached garage with a peak height of 21', and with an attached 18' x 20' carport style canopy. A use variance was required as Township Code § 175-89 allows one garage with a maximum floor area of 900 square feet and a maximum height of 18 feet.

Decision: The ZBA granted the use and height variances, with the principal condition being that the garage could only be used for personal storage and no commercial use would be allowed. Additionally, an existing shed on the property would have to be removed.

2. RESOLUTION #14-2020
 DAVID VITT
 249 SPRING BEAUTY DRIVE

The Applicant proposed to construct an in-ground pool (12' x 16' x 30') in his rear yard which required rear yard and lot coverage variances. Required rear yard is 10', proposed was 5'. The lot coverage permitted is 30%, proposed was 35%.

Decision: The ZBA granted the requested variances on the principal condition that the Applicant obtain lot grading approval.

3. RESOLUTION #15-2020
RYAN RENSHAW AND KELLEY BELL
382 RUSHFOIL DRIVE

The Applicants proposed to construct an in-ground pool (20' x 44') in their rear yard which required a lot coverage variance. The lot coverage permitted is 30%; proposed was 39.1%.

Decision: The ZBA granted the requested variance on the principal condition that all construction traffic for the pool access the backyard from the left side of the property so as not to run over the drainage easement on the right side of the property and possibly damage the underground pipe.

4. RESOLUTION #16-2020
MATT WEST AND MIRANDA WEST
1658 CARRIAGE DRIVE

The Applicants proposed to construct an in-ground pool (18' x 38') in their rear yard which required a lot coverage variance. The lot coverage permitted is 30%; proposed was 40%.

Decision: The ZBA granted the requested variance on the principal condition that the Applicants obtain lot grading approval.

5. RESOLUTION #19-2020
LISA AGIGIAN
635 BARBADOS DRIVE

The Applicant proposed to construct a 10' x 16' deck in her rear yard which required a setback variance. Required rear yard is 10', proposed was 5' 11".

Decision: The ZBA granted the requested variance on the principal conditions that the deck be constructed in accordance with the survey submitted and that the Applicant obtain all necessary construction permits and approvals.

6. RESOLUTION #20-2020
STEPHEN PAPARO
908 SHETLAND LANE

The Applicant proposed to construct a 14' x 30' covered porch in his rear yard which required a setback variance. Required rear yard is 37.5', proposed was 29'.

Decision: The ZBA granted the requested variance on the principal conditions that the porch be constructed in accordance with the survey submitted and that the Applicant obtain all necessary construction permits and approvals.

7. RESOLUTION #21-2020
DWAYNE AND ARLENE DOBBINS
320 STAGGERBUSH ROAD

The Applicants proposed to construct an in-ground pool (18' x 36') with a concrete walkway in their rear yard which required a lot coverage variance. The lot coverage permitted is 30%; proposed was 43.5%.

Decision: The ZBA granted the requested variance on the principal conditions that the pool be constructed in accordance with the survey submitted and that the Applicants obtain lot grading approval.

8. RESOLUTION #22-2020
JOHN MCHUGH
1963 STEEPLECHASE DRIVE

The Applicant proposed to construct an in-ground pool (18' x 36') with a concrete walkway in his rear yard which required a lot coverage variance. The lot coverage permitted is 30%; proposed was 42.5%.

Decision: The ZBA granted the requested variance on the principal conditions that the pool be constructed in accordance with the survey submitted and that the Applicants obtain lot grading approval.

9. RESOLUTION #23-2020
CELINA DOTTOLI
398 STAGGERBUSH ROAD

The Applicant proposed to construct an in-ground pool (16' x 36') with a concrete walkway in her rear yard which requires a lot coverage variance. The lot coverage permitted is 30%; proposed is 42%.

Decision: The ZBA granted the requested variance on the principal conditions that the pool be constructed in accordance with the survey submitted and that the Applicants obtain lot grading approval.

10. RESOLUTIONS #24-2020 AND #25-2020
NAK MANAGEMENT & CONSULTING, LLC
638-640 NORTH BLACK HORSE PIKE

The Applicant presented an application for an amended use variance for a proposed expansion to its existing self-storage business, as the site is split-zoned commercial and residential. The proposal for expansion included a one-story self-storage building to contain an office and 284 rental units and two additional rental unit buildings with 25 and 17 rental units respectively. The Applicant also presented an application for preliminary/final major site plan approval.

Decision: The ZBA determined that the proposal represents the expansion of a successful use at the Property. The areas to the east, west, and south along the Black Horse Pike are primarily commercial and therefore consistent with the use. The site plan was approved on the principal condition that there shall be no storage of toxic, combustible, explosive, hazardous, or illegal materials.

11. RESOLUTION #26-2020
OUR LADY OF PEACE PARISH
32 CARROLL AVENUE

The Applicant presented an application for a use variance to replace the existing church sign with a LED, changeable copy sign in the same location, and such signs are not permitted in the residential zone in which the Property is located under Township Code §175-135 (Signs).

Decision: The ZBA determined that the proposed use will be suitable for the Property and will serve the public purpose of identifying the church, its location and church events, eliminating the need for temporary signs, and providing a method for community emergency notifications. Moreover, the proposed sign will have appropriate controls on the lumination. The principal condition placed on the approval was that the use of the sign shall be limited to church messages and community emergency messages, and there shall be no off-site or commercial messages displayed.

12. RESOLUTION #27-2020
JEFF AND JESSICA RUDOLPH
1615 HOLLY PARKWAY

The Applicants proposed to construct an in-ground pool (16' x 36') with a concrete walkway in their rear yard which required a lot coverage variance. The lot coverage permitted is 30%; proposed was 50%.

Decision: The ZBA granted the requested variance on the principal conditions that the pool be constructed in accordance with the survey submitted and that the Applicants obtain lot grading approval.

13. RESOLUTION #29-2020
GEORGE AND JENN APPENZELLER
322 BRYN MAWR DRIVE

The Applicant proposed to construct an in-ground pool (17' x 35') in their rear yard which required a lot coverage variance. The lot coverage permitted is 30%; proposed was 53%. Additionally, the Applicants requested a right of way setback variance. The required setback is 35'; proposed was 25'.

Decision: The ZBA granted the requested variances on the principal conditions that the pool be constructed in accordance with the survey submitted and that the Applicants obtain lot grading approval.

14. RESOLUTION #30-2020
JOSE ALVARADO
948 DARTMOOR AVENUE

The Applicant proposed to construct an in-ground pool (16' x 36') in his rear yard which required a lot coverage variance. The lot coverage permitted is 30%; proposed was 55%.

Decision: The ZBA granted the requested variance on the principal conditions that the pool be constructed in accordance with the survey submitted and that the Applicants obtain lot grading approval.

15. RESOLUTION #31-2020
ED AND KRISTIN PENNA
289 RUSHFOIL DRIVE

The Applicants proposed to construct an in-ground pool (16' x 36') in their rear yard which required a lot coverage variance. The lot coverage permitted is 30%; proposed was 50%.

Decision: The ZBA granted the requested variance on the principal conditions that the pool be constructed in accordance with the survey submitted and that the Applicants obtain lot grading approval.

16. RESOLUTION #32-2020
ANTHONY AND STEPHANIE AUCELLO
263 STAGGERBUSH ROAD

The Applicants proposed to construct an in-ground pool (16' x 38') in their rear yard which required a lot coverage variance. The lot coverage permitted is 30%; proposed was 41.3%.

Decision: The ZBA granted the requested variance on the principal conditions that the pool be constructed in accordance with the survey submitted and that the Applicants obtain lot grading approval.

17. RESOLUTION #33-2020
MEGAN LAWLOR
848 LOIS DRIVE

The Applicant proposed to construct a 11' x 14' addition to her existing dwelling which required a rear yard setback variance. Required rear yard is 75', proposed was 27' 6".

Decision: The ZBA granted the requested variance due to the configuration of the property. The house is on a corner lot, so the Applicants have more side yard than rear yard.

18. RESOLUTION #34-2020
EDWIN AND SUSAN GRAMLEY
307 MARISSA COURT

The Applicants proposed to construct a 27' diameter above ground pool which required a right-of-way variance. The required right-of-way setback is 35'; proposed was 15'.

Decision: The ZBA granted the requested variance due to the configuration of the property. The house is on a corner lot, and the proposed variance could be granted without any significant detriment in the neighborhood.

19. RESOLUTION #35-2020
ATLANTIC CITY ELECTRIC COMPANY
NORTH TUCKAHOE ROAD

The Applicant presented an application for use variance and preliminary/final major site plan approval for improvements to its existing electric substation located on North Tuckahoe Road. The improvements included a new fence with associated gates and fence grounding rods, intrusion detection sensors with perimeter camera system, perimeter access controls, underground concrete duct banks/trim ways, a security enclosure (10.33' x 15.5') for control equipment, and stone surfacing where needed.

Decision: The ZBA found that the proposed use was suitable for the Property as an expansion of an inherently beneficial existing use. The Applicant proposed minor improvements

to a long standing substation that will not impact the public, the zone plan, or the master plan. The ZBA also granted preliminary and final major site plan approval, and a bulk variance to the requirements of Township Code §175-100B to allow a 12' fence (11' plus 1' barbed wire) in accordance with Exelon's utility security protocols.

20. RESOLUTION #37-2020
JALEESA SAMPSON
1773 CARRIAGE DRIVE

The Applicant proposed to construct an in-ground pool (16' x 32') in her rear yard which required a lot coverage variance. The lot coverage permitted is 30%; proposed was 35.32%.

Decision: The ZBA granted the requested variance on the principal conditions that the pool be constructed in accordance with the survey submitted and that the Applicants obtain lot grading approval.

21. RESOLUTION #38-2020
KATHRYN MAYCOCK
117 WASHINGTON AVENUE

The Applicant presented an application for a use variance to operate a rental residential duplex, chiropractic office, and vitamin/supplement business on one property, with associated bulk variances and site plan waiver.

Decision: The ZBA granted the requested use variance for the multiple uses as they are suitable for the Property and consistent with the mix of residential and commercial uses in the area. The Applicant's businesses provide important services and employment opportunities to the community, and the duplex serves an important housing need. Moreover, the ZBA determined that the existing uses work well in combination with each other, the property is well maintained and attractive, and there are no unusual noises or conditions related to the uses at the property. The ZBA also granted the following bulk variances: (a) front yard setback of 29.7 feet; (b) side yard setback of 4.1 feet; (c) rear yard setback of 5 feet; (d) variance from the buffer requirements, as these were existing conditions at the property. Finally, the ZBA granted a site plan waiver as the existing conditions of the property were well defined.

22. RESOLUTION #40-2020
EDWARD C. LUTZ, JR.
1610 W. LAKE AVENUE

The Applicant proposed to construct a 25' x 36' garage to replace his existing garage which required a rear yard setback variance. Required rear yard is 37.5', proposed was 13'.

Decision: The ZBA granted the requested variance as the proposed garage is replacing an existing one in the same location. The approval was conditioned on the garage being used solely for storage and woodworking hobby purposes, with no commercial use in the garage.

23. RESOLUTION #41-2020
JOHN CHIRICO
2731 FRIES MILL ROAD

The Applicant requested (d)(1) use and (d)(4) floor area variances to construct a 4000 sq. ft. business use, two story garage in conjunction with a 3500 sq. ft. single family dwelling in the RA (Residential Age Restricted) Zone. The dual uses and the oversized garage required variances from the requirements of Township Code §§175-89C, 175-89F(1), 175-111, and 175-127.

Decision: The ZBA accepted the testimony of neighboring objectors and the objectors' planner that the Applicant had failed to meet his evidentiary burden to show that the proposed use variance could be granted without substantial detriment to the public good and would not substantially impair the intent and the purpose of the zone plan and the zoning ordinance, as the large size of the proposed commercial building and the intensity of the proposed use was out of character with the residential uses and residential zone in the immediate area of the property. The proposed commercial building and use would have a substantial negative impact on the surrounding areas given the large size of the structure and the nature and intensity of the proposed business operations at the site. Furthermore, based on the testimony of the Applicant and the objectors' planner, the Applicant had not adequately addressed and sustained his burden of proof of showing the "special reasons" why the proposed use carried out a purpose of zoning, or how the refusal to allow the project would impose an undue hardship on the Applicant's use and development of the property as permitted under the Land Use Code. The objectors and the objectors' planner established that the proposal contravened the purposes of zoning, and the Applicant could still develop the property for residential use with an appropriate accessory structure.

24. RESOLUTION #42-2020
JOSEPH CARINO
671 NEW BROOKLYN ROAD

The Applicant requested approval of a use variance to construct a 24' x 24' two car detached garage in his front yard for personal, non-business storage use. A use variance was required as §175-89G(3) of the Township Code does not permit accessory structures in the front yard or in the front of the home.

Decision: The ZBA granted the requested variance as the proposed use was suitable for the property and consistent with the uses in the area. The configuration of the property and other existing structures created a hardship. The garage would enable the Applicant to maintain an orderly property. Moreover, the use variance could be granted without substantial detriment to

the public good and would not substantially impair the intent and the purpose of the zone plan and the zoning ordinance. The proposal indicated that the garage would be adequately buffered and would not be seen from the street.

25. RESOLUTION #43-2020
JEFFREY SLOTNICK
1128 MONET COURT

The Applicant proposed to construct a 20' x 25' concrete slab along with a concrete pool deck and patio which required a lot coverage variance. The lot coverage permitted is 30%; proposed was 37.9%.

Decision: The ZBA granted the requested variance on the principal conditions that the pool deck and patio be constructed in accordance with the survey submitted and that the Applicants obtain lot grading approval.

26. RESOLUTION #44-2020
JUAN CELA
45 SICKLERVILLE ROAD

The Applicant requested a lot coverage variance for a volleyball court in his rear yard. The lot coverage permitted is 30%; proposed was 75%. Additionally, the Applicant requested side and rear yard variances for existing sheds which were installed within the 5' setback requirement for accessory buildings.

Decision: The ZBA granted the requested variances as suitable for the Property, justified on the grounds of hardship and the dimensions of the property, the busy street on which the property is located, and the commercial businesses in the area. The principal condition on the approval was the requirement that the Applicant obtain a lot grading permit.

27. RESOLUTION #45-2020
PEDRO ROMERO
18 CANDLEWOOD ROAD

The Applicant proposed to construct an in-ground pool (14' x 30') in his rear yard which required a lot coverage variance. The lot coverage permitted is 30%; proposed was 32.8%.

Decision: The ZBA granted the requested variance on the principal conditions that the pool be constructed in accordance with the survey submitted and that the Applicants obtain lot grading approval.

28. RESOLUTION #46-2020
PAUL MCCULLOUGH
1419 CRANLEIGH LANE

The Applicant proposed to construct an in-ground pool (18' x 41.7') with walking deck and patio in his rear yard which required a lot coverage variance. The lot coverage permitted is 30%; proposed was 31.16%.

Decision: The ZBA granted the requested variance on the principal conditions that the pool, deck, and patio be constructed in accordance with the survey submitted and that the Applicants obtain lot grading approval.

29. RESOLUTION #47-2020
JEFF CAPPS
339 STAGGERBUSH ROAD

The Applicant proposed to construct an in-ground pool (16' x 32') with a walking deck in his rear yard which required a lot coverage variance. The lot coverage permitted is 30%; proposed was 37.7%.

Decision: The ZBA granted the requested variance on the principal conditions that the pool and deck be constructed in accordance with the survey submitted and that the Applicants obtain lot grading approval.

30. RESOLUTION #48-2020
NWD DEVELOPMENT, LLC
FRIES MILL ROAD AND GLASSBORO/CROSS KEYS ROAD

Pursuant to Resolution #43-2019, the ZBA granted a use variance to allow a mixed-use development consisting of 7.67 acres of commercial development and 117 age restricted, multi-family units on the property. The use variance approval was contingent on the Applicant obtaining major subdivision approval for the property.

Decision: The ZBA granted major subdivision approval for 117 age-restricted multi-family dwelling units to be located in 39 triplex buildings, a clubhouse lot and four open space lots with bulk variances for lot area, lot width, and setbacks for certain lots. Additionally, variances were granted for building size, the distance between buildings, the omission of walking paths and bike paths.

31. RESOLUTION #49-2020
TODD GREENWOOD
319 MARISSA COURT

The Applicant proposed to construct an in-ground pool (18' x 33') which required a lot coverage variance. The lot coverage permitted is 30%; proposed was 37.7%.

Decision: The ZBA granted the requested variance on the principal conditions that the pool be constructed in accordance with the survey submitted and that the Applicants obtain lot grading approval.

32. RESOLUTION #50-2020
DANIELLE GRIFFITH AND GINA JOIE (AS EXECUTORS)
1820 NORTH BLACK HORSE PIKE

The Applicants presented an application for a use variance to allow a new vehicle storage yard on the property, behind the existing JB's Cap World business, along with a site plan waiver. The Applicants' property was historically used by various car dealers to park overflow inventory.

Decision: The ZBA granted the requested variance and site plan waiver, with less than 2500 square feet of space per vehicle and without an opaque fence. The principal conditions placed on the approval included that the maximum number of vehicles to be stored on the Property would be 150, vehicles must be driven to the Property and delivered during the normal business hours of JB's Cap World, the Applicants agreed to construct the fence across the rear of the lot and place slats in the fence along the right property line should the adjacent lot be developed for residential purposes, and layout and circulation shall be subject to the approval of the Township Fire Marshall.

33. RESOLUTION #51-2020
SARVJEET SINGH
1521 SOUTH BLACK HORSE PIKE

The Applicant presented an application for a use variance to allow used car sales with no indoor display area and a 10' setback from the right of way where 20' is required. Used motor vehicle sales facilities are a conditional permitted use in the RG-C Zone, but require an indoor display area for each type of vehicle sold and a 20' setback from a right-of-way.

Decision: The ZBA determined that the proposed use is suitable for the Property and consistent with commercial uses in the area. The Applicant's business will provide an important service and employment opportunities in the community, a site that is currently vacant will be developed, and the appearance of the site will be improved. An indoor display area is not necessary for the business, and the 10' setback is necessary due to the shape of the lot and the need to preserve the interior circulation on the lot. Moreover, the ZBA determined that the use variance can be granted without substantial detriment to the public good and will not substantially impair the intent and the purpose of the zone plan and the zoning ordinance. The property was previously used as a used car lot and such a use is permitted conditionally in the Zone and is consistent with other commercial uses in the area. There will be no unusual noises

or conditions related to this use at the property. The approval was conditioned on the Applicant returning for site plan approval.

34. RESOLUTION #52-2020
JAMES COLE
522 VIRGIN ISLAND DRIVE

The Applicant requested a rear yard variance for his existing 11.5' x 11.5' deck. The Applicant reconstructed an existing deck and extended it 18". Required rear yard is 10', proposed was 2.8'.

Decision: The ZBA granted the variance on the principal condition that the Applicant obtain the approval of his homeowners' association (Holiday City) for the deck.

35. RESOLUTION #53-2020
ANTHONY MCGILL
1953 STEEPLECHASE DRIVE

The Applicant proposed to construct additional concrete patio/deck around an in-ground pool (16' x 32') in his rear yard which required a lot coverage variance. The lot coverage permitted is 30%; proposed was 38.3%.

Decision: The ZBA granted the requested variance on the principal conditions that the patio/deck be constructed in accordance with the survey submitted and that the Applicants obtain lot grading approval.

36. RESOLUTION #54-2020
PETER AND BARBARA BRODERICK
1067 BONNIE BLUE CIRCLE

The Applicants requested a rear yard variance for their existing shed. Required rear yard is 5', as constructed was 2'. The Applicants also requested a rear yard variance for their existing deck. Required rear yard is 37.5', as constructed was 33'.

Decision: The ZBA granted the requested variances based on the dimensions of the property and the fact that there have been no issues with the existing structures.

37. RESOLUTION #55-2020
DANNY BORRERO
329 CHATHAM ROAD

The Applicant requested a rear yard variance for the construction of a 22' x 15' gazebo. Required rear yard is 37.5', proposed was 9'.

Decision: The ZBA granted the requested variance so that the Applicant could maximize the available area in in his rear yard for the possible future construction of a pool and a play area for his children. Compliance with the rear yard setback would place the gazebo in the middle of the yard. Lot grading had been approved, and the neighbor's house is at least 100' from the property line.

38. RESOLUTION #56-2020
KASHMIRI CHOPRA
1909 STEEPLECHASE DRIVE

The Applicant requested a rear yard variance for the construction of a 16' x 23' deck. Required rear yard is 37.5', proposed was 30.99'.

Decision: The ZBA granted the requested variance as the area behind the Applicant's property is empty common space of the homeowners' association, and the lot is odd shaped.

39. RESOLUTION #57-2020
ST. MATTHEW'S BAPTIST CHURCH/
SUPERIOR START CHRISTIAN LEARNING CENTER
1991 FRIES MILL ROAD

The Applicant requested area and height variances for the construction of a 6' x 14' LED monument sign for its early childhood care facility known as "Superior Start". Township Code §175-135C(4) provides that monument signs shall not exceed an area of 50 square feet nor exceed a height above grade of 8 feet. The proposed sign was 84 square feet in area with an overall sign height of 9 feet.

Decision: The ZBA determined that the proposed area and height variances for the sign were suitable in order to properly identify the property, and were appropriate given the long tree line approaching the property and the darkness of the area. The proposed sign would be comparable to other commercial signs in the area, including Sportsman's Outpost, Scotland Run, and the lawn care business. The lumens to be produced by the sign are less than that allowed, and LED lighting produces a softer light. Given that the property is located in the Commercial District, lighted signs are to be expected. The concerns raised by neighbors will be mitigated by the requirement of a timer to shut off the sign from 12 midnight to 6 a.m. in the morning.

40. RESOLUTION #58-2020
ANTHONY IOVINO
694 JONES ROAD

The Applicant requested rear and side yard variances for the construction of a 12' x 20' shed. Required rear yard setback is 37.5', proposed was 5'. Required side yard setback is 17.5', proposed was 5'.

Decision: The ZBA granted the requested variances as the property has an unusual shape, the Applicant is replacing an existing shed with the new shed in the same location, and the neighbor has a shed in the same location just over the property line.

41. RESOLUTIONS NOS. 59-2020 AND 60-2020
SETH DAVIS
1531 N. TUCKAHOE ROAD

The Applicant presented an application for a use variance to construct a 4,500 sq. ft. (60' wide, 75' long, 32' tall) fabric airplane hangar to store his personal airplane. The Applicant also presented an application for preliminary/final major site plan approval.

Decision: The ZBA granted the requested use variance. It was noted that when the Township created the Business Park Zone, with the Airport Overlay, the existing Cross Keys airport was not addressed as a permitted use, and any uses at the airport must go through the ZBA for use variances. The Board determined that the proposed use was suitable for the property and consistent with the airport use at the property. Residential uses were an adequate distance away from the proposed use, and the proposed building will not be seen from the street. The proposed use will promote the use of the existing airport as a transportation facility. The proposed use will not be out of character with the neighborhood and surrounding uses and will not affect the quality of life for anyone in the vicinity. The property is zoned Business Park with an airport overlay and there is a lot of business activity in the area. The ZBA also granted preliminary and final site plan approval, with variances granted to allow a 10 foot side yard setback (20' required under §175-163D(2)(a)) and to allow a 10 foot wide buffer along the southern property line (25' required under §175-93).

42. RESOLUTION #63-2020
JUSTIN AND MICHELLE PORTER
313 CHATHAM DRIVE

The Applicants requested a rear and side yard variances for their existing shed. Required rear yard is 37.5', constructed was 7'. Required side yard is 12.5', constructed was 4'. The Applicants also requested a lot coverage variance for their proposed in-ground pool. Maximum allowed is 30%, proposed was 35%.

Decision: The ZBA granted the requested variances based on the dimensions of the property and based on the principal conditions that the items be constructed in accordance with the survey submitted and that the Applicants obtain lot grading approval.

43. RESOLUTION #65-2020
KENNETH CINALLI
520 DENISE COURT

The Applicant proposed to construct an in-ground pool (16' x 32') which required side yard and lot coverage variances. The required side yard is 10'; proposed was 5'. The lot coverage permitted is 30%; proposed was 50%.

Decision: The ZBA granted the requested variances based on the dimensions of the property and based on the principal conditions that the pool be constructed in accordance with the survey submitted and that the Applicants obtain lot grading approval.

44. RESOLUTION #66-2020
JOHN DEMARCO
1108 ASTER AVENUE

The Applicant requested approval for use, rear yard, and lot coverage variances for the construction of a 30' x 40' pole barn, with a 10' x 20' lean-to. A use variance was required as Township Code § 175-89 allows an accessory building of 900 square feet; proposed was 1200 square feet. The required rear yard setback is 12.5'; proposed was 5'. The maximum lot coverage permitted is 20%; proposed was 22%.

Decision: The ZBA granted the requested variances and determined that the proposed use was suitable for the property and will enable the Applicant to maintain a neat and orderly property so that a camper, vehicles and other personal property are parked/stored inside the pole barn. The principal conditions imposed on the approval were that the pole barn shall be used solely for personal storage and not any commercial purpose, the Applicant shall obtain lot grading approval, and the Applicant shall install a pervious stone driveway to the pole barn.

45. RESOLUTION #67-2020
VEARL J. EVANS, SR.
1357 COLES MILL ROAD

The Applicant presented an application for a use variance to store and park business trucks and equipment on the property, for use in his business which serves utility companies. Such use is not permitted in the RD-RR Zone, and would also constitute a second principal use.

Decision: The ZBA determined that the proposed use was suitable for the property and consistent with the uses in the area. The Applicant provides important services and employment opportunities and the proposed use will not cause a substantial detriment to other properties in the area. The principal conditions on the approval included that the hours of operation for moving the vehicles on the property shall be limited to 7:00 a.m. to 6:00 p.m., the house on the property must be owner occupied by the Applicant, there shall be no vehicle maintenance at the property, and the Applicant must obtain site plan approval.

C. SUMMARY OF APPLICATIONS

<u>Type of Variance</u>	<u>Number Granted</u>	<u>Number Denied</u>
"D" Use	11	1
"D" Floor Area	0	1
Setback	26	0
Lot coverage	22	0
Buffer	2	0
Frontage/Width	1	0
Lot area	1	0
Signage area	1	0
Signage height	1	0
Fence Height	1	0
Building height	1	0
Building size	1	0
Building width	1	0
Distance between buildings	1	0
Omission of walking/bike path	1	0
Omission of interior vehicle display	1	0

<u>Site Plans</u>	<u>Number Granted</u>	<u>Number Denied</u>
Major	3	0
Site Plan Waiver	2	0

<u>Subdivisions</u>	<u>Number Granted</u>	<u>Number Denied</u>
Major	1	0

D. RECURRING APPLICATIONS

During 2020, there were a total of 20 lot coverage variances granted for pools and/or pool decks. A total of 3 use variances were granted for pole barns, continuing the trend from 2019. A use variance for another church changeable-copy LED sign was granted, also continuing a trend from 2019. Finally, the ZBA addressed another use variance related to the Cross Keys Airport, as the Business Park Zone (with Airport Overlay) did not address the existing airport uses in the Zone.

E. RECOMMENDATIONS

Township Code §175-89 (Accessory Buildings) should be revisited to address the recurring applications for pole barns as an accessory structure to a residence, which have generally been granted with conditions. Consideration should be given to further defining the sizes of acceptable accessory structures, in relation to lot size. Language limiting such structures to personal, non-commercial, non-habitable use should be further defined. Design and performance standards should be specified further.

Township Code §175-135 (Signs) should be revisited to address electronic message or changeable copy signs for church and other non-profit facilities which are not currently located in the corridors allowing such signs. As part of this review, consideration should be given to further defining the size, illumination, dimming during late night, and non-commercial content of the signs for such organizations.

Schedules of Requirements and Limitations for lot coverages should be reviewed to address the recurring applications (20 in 2020) for lot coverages for pools and pool decks. Such applications have been routinely granted, provided lot grading approval has been obtained. Consideration should be given for allowing a higher percentage specifically for pools.

The Business Park Zone (with Airport Overlay) in the vicinity of the Cross Keys Airport should be revisited to address the permissible airport uses in the area. Since the issue was not addressed when the Zone was created, all airport related uses have to come before the ZBA for use variance approval.