

**Borough of Cresskill
Zoning Board of Adjustment
Minutes Sept. 24, 2009**

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#1162 Kui (cont)

225 11th Street

Block 137 Lot 322

Mr. Mueller said that he does not see any problem with that.

Mr. Amicucci said that on the plot plan there are no numbers showing the distance of the back of the deck to the lot line.

Ms. Chang said that she does not have the measurement, but they are not building in that direction, only straight up.

Mr. Amicucci said that that might need another variance.

Ms. Chang said that that part of the yard is considered my side yard.

Mr. Amicucci said that that is not your side yard, it is your back yard.

Ms. Chang said that on the packet (application), she was given, it states that the owner chooses the side and back yards on a corner lot.

Mr. Amicucci said that was not correct. We have debated this and the outcome was where the front door is located, that is the front.

Mr. Kassis said that on the property there is a huge back yard with ample set backs.

Mr. Moldt said that on the application there are no new variances.

Mr. Amicucci asked who drew up these plans?

Ms. Chang said John Guilcroft.

Mr. Amicucci asked about the front door portico.

Ms. Chang said that existing portico will be changed because the entrance will be a 2 story open area..

Mr. Amicucci said the the portico over the front door will be taken off and the roof will go over the front door. The roof will be part of the front yard set back. How large is the roof?

Ms. Chang said that it will be no greater than the existing.

Mr. Amicucci asked if there was a member on the board that could scale it on the drawing.

Mr. Moldt said that it was about 16' by 4' and must be included in the set back because it is larger than 3' by 4'.

Mr. Moldt said that survey is not attributed to a licensed surveyor. We need that information so that we are assured that it is from a credible source. The variances are all based on the survey.

Ms. Chang said that she can get that information.

Mr. Amicucci said that the roof is a little large.

Mr. Moldt said that it should be included in the set back. Front yard set back would be 20.6'.

Ms. Chang asked if there was anyway she could guarantee that the portico would be no bigger than the existing one.

Mr. Moldt said that the board has no knowledge of the size of the existing portico.

Mr. Amicucci said that he had viewed the house, and the existing portico is large.

Ms Batistic said on the 2nd floor (south elevation) the roof is also extended beyond the building line. Is that existing.

Mr. Moldt said it looks existing.

Ms. Chang said that it was existing.

Mr. Amicucci said there is a height limit of 28'.

Mr. Moldt said that the height shows as 28' and 0.5" on the drawing.

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Ms. Chang said that she was not aware of the extra ½". She had asked the architect to keep within the limit.

Mr. Amicucci said that he has a problem with the front entrance and the ½" on the height.

Mr. Merzel said that the applicant could guarantee that the height would not exceed 28'.

Mr. Moldt said that he has a problem with the way the survey is attributed.

Ms. Chang said that her husband was at a 'Back to School Night' and there was no one home to bring the actual survey.

Mr. Moldt said that the survey is not well represented and that's what all the facts and figures are based on.

Mr. Merzel asked if the applicant would be willing to cut the portico to 3' by 4', rather than wait a month for the next Zoning meeting.

Mr. Moldt said that approval should be subject to providing a copy of the survey with the surveyor name and license number.

Mr. Amicucci asked which members of the board had seen the house.

Mr. Amicucci said that the portico is part of the existing 2nd floor deck that sticks out over the front door.

Mr. Merzel said that we could vote on the application if the applicant conforms to a portico of 3' by 4'. If the applicant wants to keep to the existing size then there is a mistake on the application and the variance is really 20.6'.

Mr. Kassis said that we are dealing with an existing structure with existing variances. We cannot ask the applicants to move the house back to conform to some arbitrary number. This house is already built to this size and has certain protruding structures. If the applicant doesn't build beyond what it currently is, as in other cases in the past, we would accept existing variances.

Mr. Moldt said we have no actual numbers.

Mr. Kassis said we have done this before based on existing conditions.

The board discussed the measurements indicated on the drawing.

Mr. Moldt asked are the steps changing.

Ms. Chang said no.

Mr. Moldt asked you are not changing existing conditions? In the terms of how far out the roof projects.

Ms. Chang said yes, (she was not changing the roof projection).

Mr. Merzel asked if the board could vote on a variance without any numbers.

The board discussed the wording of the resolution.

Mr. Mueller suggested that the board ask the applicant to come down to the building department with the survey and to certify those are the existing measurements.

Mr. Kassis said could that be confirmed in the resolution.

Mr. Mueller said that it could be confirmed.

Mr. Moldt said those numbers would have to be verified and written into the resolution.

Mr. Mueller explained to the applicant that she would have to come to Boro Hall with a copy of the survey with the name and license number of the surveyor. As well as a representation by you in writing certifying the existing portico size. We will have a resolution saying that your new

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portico would not exceed the existing portico and we would write that into the resolution. Next month (in 30 days) when we come back to memorialize the resolution, we would double check that everything is in order with those conditions and the resolution would be memorialized.

Mr. Moldt said that he recommends that the architect supplies Ms Chang with the existing measurements.

Mr. Amicucci said tell the architect that the board wants a certified copy of the plot plan (with surveyor name and license number) and the size of the existing portico . That way your new portico will not exceed the size of the existing portico.

Mr. Moldt said that the ½” extra height is still an issue.

Mr. Amicucci said that the plans should be changed to show the height of 28’.

Mr. Moldt said to summarize, you need a revised plan with the dimensions of the portico and the height changed to conform to the ordinance. In addition to a copy of the survey with the name and license number of the surveyor.

Mr. Amicucci said I noticed when I looked at your house that it has 2 chimneys. One is in the center, a fireplace, next to the garage going right through the roof. On your house about 4 feet over there is another chimney going through, which I don’t see on the new addition.

Ms. Chang said that she thought it was part of the old house.

Mr. Amicucci said that it does not show up on the plan and he wonders what happened to it.

Mr. Moldt asked on the first floor plan is it located by the steps next to the den ?

Mr. Amicucci said it looks like it.

Mr. Moldt asked if that will be used for anything.

Ms Chang said no it was not.

Mr. Kassis said it could be for the furnace in the basement.

Mr. Amicucci said that it does not show up as coming through the roof.

Mr. Mueller said that it should be reflected in the plans.

Mr. Moldt said the revised plan should make clear the location of the 2nd chimney, or state that it will be removed.

Ms. Chang was puzzled by the 2nd chimney.

Mr. Amicucci explained in detail the location of the 2nd chimney.

Mr. Merzel said that it was probably coming from the furnace.

Mr. Amicucci asked if there was anyone in the audience for or against this application.

Mr. Moldt made the motion to approve the application subject to the submission of a revised architectural drawing to include the dimensions of the portico over the front, and revision of the height of the house. Also accompanying will be a certified survey listing the name and license of the surveyor. The location of the 2nd chimney is to be included. All variances not to exceed existing.

Mr. Mueller confirmed the motion.

Mr. Kassis seconded.

The application was granted.

Mr. Amicucci said that the certified survey and the plans must be verified before memorialization.

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Mr. Moldt said that it will not pass unless those things are submitted as noted.

Memorialization

#1159 Albanese 39 Pierce Ave **Block 200 Lot 13**
The applicant was granted the following variances in the R-10 Single Family Zone.
He is proposing to construct an addition.

Min. Lot Depth	Reqd 100'	Existing: 44.74'	Variance Reqd 55.26'
Min. Front Yard	Reqd 25'	Proposed: 19.57'	Variance Reqd 5.43'

#1160 Vukasin 30 Westervelt Place **Block 76 Lot 7**
The applicants were granted the following variances in the R-10 Single Family Zone.
They are proposing to construct a sunroom 16' wide with a 12' projection on an existing deck.

Min. Lot Frontage	Reqd 100'	Existing: 70'	Variance Reqd 30'
Min. One Side	Reqd 15'	Proposed: 10.89'	Variance Reqd 4.11'
Total Comb. Sides	Reqd 35'	Proposed: 30.89	Variance Reqd 4.11'

New Business

Mr. Amicucci I would like the board to vote tonight to change the time of the meeting of the Zoning Board of Adjustments from 7:30pm to 8:00pm. This will avoid the problem that we had tonight. Most members feel that 8:00pm is a lot easier for attending the meeting.

There was a discussion among the board members when the new time could come into effect.

Mr. Gangi made the motion to change the start time of the meeting of the Zoning Board of Adjustments from 7:30pm to 8:00pm starting with the December 3rd meeting.

Ms Batistic seconded.

Mr. Amicucci said that he was voting for the resolution because he was never for the 7:30 pm start time. He feels that the later time is better for the board.

Mr. Moldt abstained, because with the 7:30pm start time, he gets home earlier, but he will be happy to go with what the majority decides.

The motion was passed.

Meeting adjourned at 8:53pm.