

ZBA Meeting 9-15-2011

**TOWNSHIP OF OCEAN
Zoning Board of Adjustment
Regular Meeting
September 15, 2011**

7:00 P.M.

Pledge of Allegiance

STATEMENT: Pursuant to the provisions of the New Jersey, Open Public Meetings Act, sending copies of the notice of meeting properly provided adequate notice of the meeting to the Times Beacon, Asbury Park Press and the Atlantic City Press. Notice was posted on the bulletin board in the Administration Building.

The regular meeting of the Zoning Board of Adjustment was held on the above date and time; Chairman John Petrosilli called the meeting to order.

ROLL CALL

Members Present	Edward Covitz	Antonio DeAlmeida	Robert Lange
	Aaron Shapiro	Ray Roskowski	Stan Anderson
	John Petrosilli		

Absent: Ron Bruno and Stanley Bystrek

Chair asked if everyone had an opportunity to read the minutes of the meeting. He asked if there were any corrections, if not he asked for a motion to approve.

Aaron Shapiro made a motion to approve the minutes and Ed Covitz seconded it. Roll Call (Ayes) Shapiro, Covitz, Lange, Roskowski, Anderson, Petrosilli.

Antonio DeAlmeida made a motion to approve the bills and Aaron Shapiro seconded it. Roll Call (Ayes) DeAlmeida, Shapiro, Covitz, Lange, Roskowski, Anderson, Petrosilli.

BOARD COMMENTS:

Bob Lange stated that this is another example of the town changing the zoning even though all of the lots in the entire subdivision are the same. I don't know why they changed it. On an empty lot it makes it such a hardship that in some cases a person

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would need three lots in order to comply. If they meet the setbacks I don't know why we can't change it back to the way it used to be.

Chairman we can write to the township committee and make recommendations to them if the board wishes.

Attorney Rumpf said that you certainly could, in fact that is the purpose of the annual report that Laurie prepares for us that sites the variances that were applied for and the zones that they were in and is able to summarize on behalf of the boards view that the zoning should be looked at to see if a change should be made in order to assist the people of the town.

This case that is coming before us has to come before us because he does not meet the new setbacks.

Attorney Rumpf said you still have the opportunity to reject an application but as you are aware but if you were to reject an application to build on an undersized lot you are looking at litigation that could possibly require the town to purchase the lot.

Chairman Petrosilli said that when this was all discussed the real concern was west of the parkway.

Discussion continued back and forth with board members until it was ended with the decision that the Chairman will sit down with the Mayor and Deputy Mayor and discuss this and will get back to the board.

OLD BUSINESS:

NONE

NEW BUSINESS:

Docket # 12.11.BA
Joseph Hayes
118 Bloomfield Avenue
Block 274.04, Lot 21
Bulk Variance- side yard setback

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Mr. Hayes came forward and was sworn in by Attorney Rumpf. Mr. Hayes stated that he wanted to have an open porch at the back of the house with a roof so that he would have a view of the lagoon on 100 degree days with some shade or inclement weather. His house is situated so that he doesn't have 10 feet in order to do this.

Engineer McVicar asked Mr. Hayes received his letter. Mr. McVicar asked Mr. Hayes said to bring up the pictures that he requested to the attorney to be marked in as exhibits.

Attorney Rumpf stated that he marked the photographs as Exhibit A-1 thru A-8. Another document that was provided that a neighbor is in favor or not is not submissable because the board only hears live testimony.

Mr. Hayes explained what each picture depicted.

Mr. Hayes stated that he felt that he qualified for a variance because his lot is a pie shaped lot and very narrow where he would like to put the four by four post to hold the roof.

Mr. Hayes stated that he didn't feel that the air and light would not affect his neighbors in any way.

Mr. Hayes stated that he felt that the new roof on the back of his house would not have any visual impact to his neighbors.

Mr. Hayes stated there are three neighbors that have the open porches like he would like to build. So he feels that his would be in character with the neighborhood.

Mr. Hayes said that the positive improvements to the house are that they would be able to sit outside and enjoy the view and to be able to sit outside especially when it is raining or 100 degrees.

Board Comments:

Mr. Shapiro asked if there was an awning on the house and he asked if that would take care of the problem. Mr. Hayes said he would not be able to have the awning down in the rain and a roof he would be able to be out there.

The question of whether he had any intention of enclosing it later and he said absolutely not he doesn't even have a foundation there is only a patio.

Chairman asked if we could consider putting that in the resolution and Mr. Hayes said he had no problem at all. Discussion took place as to what would be stated in the Resolution as to what the restriction is.

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OPEN TO PUBLIC

Seeing none

CLOSED TO PUBLIC

Motion to approve with stated restrictions was made by Aaron Shapiro and seconded by Bob Lange. Roll Call (Ayes) Shapiro, Lange, Covitz, DeAlmeida, Roskowski, Anderson, Petrosilli.

Motion to adjourn

Meeting adjourned at 7:46 P.M.

Respectfully Submitted By

Laurie Clune
Recording Secretary

LC/ld