

**A RESOLUTION OF THE
MEDFORD TOWNSHIP
ZONING BOARD OF ADJUSTMENT
RESOLUTION #2021- 37**

**INTENDED TO SATISFY THE STATUTORY REQUIREMENT
FOR PREPARATION OF AN ANNUAL REPORT ON ITS FINDINGS
ON ZONING ORDINANCE PROVISIONS
WHICH WERE THE SUBJECT OF VARIANCE REQUESTS AND
ITS RECOMMENDATIONS FOR ZONING ORDINANCE AMENDMENT OR REVISION**

WHEREAS, The Municipal Land Use Law requires the Board of Adjustment to review the decisions on development applications and prepare and adopt a resolution reporting on its findings with respect to Zoning Ordinance provisions which were the subject of variance requests and to make recommendations for Zoning Ordinance modifications or amendment, if any, and that a copy of the report and resolution be provided to the Township Council and to the Planning Board (N.J.S.A. 40:55D-70.1); and

WHEREAS, the Board has compiled a list of applications heard and considered during 2020 with respect to various development applications (a copy of which is attached as Appendix A); and

WHEREAS, the Board has reviewed actions taken regarding development applications heard during 2020, and is desirous of providing a report as provided by statute;

WHEREAS, the Medford Township Zoning Board of Adjustment has made the following findings of fact consequent to its review of activity with respect to development applications during 2020, that:

Findings of Fact:

1. The Board held hearings each month of the calendar year, except March and April. There were two (2) meetings in the month of January. The Board heard and decided upon thirty-two (32) applications, four (4) of which were administrative. Of the twenty-eight (28) applications, twenty-six (26) were approved and one (1) was denied. One (1) application was bifurcated and approved in part and denied in part.
2. The one (1) denied application requested “(c)2” variances to maintain two (2) accessory buildings one of which was an oversized accessory building (shed), while providing undersized side and rear yard setbacks.
3. The one (1) bifurcated application received a “(c)2” variance to construct an addition to the principal dwelling and was denied a “(c)2” variance to construct an 1800 SF attached garage within the GMS Growth Management Area South District.

4. Of the 26 approved applications seven (7) were not in residential districts; 1.) five (5) applications were for “d” variances in the CC Community Commercial, HM Highway Management, AR Agricultural Retention, and HVC Historic Village Commercial Districts and 2.) one (1) was for a “c(2)” variance to permit a garage height that exceeded the maximum and 3.) one (1) was for a “c(2)” variance to permit a detached 4 bay garage, with a roofed overhang that accommodated more than 3 vehicles. The “d” variances in nonresidential zones include the following:
 - a. A “d(4)” Floor Area Ratio use variance to permit a 750 square-foot storage addition to an existing commercial building in the CC Community Commercial District.
 - b. A “d(2)” expansion of a nonconforming use variance for a parking lot reconfiguration and construction of an additional one-way circulation drive in the HM Highway Management District.
 - c. A “d(1)” use variance to continue to use an existing home as a two-family dwelling in the AR Agricultural Retention District.
 - d. Two (2) “d(1)” use variances to permit a proposed wine production facility exterior covered storage area and to permit the principal building to be expanded to include a banquet hall and covered porch addition.
 - e. A “d(1)” use variance to convert the existing mixed commercial and residential use to a single-family dwelling.
5. Of the twenty-six (26) approved applications, nineteen (19) applications were for residential uses within residential zones and requested “c” bulk variances.
 - a. Of the nineteen (19) approved residential “c” bulk variances, nine (9) applications were related to accessory structures including sheds, pools, detached garages, a gazebo, and hot tub. Of those nine (9), five (5) needed variances to exceed the maximum lot coverage, and one (1) needed a variance for building coverage as well. They were evenly split, with three (3) being in each the GD, RGD-1, and RGD-2 Districts.
 - b. Similarly, two (2) applications were for construction/expansion of decks which needed variances to exceed the maximum building coverage, one (1) in the GMN, one (1) in the RGD-1 District.
 - c. Three (3) applications were for building additions all in the GD District, two (2) needed variances to exceed the maximum building and lot coverage.
 - d. Three (3) applications were for fences, where multiple variances were sought for relief from height, location, opacity, and material requirements. Two (2) of the three (3) were in the GMN District.

- e. Two (2) applications were related to new construction, one (1) in the GD needing a variance for a pending construction of a one-story dwelling for both side yards, and one (1) in the RGD-2 needing a variance to construct a single-family home requiring a design waiver for a proposed driveway and a rear yard setback variance.
- f. Four (4) variances to permit an increase lot coverage within the RGD-1 and RGD-2 Regional Growth Districts 1 and 2 for dwelling additions, deck expansion, and in ground pool, including one (1) application seeking bulk variance to construct extension of existing 10' x 12' deck to 18' x 12' within the RGD-1 District, one (1) application seeking bulk variance to increase lot coverage to 35.2% for an in-ground swimming pool within the RGD-1 District, and two (2) applications in the RGD-2 District seeking bulk variance to increase lot coverage for sheds in yard. 2.) four (4) variances within the GD Growth District sought lot coverage increases for additions, a shed, and a pool, and 3.) one (1) variance to maintain two (2) fences on a corner lot does not meet the 50% Opacity requirement and exceeds the height limit within the GD District, two (2) variances for fences regarding material and yard setback within the GMN District.

BE IT RESOLVED, that eight (8) residential applications were in the GD Zone, which continues the trend from previous years. The Board recommends investigation of the land development patterns in the GD Zone to determine if ordinance amendments are appropriate, particularly with respect to building and lot coverage.

BE IT FURTHER RESOLVED, that eight (8) residential applications were in the RGD Districts, which also continues a trend from previous years for lot coverage variances, however, no immediate trend warrants further review.

BE IT FURTHER RESOLVED, that a copy of this annual resolution be provided to the Secretary for the Medford Township Planning Board for dissemination to members of the Planning Board, as well as to the Township Clerk for dissemination to the Township Council of the Township of Medford, and respective legal counsel.

ROLL CALL VOTE

Those In Favor:

Those Opposed:

Attest:

**MEDFORD TOWNSHIP ZONING
BOARD OF ADJUSTMENT**

Beth Portocalis

By:

Donna Symons, Chair

Dated: _____

Date of Approval: xxxxxxxxxxxx 2021

Date of Memorialization: xxxxxxxxxxxx, 2021

APPENDIX A ATTACHED

2020 Medford Township Zoning Board Annual Report

Appendix A

Res No.	Applicant	Block	Lot	Address	App#	Zone	Principal Setback			Building Coverage	Lot Coverage	Accessory Structures				Other Bulk Variances/notes	Use Variances	Approved
							Front	Side	Rear			Side	Rear	Size (SF)	#			
11	David Hernandez & Kelly Monoky	5507.01	11.07	511 Fairview Road	ZVE-1052	RGD-2					42.75/30%					Approval for exisiting shed in rear-yard		Y
12	Dynamic Flooring	4802	14.02	751 Stokes Road	ZVE-1056	CC										bulk var to construct 750 SF storage addition	d(5) increase in Floor Area Ratio	Y
13	John & Julie Holsinger	2905	6	46 Oakwood Drive	ZVE-1057	GD		5.7/30' 14.3/30'	37.8/50'							325 SF addition		Y
14	Meredith Gilsleider	807	2	22 Sandtown Road	ZVE-1059	AR										Bulk Var. for garage height 26/20'		Y
15	Angela Conti & Jason Green	5301.05	15	52 Sunrise Court	ZVE-1049	RGD-1				15.4/10%	35.2/20%					Bulk Var. for in-ground swimming pool		Y
16	David & Donna Hill	3103	23	47 N. Lakeside Drive	ZVE-1060	GD	30/50'	14.'9'/30'	44/50'	17.9/12%	34/30%					Second story addition and 81 SF covered porch		Y
17	Joseph Orlando	901	4	108 Route 70	SPR-5636AF	HM										Front yard buff. 5/50'	d(2) Expansion of nonconforming use var. to permit a parking-lot area reconfiguration, construction of an additonal one-way circulation driveway, to service an exisiting construction company office and auto-repair facility	Y
18	Lisa Mikulak	4903	149	188 S. Lakeside Drive E	ZVE-1050	GD					38.46/30%	6/15'				Bulk Var. for 8' x 16' Shed, Design waiver to permit 630 SF secondary horseshoe driveway.		Y
19	Lisa Mikulak	4903	149	188 S. Lakeside Drive E	ZVE-1050	GD										Dismissing with prejudice the application for reconsideration		N
20	Camp EFS, LLC	303	2.03	26 Fostertown Rd.	ZVE-1061	AR											d(1) Use Var. to continue to utilize the exisiting home as a two-family dwelling	Y
21	Steven & Bonnie Griffith	2909	9	23 Holly Drive	ESL-218	GD		17.5/30'		12.66/12%						both side yards		
22	James Blair Murdock	4706	4	650 Tabernacle Rd.	ZVE-1058	RGD-1										1,080 SF detached garage w/in front yard		Y
23	Anthony Cattani	3202.12	45	3 Hill Court	ZVE-1062	GD					40/30%	10/15'	10/15'			In-ground swimming pool		Y
24	James Eigenbrot	906.01	10	98 Old Marlton Pike	AVE-1053	GMS		40.62/50'								To construct 40' x 45', 1800 SF garage (denied) & 1,388 SF addition to principal dwelling (approved)		N/Y
25	Thornberry Holdings	804	2.02	50-52 Eayrestown Rd.	SPR-5749	AR						44.4/50'				Bulk Var. for expasion of banquet hall, 2 free standing signs max 12 SF in area, max height of 4.5' above surrounding grade/6' required	d(1) Use Var. to permit the proposed wine production facility exterior covered storage area, expand principle building to include a banquet hall and covered porch, wine production barn to be 2-stories above surrounding grade	Y
26	Chris & Wendy Fenske	250.02	5	6 Georgia Trail	ZVE-1064	GD										Bulk Var. to permit two accessory structures where on is permitted. Gazebo & a socking/hot tub on a deck.		Y
27	D. Terry Galvin, Jr.	5105	24	2 Great Bridge Court	ZVE-1063	RGD-1				14.63/10%	20.4/20%					Bulk Var. to construct extension of exisiting 10' x 12' deck to 18' x 12', repair & replace deck with modern materials		Y

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28	Nicholas Giordana & Taurus Builders	250.02	8	12 Georgia Trail	ZVE-1065	RGD-2									43/50'		SFD requiring a design waiver for proposed driveway 5/10' from property and rear yard setback		Y
29	Brian & Carli Hollins	5507.01	3.07	318 Jackson Road	ZVE-1066	RGD-2											Bulk Var. for a detached 12' x 16' x13' pool house & a detached 30' x 40' x 22' pole barn garage		Y
30	Bradford Bisinger	304	4.02	79 Eayrestown Road	ZVE-1068	AR											deatched 4 bay garage; 48' x 36' (1,728 SF) with a 48' x 6' deep roofed overhand in rear yard. Var for more than 3 vehicules, depth 42/24', width 48/36'		Y
31	Jerry & Melissa Micciche	1201	19	56 Main Street	ZVE-1069	HVC												d(1) Use Var. to convert the existing mixed commercial residential use to SFD.	Y
32	Adam R. Spisak	805.01	24	1 Lippincott Court	ZVE-1071	GMN											Bulk Var. to erect a 6' fence w/in FY 11' from front lot line		Y
33	Brandon Horn	6201	1	100 Hinchman Road	ZVE-1009	RGD-2											One year extension for approvals granted in Resolution #2018-14		Y
34	James Moffa	6201	4	94 Hinchman Road	ZVE-1076	RGD-2					21.75/15%						Bulk Var. for oversized shed; 12' x 20' (240 SF) 168 SF max permitted.		Y
35	Medford Zoning Board	NA	NA	NA	NA	NA											date change from November 12th, 2020 to November 18th, 2020.		Y
36	Medford Auto Care	904	3.01	188 Route 70	ZVE-1067	HC-1											Request to withdraw without prejudice		NA
37	James Zeck	404.21	6	13 Andover Drive	ZVE-1074	GMN					22.3/20%						replace rear deck with new larger & partially covered deck		Y
39	David Kotler	4908	195	2 Birchwood Drive	ZVE-1073	GD											Approval to maintain 2 fences on corner lot; 4' solid fence within the front year- does not meet 50% Opacity. 6' fence in front yard which is not permitted.		Y
41	Dana & Jill Gounaris	6407	1.08	2 Dover Lane	RGD-1												Bulk Var. for a new 12' x 24' shed 288/168 SF		Y
43	Patrick Griffin	5301.14	5	6 Lilac Lane	RGD-1										17/50'	23/50'	Bulk Var. for existing 12' x 38' 456/168' accessory building (shed), in rear yard		N
44	Robert Chambers	805.02	8	2 Hollingshead Court	GMN												Bulk Var. for exisiting 5' black metal picket fence in front yard of corner lot. 4' max is permitted. Only wood or simulated wood fence is permitted.		Y
45	Carlene Kurtz	3107	31	8 S. Lakeside Drive W.	GD		37/50'	6/30'	35.6/50'	22/12%	31.1/30%						Bulk Var. for proposed addition to single fam. Home.		Y

Numbers are expressed as "proposed/required"

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