

**ZONING BOARD OF ADJUSTMENT  
Minutes of the Meeting**

**August 27, 2019**

**Conference Meeting Agenda:**

At 7:06 PM, Chairman Hochberg announced that proper notice had been given and Secretary Fass called the Roll:

Present: James Hochberg, Chairman  
Jared Resnick  
Ed Bier  
Vineeta Khanna  
Laurie Kahn  
Kalpesh Kenia  
Richard Vallario, Board Attorney  
Catherine Maddrey, Planning Assistant

Absent: Tony Nardone, Vice Chair  
Lauren Tabak-Fass  
Pearl Hwang

Minutes: The minutes of July 23, 2019 required one edit: remove Member Bier from being present. The minutes were accepted with these revisions.

**Regular Meeting Agenda**

At 7:15 PM., it was announced that proper notice had been given and the Roll was called: The Regular Meeting continued with the same attendees.

The following Resolutions were memorialized:

Franco Cozzolino – 12 Berkeley Terrace - Application No. 2019-39-V

JingLei Zhang - 85 Fellswood Drive - Application No. 2019-37-V

David Abramowitz - 22 Lexington Drive - Application No. 2019-34-V

Extension of Resolution  
Block 701; Lot 7  
17 Fawn Drive  
Application No. 2017-19-V (Amendment)  
Purnima Patel

Applicant is requesting an extension of previously approved Resolution. Approval was for the construction of a two-story addition to an existing single family residence that violated the following sections:  
170-97C(2) – Front Yard Setback – 60’ required; 56’ proposed; 4’ variance requested.  
170-87CC(2) – Habitable Floor Area – 4870 SF allowed; 5603.7 SF proposed; 733.7 SF variance requested.  
Stephen Schwartz (Architect) appeared and was sworn in to offer testimony. No members of the public appeared in support of or in objection to the application. A motion made by Mr. Resnick and second by Mr. Bier to extend the resolution for one year. The remaining members of the Board present and eligible voted in favor of the motion, subject to a memorializing resolution.

Variance  
Block 2801; Lot 26  
60 Falcon Road  
Application No. 2019-42-V  
Jian Gao & Haiyang Hu

Applicant proposes to construct a new home in violation of the following section:  
170-87CC(3) Habitable Floor Ratio – 21% required; 23.36% proposed; 2.36% variance requested.

Jian Gao (Applicant) and Hayk Ekshian (Architect) appeared and were sworn in to offer testimony. No members of the public appeared in support of or in objection to the application. A condition of approval was made by the Board for the applicant to remove the shed in the backyard. The hardship was reconfirmed (undersized lot) upon motion made by Ms. Khanna and second by Mr. Bier. The remaining members of the Board present and eligible voted in favor of the motion, subject to a memorializing resolution.

Variance  
Block 5202; Lot 12  
252 West Hobart Gap Road  
Application No. 2019-43-V  
Jonathan & Kimberly Lower

Applicant proposes to add a deck in violation of the following sections:  
170-94C4 Rear Yard Setback – 75’ required; 21’ proposed; 54’ variance requested.  
170-87L(1)(a) Corner Lot Setback – 60’ required; 40’ proposed; 20’ variance requested.

Jonathan and Kimberly Lower (Applicants) appeared and were sworn in to offer testimony. No members of the public appeared in support of or in objection to the application. The hardships were reconfirmed (shallow lot and existing location of home) upon motion made by Chairman Hochberg and second by Ms. Kahn. The remaining members of the Board present and eligible voted in favor of the motion, subject to a memorializing resolution.

Variance  
Block 5901; Lot 4  
36 Old Road  
Application No. 2019-36-V  
Sarah Hussain & Muhammad Ahmed

Applicant seeks approval for a fence in violation of the following sections:

170-91B(2)(b) Front Yard Fence – 4', 50% open, with plantings and no chain link fence required; 8' proposed; 4' variance requested.

170-91B(3)(b) Side Yard Fence – 5' required; 8' proposed; 3' variance requested.

170-91B(4)(b) Rear Yard Fence – 6' required; 8' proposed; 2' variance requested.

170-87E(d)[2] Side Yard Setback (Existing Garage & Shed) – 10' required; 5.3' (Garage) and 7.5' (Shed) proposed; 4.7' (Garage) and 2.5' (Shed) variance requested.

Sarah Hussain and Muhammad Ahmed (Applicants) appeared and were sworn in to offer testimony. No members of the public appeared in support of or in objection to the application. The hardships were reconfirmed (existing and nonconforming) upon motion made by Mr. Bier and second by Ms. Kahn. The remaining members of the Board present and eligible voted in favor of the motion, subject to a memorializing resolution.

Adjournment

With no further business, the meeting adjourned at 7:51 PM.

Sincerely,



Catherine Maddrey, Planning Assistant