
Meeting: Zoning Board of Adjustment

Date: July 8, 2020

- I. Meeting called to order
- II. Pledge of Allegiance
- III. Open Public Meeting Act

IV. Roll Call

Member	Present	Absent
Chairman John Gee, Jr.	X	
V. Chair Michael Bimmer	X	
Angie Santori	X	
John Zaradnick	X	
Karen Radie	X	
Lu Valentino	X	
Steve Schmidt	X	
Richard Borden, Alt 1		X
Dawn Sadlowski, Alt 2		X

V. New Business:

1. **34 Anna Ave.** –Block 108: Lot 4: Louise A. Steska; Z-20-5
Zone: Residential-2 (R-2) Existing Use: Residential
Application: Certificate of Non-Conformity or if determined necessary a “d”
Variance to allow 2-residential units in a single family structure.

Rachael B. Brekke, Esquire represents Louise A. Steska.
Solicitor Brekke would like to present a short background of the property.
Ms. Steska purchased the property in 1980 believing it was a duplex. Deeds from 1913 and 1916 were introduced as evidence. The Agreement of Sale in 1980 was introduced showing Duplex as the property description.
Solicitor Brekke testified that to deny this application would be a hardship on Ms. Steska. The property is currently under contract and being sold as a Duplex. Two of the current neighbors operate as multi-family properties.
In solicitor Brekke’s opinion, it would not be a detriment to the neighborhood.

Chairman Gee stated that just because the Agreement of Sale states Duplex, doesn't guarantee that to be so. Proper Zoning is what determines that.

The Transfer of Tract 1 in 1913 and Tract 2 in 1917 doesn't prove this either.

Chairman Gee asked Solicitor Kingsbury if the Application requires a variance or, can a Vote be taken first to determine if the Board Members believe it to be a Duplex. Then the Variance would not be needed.

Solicitor Kingsbury said that a vote can be taken first to determine if the Board believes this property is a Pre-Existing Duplex.

Solicitor Kingsbury swears in Ms. Louise A Steska.

Chairman Gee asks about the Zillow advertisement stating Third Living Space over the Garage. This space is larger than the second floor unit.

Pictures were presented and testified to, that the space over the Garage is not currently developed into living space.

The Applicant is not here to receive approval for the Garage.

Solicitor Kingsbury explained that an addendum can be placed in the resolution that states: "Not to be interpreted as Approval of Garage"

Solicitor Brekke interviewed Ms. Steska.

Ms. Steska testified that she and her ex-husband purchased the property in 1980 as a duplex. They resided there on the first floor until 1991.

After moving, both units were then rented out until 2017 and 2019 respectively. The property has been up for sale and is currently under contract as a Duplex.

The downstairs unit has both a front and back door entrance.

The upstairs unit has an outdoor wooden staircase leading to the second floor. This was installed in 2019 after replacing the metal stairs that were present when they purchased the property in 1980.

The garage was built in 1984 by her ex-husband. The first floor of the garage was always used as that and the second floor has never been

occupied or finished. A picture of the upstairs garage does show some framing and a sink installed.

The driveway is sufficient to hold all of the occupant's cars.

Ms. Steska was asked to describe the neighborhood. She testified that both #12 and #26 Anna Ave have operated as duplexes since her purchase of the property in 1980. 12 Anna Ave is clearly marked as Unit A and B. 26 Anna Ave has two mailboxes.

Questions arose from Board Members about the single egress from the upstairs unit and also whether the owners had obtained permits to build the garage.

Chairman Gee stated that they were both issues for the Construction Official and Not the Zoning Board. The issue is whether or not The Board believes the property to be a Duplex.

Chairman Gee opens the meeting to the General Public.

Mr. Mark Onori of 35 Anna Ave was sworn in by Solicitor Kingsbury. Mr. Onori has lived at this address for 18 years and states that this property has always been a Duplex.

Mr. Onori testified that he has several concerns going forward. He has concerns about the Garage being a Third Living space as advertised. There have been some less than conscientious tenants on the property.

He also has concerns about the overgrown vegetation on the property and animal issues that affect the quality of life in the neighborhood.

Chairman Gee directed Mr. Onori to the Code Enforcement office of the Township.

Mr. John Zahradnick asked Solicitor Kingsbury: "So basically the question is Whether the Board determines that this Property was a Pre-Existing Duplex or not.?"

Solicitor Kingsbury said yes, and that this motion would require majority Vote requirements.

A Motion was made by Ms. Radie, Second by Ms. Santori, All Present Approve.

Chairman Gee did state that this motion has a 45 day right of Appeal.

Ms. Radie would like to advise Mr. Mark Onori to call the Township Code Official with his concerns.

Chairman Gee would like a statement placed into the Resolution that the Living Quarters in the garage are not included in this Pre-Existing Duplex.

VI. Old Business:

Minutes: Motion to Accept made by Chairman Gee, second by Vice Chairman Bimmer, All Present Approve

Reports:

Solicitor-2020-Pb-08: 12 W Woodcrest Ave. Block 129.06 Lot 6; Carl Stride
Motion to Accept was made by Mr. Schmidt, second by Mr. Zahradnick,
Eligible Voter's: Vice Chairman Bimmer, Ms. Radie, Mr. Schmidt, Ms.
Valentino, Ms. Santori, and Chairman Gee All Approve

Engineer's: None

Community Development: None

Motion to Adjourn was made by Chairman Gee, second by Mr. Schmidt,
All Present Approve