

**BOROUGH OF POINT PLEASANT
ZONING BOARD OF ADJUSTMENT
August 25, 2021**

The regular meeting of the Point Pleasant Zoning Board of Adjustment was called to Order by Chairman Coleman at 7:00 P.M. Mr. Coleman led the Salute to the Flag. He proceeded to open the meeting in compliance with the “Open Public Meetings Act”.

Roll Call Vote

Members Present:	Mr. Shrewsberry	Mr. Nikola	Mr. Giordano
Mrs. Masterson	Mrs. Petrillo	Ms. Coulson	Mr. Veni
Mr. Nagy	Mr. Coleman		
Members Absent:	Mr. Schalfer		
Attorney:	Mr. Gertner		

New Business/Unfinished Business

21-24 Block 168 Lot 14- Pearce-2104 Park Drive- Side Yard Setback

The applicant is looking to construct an addition.

Tracy Pearce, applicant was sworn in.
Brian Murphy, PE PP was sworn in.

A-1 - Aerial
A-2 – photo

Mr. Murphy testified the owner is looking to construct an addition. Relief is needed for the side yard setback. The lot is narrow and deep, therefore creating a larger side yard requirement. The existing side yard setbacks are 4.34 & 4.62, where 7.5’ is required. The addition is proposed at 5.81’. Lots 7500sq ft or greater require a 7.5’ side yard setback. The applicant’s husband is now working from home and a home office is needed. Mr. Murphy stated they do need a waiver for parking as they are required to have 2 ½ parking spaces, 2 is proposed.

No public comment or questions

A motion to approve was made by Mr. Shrewsberry, seconded by Mr. Nikola.

Roll Call Vote

Mr. Shrewsberry- Yes	Mr. Nikola- Yes	Mrs. Petrillo- Yes	Mr. Giordano- Yes
Mrs. Masterson- Yes	Mrs. Coulson- Yes	Mr. Coleman- Yes	

21-22 Block 286 Lot 2- Garafolo- 1835 Shore Blvd- Lot Area, Lot Frontage, Lot Width, Building Coverage, Impervious Coverage, Deck Height, and Rear Yard for Accessory Set Back

The applicant is looking to construct a new 2-story dwelling.

Jillian McLeer, attorney for applicant.
A-1 PowerPoint, 16 pages

Ms. McLeer went through the power point. The applicants are looking to build their dream home, while trying meet the ordinances.

Matthew Hockenbury, PE PP was sworn in. The applicant's home is located on Shore Blvd, in the R1-A zone. The existing home is 1264 sq ft, 3 bedrooms 1 bath. Relief is needed for lot area, lot width, lot frontage, front yard 18.7ft, building coverage 31.5%. The existing dwelling is to be demolished. The new dwelling has a footprint 1295sq ft. The home consists of 4 bedrooms, 3 ½ baths, 2400 sq ft, 30 ft wide 46 ft deep. The home will be elevated, with a ground level garage. They are also proposing a fiberglass deck level with the first floor and an inground pool. Relief is needed for the following variances:

Pool rear yard 3.2. where 5ft is required.

Maximum Deck Height 2ft allowed where 5ft is allowed.

Building coverage 36.67, where 30% is allowed.

Lot Coverage 50.02%, will comply.

There will be curbing to hold the gravel in the front yard. Also, astro turf with concrete strips for the driveway is proposed.

Jonathan Van Ostenbridge, Architect went through the design of the house.

Ms. McLeer stated the applicant will carry the veneer around the exterior house.

Mr. Hockenbury testified the hardship is lot size, frontage, and width. The home is similar/smaller is size for the neighborhood. The proposed home is not blocking open air, light and space. The footprint is only 30ft larger than the existing house. The benefits outweigh the detriments.

Public Comment/Questions

Cynthia Bacon, 1839 Shore Blvd, objector

O-1 – O-6 Photos

Anthony Saporito, 1628 Shore Blvd, welcomes the Garafolo family to the neighborhood.

Ms. McLeer called Mr. Hockenbury. This dwelling would fit on a conforming lot. The height complies and the rear deck is not covered or enclosed. The front porch and the fiberglass glass deck are contributing to the building coverage. The fiberglass doesn't contribute to the mass, nor does it bother open air, light or space.

Mr. Giordano asked if the applicants would be willing to slide the house forward.

Mr. Hockenbury testified the existing house is 18.7ft from the front setback. They don't want to go any closer than 20ft. The neighbor to the west has a front yard setback 12.7ft. The house to the east is 12ft.

Jessica Fernandez, applicant Shore Blvd. Mrs. Fernandez testified they have two new babies, and they are looking to expand. They did try to stay within the confines of the existing home. Cindy and Mike are great neighbors, and they have been sensitive to their concerns. They have been transparent with them. The covered patio is to sit out and enjoy the view without bothering anyone.

Ms. McLeer stated there are now seeking a front yard setback.

Mr. Savacool, 20ft to the house, not the bay window. Moving the house forward 6.2ft.

Mr. Giordano would like to move the house forward 5ft, not 6.2ft.

Mrs. Petrillo stated the house design is stunning, and she likes that they agreed to move the house forward.

Mr. Nikola likes the plan for the undersized lot.

Mrs. Schlapfer is happy they agreed to move the house.

A motion to approve to the application Mr. Giordano, Mrs. Masterson with the condition of moving the house 5ft forward and any other conditions mentioned during testimony.

Roll Call Vote

Mr. Shrewsberry- Yes	Mr. Nikola- Yes	Mrs. Petrillo- Yes	Mr. Giordano- Yes
Mrs. Masterson- Yes	Ms. Coulson- Yes	Mr. Coleman- Yes	

21-25- Block 358 Lot 13- Renna-1602 Oriole Way- Front Yard Setback

The applicant is looking to construct an inground pool

Ms. Jillian McLeer, attorney for the applicant.

A-1 Power Point 13 pages marked into evidence.

The property is located on a corner lot 1602 Oriole Way. The lot has two fronts.

Robert Burdick, PE PP was sworn in.

The applicant is proposing a 14x28 ft in-ground pool in the R1-A zone. The pre-existing front yard setbacks for the dwelling will not change. The proposed pool is 7ft from the dwelling, which will not be undermining the foundation.

Mr. Giordano disagrees with the determination that a pool is a structure. He doesn't agree that a pool should be 10ft from the dwelling.

Mr. Gertner stated there should be a separate discussion about this issue.

Mr. Burdick agrees with Mr. Giordano.

Mr. Burdick testified the proposed location is the most practical. The pool cannot be seen from the neighbor's house or the roadway. The pool will provide an aesthetic improvement. This

variance can be granted without any negative detriments to the public good. There is a 6ft fence, only the caps are at 7ft, which will be relocated to the property line along Harbor Drive. The clients will try to keep the existing plantings, if allowable.

Ms. McLeer respectfully requested the Board to grant the variances requested.

Caucus

Mr. Nikola stated another corner lot, there needs to be a front.

Mr. Shrewsberry would just want to ensure any safety concerns, due to the location.

Mr. Gertner asked Mr. Giordano if he wanted to address the ordinance.

Mr. Giordano believes the Board needs to make the interpretation that a pool is not a building structure.

Mr. Savacool stated the ordinance reads the distance between a principal structure and an accessory building/ use must be 10ft. Pools are indicated in the subsections.

Mr. Gertner stated the Board agrees that a pool is not a building.

Mr. Giordano stated the Board can give clarity to the Zoning Officer.

Mrs. Petrillo believes it should come from Council.

Mr. Savacool stated the Board can override the necessity of a variance.

Mr. Savacool would like the resolution to read the Board has rendered the determination that no variance is necessary even though the pool is within 10ft of the principal structure.

Mr. Giordano made a motion to approve the application with the fence on Harbor Drive to be relocated to the property line and the language above from Mr. Giordano, seconded by Mrs. Petrillo.

Roll Call Vote

Mr. Shrewsberry- Yes Mr. Nikola- Yes Mrs. Petrillo- Yes Mr. Giordano-Yes
Mrs. Masterson- Yes Ms. Coulson- Yes Mr. Coleman- Yes

The meeting adjourned at 9:20PM, all were in favor.

Respectfully submitted,

Sharon Morgan
Board Secretary