

**ZONING BOARD OF ADJUSTMENT MEETING
NOVEMBER 21, 2018**

The caucus meeting began at 7:00 P.M. and the meeting began at 7:30 P.M.

Members present were:

John Pierantozzi
David Catalana
Ryan Flaim
Susanna Philippoussis
Joseph Stefano
Gena Pacitto
George LoBiondo

Members absent were: Elaine Greenberg, Lydia Johnson, Alexis Cartagena, Ryan Feaster

Others Present were:

Frank DiDomenico, Solicitor
Christine Scarpa, Substitute Board Secretary
Patrick Finley, Zoning Officer
Ryan Headley, Principal Engineer/Planner

The Chairman entertained a motion to approve the minutes from the October 17, 2018 meeting.

Roll call:

Mr. Pierantozzi: Yes
Mr. Catalana: Yes
Mr. Flaim: Abstain
Ms. Philippoussis: Abstain
Mr. Stefano: Yes
Ms. Pacitto: Yes
Mr. LoBiondo: Yes

The Chairman entertained a motion to approve the resolutions from the October 17, 2018 meeting.

Roll call:

Mr. Pierantozzi: Yes
Mr. Catalana: Yes
Mr. Flaim: Abstain
Ms. Philippoussis: Abstain
Mr. Stefano: Yes
Ms. Pacitto: Yes
Mr. LoBiondo: Yes, Abstain #2018-37

Mr. DiDomenico went over the revisions to the agenda.

Applicant- **Richard Lentz**, 1111 Woodcrest Drive, Block 2418, Lot 11, Zone R-3, construction of an addition to a single family dwelling.

Mr. Richard Lentz testified on his own behalf. He is the owner since 1995. When the home was built, the side yard setback was 10' and compliant. In 2008, the side yard setback changed

from 10' to 15'. The proposed 16' x 24' addition will be in line with the existing home and maintain the 10' side yard setback. The addition is for the kitchen.

Chairman made a motion to close the public hearing.

Roll call:

Mr. Pierantozzi: Yes

Mr. Catalana: Yes

Mr. Flaim: Yes

Ms. Philippoussis: Yes

Mr. Stefano: Yes

Ms. Pacitto: Yes

Mr. LoBiondo: Yes

Mr. Stefano made a motion to approve the use application.

Roll call:

Mr. Pierantozzi: Yes

Mr. Catalana: Yes

Mr. Flaim: Yes

Ms. Philippoussis: Yes

Mr. Stefano: Yes

Ms. Pacitto: Yes

Mr. LoBiondo: Yes

Application granted.

Applicant- **Thomas & Patricia Burns** – 2525 Vine Road, Block 1909, Lot 18, Zone A-5, addition to a single family dwelling.

Ms. Patricia Burns testified on her own behalf. The proposed 36' x 12.5' addition will be located in the rear of the home. The existing side yard setback is 31' and the proposed addition will have the same side yard setback. The addition is for the living room.

Chairman made a motion to close the public hearing.

Roll call:

Mr. Pierantozzi: Yes

Mr. Catalana: Yes

Mr. Flaim: Yes

Ms. Philippoussis: Yes

Mr. Stefano: Yes

Ms. Pacitto: Yes

Mr. LoBiondo: Yes

Mr. Stefano made a motion to approve the application.

Roll call:

Mr. Pierantozzi: Yes

Mr. Catalana: Yes

Mr. Flaim: Yes

Ms. Philippoussis: Yes

Mr. Stefano: Yes

Ms. Pacitto: Yes

Mr. LoBiondo: Yes

Application granted.

Applicant- **Robert & Gina Zikowski**- 3690 Canterbury Lane, Block 7201, Lot 40.05, Zone A-5, construction of an attached garage to a single family dwelling.

Mr. Robert Zikowski testified on his own behalf. The proposed garage will be attached to the house by a connecting breezeway or pergola structure. The lot has an irregular shape, so this is the only possible location. If the garage was not attached to the house it would be considered an accessory structure. Accessory structures require a 6' side yard setback.

Chairman made a motion to close the public hearing.

Roll call:

Mr. Pierantozzi: Yes

Mr. Catalana: Yes

Mr. Flaim: Yes

Ms. Philippoussis: Yes

Mr. Stefano: Yes

Ms. Pacitto: Yes

Mr. LoBiondo: Yes

Mr. Stefano made a motion to approve the application.

Roll call:

Mr. Pierantozzi: Yes

Mr. Catalana: Yes

Mr. Flaim: Yes

Ms. Philippoussis: Yes

Mr. Stefano: Yes

Ms. Pacitto: Yes

Mr. LoBiondo: Yes

Application granted.

Applicant- **Donald Weissman**- 500 S. Second Street, Block 3909, Lot 7, Zone R, construction of a 1,066 square foot garage.

Mr. Donald Weissman testified on his own behalf. He is seeking an approval for a 1,066 square foot detached garage. The garage will be used to store his classic automobiles and motorcycle. The proposed garage will also be used to store certain yard equipment and it will have a "man cave" area. There is an existing detached carport that will be demolished. The two sheds on the site will remain. The garage will be used for his personal use only. He also seeks a second variance for having two sheds. Only one shed is permitted. The existing garage will remain until the proposed garage is constructed.

Chairman made a motion to close the public hearing.

Roll call:

Mr. Pierantozzi: Yes

Mr. Catalana: Yes
Mr. Flaim: Yes
Ms. Philippoussis: Yes
Mr. Stefano: Yes
Ms. Pacitto: Yes
Mr. LoBiondo: Yes

Mr. Stefano made a motion to approve the application.

Roll call:

Mr. Pierantozzi: Yes
Mr. Catalana: Yes
Mr. Flaim: Yes
Ms. Philippoussis: Yes
Mr. Stefano: Yes
Ms. Pacitto: Yes
Mr. LoBiondo: Yes

Application granted.

Applicant- **Anna & Eduvige Soto**- 834 E. Peach Street, Block 3005, Lot 16, Zone R, certification of non-conforming use for a multi-family residential dwelling.

The applicant was represented by Jose Silva, Esq. There are two residential structures on the property. The front structure has four units and the rear structure has two units. The applicants purchased the property in 2001 as 6 residential units.

They were advised that apartment #5 on the property must be limited to a two bedroom apartment. The third bedroom is undersized based on the Uniform Construction Code. The applicant had no objection.

This property is located in the R zone of the Center City Redevelopment area. It was previously in the R-1 zone. The City of Vineland permitted six residential units throughout the years. The six units are all registered as rental units. The purchased the property together with the adjacent lot for a total of 9 units. There are a total of 11 parking spaces for both of the lots.

Mr. Headley stated that in order to establish a pre-existing, non-conforming use the 6 units must predate the City's first Land Use Ordinance of 1952. The earliest records of the City appeared to date to 2010. A minimum of 18 parking spaces are required for both properties. A cross easement will be required for parking between 834 and 836 E. Peach Street. Multifamily units were permitted in this zone prior to 1966 through 1979.

Mr. Eduvige Soto, testified on his own behalf. There were no tenants in the property when he purchased it in 2001. The City of Vineland inspected the units and there were no objections to the 6 units. There has never been any code violation and he has always maintained the properties.

Chairman made a motion to close the public hearing.

Roll call:

Mr. Pierantozzi: Yes

Mr. Catalana: Yes

Mr. Flaim: Yes

Ms. Philippoussis: Yes

Mr. Stefano: Yes

Ms. Pacitto: Yes

Mr. LoBiondo: Yes

Mr. Stefano made a motion to approve the application.

Roll call:

Mr. Pierantozzi: Yes

Mr. Catalana: Yes

Mr. Flaim: Yes

Ms. Philippoussis: Yes

Mr. Stefano: Yes

Ms. Pacitto: Yes

Mr. LoBiondo: No

Application granted.

Applicant- **Anna & Eduvige Soto**- 834 E. Peach Street, Block 3005, Lot 15, Zone R, certification of non-conforming use for a multi-family residential dwelling.

The applicant was represented by Jose Silva, Esq. There are two residential structures on the property. This is a three family dwelling. The applicants purchased the property in 2001 as 3 total residential units.

This property is located in the R zone of the Center City Redevelopment area. It was previously in the R-1 zone. The City of Vineland permitted three residential units throughout the years. The three units are all registered as rental units.

Mr. Headley stated that in order to establish a pre-existing, non-conforming use the 3 units must predate the City's first Land Use Ordinance of 1952. The earliest records of the City appeared to date to 2010. A minimum of 18 parking spaces are required for both properties. A cross easement will be required for parking between 834 and 836 E. Peach Street. Multifamily units were permitted in this zone prior to 1966 through 1979.

Mr. Eduvige Soto, testified on his own behalf. There were no tenants in the property when he purchased it in 2001. The City of Vineland inspected the units and there were no objections to the 3 units. There has never been any code violation and he has always maintained the properties.

Chairman made a motion to close the public hearing.

Roll call:

Mr. Pierantozzi: Yes

Mr. Catalana: Yes

Mr. Flaim: Yes
Ms. Philippoussis: Yes
Mr. Stefano: Yes
Ms. Pacitto: Yes
Mr. LoBiondo: Yes

Mr. Stefano made a motion to approve the application.

Roll call:

Mr. Pierantozzi: Yes
Mr. Catalana: Yes
Mr. Flaim: Yes
Ms. Philippoussis: Yes
Mr. Stefano: Yes
Ms. Pacitto: Yes
Mr. LoBiondo: No

Application granted.

Applicant- **American Mutual Fund, LLC**- 418 S. Fourth Street, Block 3907, Lot 9, Zone R, certification of non-conforming use for a multi-family residential dwelling units.

The applicant was represented by Brandon Croker, Esq. Should the board approve the certification for non-conforming use, they are requesting a bulk variance for a two family dwelling. The lot is undersized for a two family dwelling. The zone requires a minimum lot size of 15,000 square feet and the lot in question is 7,500 square feet. The property in question is located in the R zone. The zone was previously the R-1 zone which permitted two family dwellings. Tax records indicate that in 2010, the property was used as a three family dwelling. There are three electric meters on the building. The applicant is seeking a variance for a two family dwelling as noted. The only issue is the lot size.

Mr. Finley indicated that the lot size of 7,500 square feet is common for single and two family dwellings in this area. Prior to the R-1 zone, duplexes were permitted on 15,000 square foot lots. He recommends that the addition that was added to the rear of the home be demolished. The building should be limited to the existing footprint as a two family dwelling.

Hector Perez, member of the public, lived in the area since the 1990s. He would like to see the home as a duplex. He stated that there is no problem with on street parking.

Lisette Gonzalez- Sosa, member of the public, elder at the adjacent church. Stated that she supports the two family dwelling. The parking lot belongs to the church and it is not available for this property. The tree line on the aerial photograph belongs to the church.

Carmen Jimenez, member of the public, elder at the adjacent church. Stated that she would like to see the house rehabilitated.

Chairman made a motion to close the public hearing.

Roll call:

Mr. Pierantozzi: Yes

Mr. Catalana: Yes

Mr. Flaim: Yes

Ms. Philippoussis: Yes

Mr. Stefano: Yes

Ms. Pacitto: Yes

Mr. LoBiondo: Yes

Mr. Stefano made a motion to deny the application.

Roll call:

Mr. Pierantozzi: Yes

Mr. Catalana: Yes

Mr. Flaim: Yes

Ms. Philippoussis: Yes

Mr. Stefano: Yes

Ms. Pacitto: Yes

Mr. LoBiondo: Yes

Request denied.

Mr. Stefano made a motion to approve the two family dwelling with existing setbacks.

Roll call:

Mr. Pierantozzi: Yes

Mr. Catalana: Yes

Mr. Flaim: Yes

Ms. Philippoussis: Yes

Mr. Stefano: Yes

Ms. Pacitto: Yes

Mr. LoBiondo: Yes

Request granted.

Applicant- **Andre Letushko** –2618 Maple Avenue, Block 1601, Lot 100.

The applicant applied for a one year extension from July 1, 2018 until June 30, 2019 for a major site plan approval. This is the third extension request and last extension.

Chairman made a motion to close the public hearing.

Roll call:

Mr. Pierantozzi: Yes

Mr. Catalana: Yes

Mr. Flaim: Yes

Ms. Philippoussis: Yes

Mr. Stefano: Yes

Ms. Pacitto: Yes

Mr. LoBiondo: Yes

Mr. Stefano made a motion to approve the application.

Roll call:

Mr. Pierantozzi: Yes

Mr. Catalana: Yes

Mr. Flaim: Yes

Ms. Philippoussis: Yes

Mr. Stefano: Yes

Ms. Pacitto: Yes

Mr. LoBiondo: Yes

Application granted.

ADJOURN:

Mr. Pierantozzi: Yes

Mr. Catalana: Yes

Mr. Flaim: Yes

Ms. Philippoussis: Yes

Mr. Stefano: Yes

Ms. Pacitto: Yes

Mr. LoBiondo: Yes

Meeting adjourned at 9:44 PM

Yasmin Ricketts, Secretary

Zoning Board of Adjustment