

REGULAR MEETING

ZONING BOARD OF ADJUSTMENT

May 13, 2024

The meeting was called to order at 7:00 PM by Chairman Craddock with a salute to the flag. He announced the following:

“Pursuant to The Open Public Meetings Act adequate notice of this meeting has been provided to two local newspapers, filed with the City Clerk and posted in a public place. Agenda for this meeting has been provided in the same manner”.

Chairman Craddock requested Secretary Meischker call roll and the following members responded:

PRESENT: Craddock, Gilbert, Kent, Lawler, Rowan, Helbig, Granus, Kedziora,

ABSENT: Germeil

Solicitor Manos, Engineer Doran and Zoning Official McLarnon were also present

Chairman Craddock asked for a motion to approve minutes from April meeting. Motion was made by Ms. Lawler. and seconded by Mr. Gilbert. Board voted in favor with Mr. Granus, Mr. Helbig, Mr. Rowan and Mr. Kedziora abstaining.

Chairman Craddock asked for a motion to approve the Decision and Resolution for Husky Homes. Motion was made by Mr. Gilbert and seconded by Ms. Lawler. Board voted in favor with Mr. Granus, Mr. Helbig, Mr. Rowan and Mr. Kedziora abstaining.

**Mr. and Mrs. R. Jay Mazza
319 Dobbs Ave. Block 1718/Lot 1 Zoned R-1
C variances for setbacks to construct a 2 car garage with second story**

Mr. Mazza came forward and was sworn in by Attorney Manos. Mr. Mazza stated he purchased property in Feb. 2023. He spoke with Zoning Official McLarnon about adding a garage. Mr. Howell came forward and was sworn in by Attorney Manos. Mr. Howell stated he is an architect, planner. Chairman Craddock accepted his credentials. Exhibits A1 thru A4, photos of the property were submitted. Mr. Howell stated application is for a 2 car garage with bedroom on the second floor. He stated he tried to design within the Zoning bulk requirements. 2 car garage is 22' x 22'. Need front and rear variances. Wanted to make addition even with front of house. That requires front yard variance of 2.8'. He stated it is appropriate for the neighborhood. There is no detriment to the public. Mr. Helbig asked if house will have 3 garages. Mr. Howell stated the existing doesn't act as a garage. He stated the side shed will be removed. Chairman Craddock confirmed the use of the existing garage. He verified there will be no exterior entrance to the 2nd floor bedroom. Mr. Howell stated there will be no exterior entrance. Mr. Rowan asked if the roofline will change. Mr. Howell stated no. He stated house was built in 2007. Mr. Granus asked about the open space. Mr. Mazza stated because they are looking for a retirement home. There is space they can use. Chairman Craddock asked about the square footage of living space on the 2nd floor. Mr. Mazza stated will double bedroom space and have storage space. Mr. Rowan asked about a basement. Mr. Mazza stated he has a crawl space. Mr. Helbig asked if the new driveway will be concrete. Mr. Mazza stated yes and he will keep the fece. Mr. Howell stated there will be 4 bedrooms. Zoning Official McLarnon stated driveway is less than 18', not a parking space. He stated push back 8"-10" to have a legal driveway. Mr. Howell asked how many spaces are needed. Zoning Official McLarnon stated 2 spaces are needed. Mr. Mazza stated a car fits in the driveway. Motion was made to open to the public by Mr. Granus and seconded by Mr. Rowan. Mr. Nesbit, 806 4th St came forward and was sworn in by Attorney Manos. He stated he subdivided his property and gave 319 Dobbs extra 10'. Back yard on side of house will be 12' 8" from his property line. Zoning Official McLarnon stated to read the definition of rear yard. Chairman Craddock stated they need a rear yard variance, will conform to side yard. Mr. Nesbit stated he is not opposed. It blocks his view of MacArthur Blvd. Mr. Clauss, 317 Dobbs

came forward and was sworn in by Attorney Manos. He stated he is not opposed, raises property values. Motion to close to the public was made by Mr. Granus and seconded by Mr. Helbig. Attorney Manos stated motion is for C variance relief for front and side yards. Standard conditions apply. Compliance plans to be submitted. Motion was made by Mr. Rowan and seconded by Mr. Granus. Secretary Meischker called roll.

Mr. Rowan-yes. Neighbors are not apposed.

Mr. Gilbert-yes. Good design.

Mr. Helbig-yes. 2 front yards, nice looking home.

Mr. Granus-yes. Good plan, neighbors are good with it.

Mr. Kedziora-yes. Hardship and design is being considerate to neighbors.

Ms. Lawler-yes. Hardship and still has light, air and aesthetics.

Chairman Craddock-yes. Lives in area. No negative impacts. Making improvements. Not unreasonable request.

Approved



David and Kelli Mills
33 E. Dawes Ave. Block 411/Lot 6 Zoned R-1
“C” variances for setbacks and lot coverage to construct additions

Mr. Gilbert recused himself and Mr. Kent joined the Board. Mr. Mills came forward and was sworn in. He stated they moved in August 2023. Bought house and moved here fulltime. He is a chef. Both neighbors have 2 story homes. Design keeps cottage look and adds a bedroom. Mr. Granus stated 2 spaces on street are being used. They have RV on the property. Mr. Mills stated they will live in it during renovations. Engineer Wahl went over the Zoning chart and requirements and variances. Need front yard and building coverage. Applicant is trying to keep with existing conditions of home. Application has compliant parking. Ms. Lawler stated they are coming closer to front. What will be in front yard. Mr. Mills replied grass. Mr. Granus asked about the pod in the driveway. Mr. Mills responded yes. Mr. Granus asked if it will be kept thru the construction. Mr. Mills stated yes. They are ready for permits if approved. Motion to open to the public was made by Mr. Kedziora and seconded by Mr. Granus. Mr. Reed, 27 E. Dawes Ave came forward and was sworn in by Attorney Manos. He stated he used to own property. He opposed to front yard variance. Chairman Craddock confirmed front yard. Engineer Wahl showed an aerial. Stated Mr. Reed doesn't want him out further than his house. Mr. Avelino, Architect with office in Ocean City came forward and was sworn in by Attorney Manos. He stated he has been licensed in NJ since 2005. He stated the 2 adjacent homes were used as the limit for expansion. He stated he physically measured because applicant wanted to keep the cottage style. Mr. Macy, 34 E. Meyran came forward and was sworn in by Attorney Manos. He stated he is happy with the applicant. Doesn't like the storage stuff, shed and garage. The back of the property looks terrible. Ms. Lawler confirmed it was the structure with the metal roof. Mr. Macy stated yes. Motion to close to the public was made by Mr. Rowan and seconded by Mr. Granus. Mr. Mills stated Mr. Macy would cut overgrowth and throw it over the fence. He stated the shed was approved. Zoning Official McLarnon stated the shed was there before. Mr. Mills stated he didn't get permit and it doesn't conform. Chairman Craddock said to clean it up. Mr. Mills stated shed is on stone. Chairman Craddock said to move it to conform with setbacks. Ms. Lawler asked about landscaping along the fence. Mr. Mills stated eventually. Mr. Kent stated it is fair to neighbor to make the shed conforming. Mr. Helbig said move the shed to conform. Ms. Lawler asked if the shed could be added to this application. Attorney Manos stated it can be added to the decision and Resolution. Mr. Helbig stated he is fine with the placement of the shed. Zoning Official McLarnon would need a 4.7' side yard setback. Motion to open to the public was made by Mr. Rowan and seconded by Mr. Helbig. Chairman Craddock asked Mr. Macy is he would approve of a Board condition to plant trees along the back. Mr. Macy stated yes. Peter Ostapkovich, 201 W New Jersey Ave came forward and was sworn in by Attorney Manos. He stated he trades as PPR and is the contractor for this project. He stated the lot is undersized. Applicants need storage. Landscaping is good. Motion to close to the public made by Mr. Rowan and seconded by Mr. Granus. Mr. Granus asked about the pod. Mr. Mills stated the shed will be their dressing room. They will sleep in the camper. Code enforcement has jurisdiction over the pod. 6' easter Red Cedars to be planted along back of fence. Attorney Manos stated conditions of the motion will have applicant plant maximum of 6 trees on neighbors property. Lot size and width are ENC variances. Need variances for front yard, left side yard and building coverage. Addressed shed. Motion was made by Mr. Helbig and seconded by Mr. Kedziora. Secretary Meischker called roll.

Mr. Rowan-yes. Applicant will meet conditions.

Mr. Kent-yes. Public ad it is a good design.
Mr. Helbig-yes. Will be an improvement.
Mr. Granus-yes. Worked to satisfy neighbors.
Mr. Kedziorz-yes. Great presentation.
Ms. Lawler-yes. Applicant worked with Board and will be an improvement.
Chairman Craddock-yes. Undersize lot is a hardship. Keeping with the look of the neighborhood. Good design and function.

Approved

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Motion to open to the public was made by Mr. Kent and seconded by Ms. Lawler. Mr. Stewart, 655 3rd St. came forward and was sworn in by Attorney Manos. Mr. Stewart asked why everyone is sworn in. Attorney Manos stated because there are potential consequences if they are not telling the truth. Mr. Stewart referenced the hearing for 653 3rd St. He said the applicant stated they sent a letter to 200' list to offer to buy their lot or sell 653 3rd st. to them. Mr. Stewart stated he did not get an offer to sell, only the offer to buy. Attorney Manos advised him to consult an attorney. Mr. Stewart stated if there are any more modifications they would need to go before Board. He asked about neighbor relations. If all testimony is against the application will Board still approve it? Chairman Craddock stated it is case dependent. Ms. Lawler stated regulations do not require neighbor consideration. Attorney Manos stated do not relitigate the case. Mr. Stewart asked what he should do in the case of any damage to his property. Mr. Rowan stated call 911. Motion to closes was made by Ms. Lawler and seconded by Mr. Helbig. Mr. Granus stated 27 E. Pierson has become an eyesore.

Motion to adjourn was made by Mr. Rowan and seconded by Ms. Lawler.

Adjourned 9:00