



**Lebanon Township Board of Adjustment**  
**April 25, 2007**  
**Page 2**

**NEW BUSINESS:**

Maria & Stefan Sydor  
361 Vernoy Road  
Califon, N.J. 07830

Block #41 Lot #2.05  
Vernoy Road I5

**PUBLIC HEARING**  
**(Ltr from Atty Gallina)**

Bulk Variances – Front yard (Porch) Height (Garage)

Chairman Terzuolo had the applicants sworn in. Attorney Gallina announced that all the notices are in order and the board can proceed with the public hearing. The following items were marked into evidence: **A1-Zoning Denial**, **A2-Taxes Paid**, **A3-Certified List of Property Owners-Leb. Twp.**, **A4-Certified List of Property Owners-Tewksbury Twp**, **A5-Certified List of Property Owners-Washington Twp.**, **A6-Notice to Property Owners**, **A7-POD Slips**, **A8-Notice in Newspaper**, **A9-Affidavit of Proof of Service**. Ms. Sydor made a presentation to the board.

During the presentation the following items were marked into evidence: **A10-Photos** (11 pages with a total of 19 pictures), **A11-Drawing of proposed Garage/Barn 24'x36'**, **A12-Architectural drawing of proposed porch**, **A13-Photograph showing location of Garage/Barn**, **A14-Property survey prepared by Allen Nichols Land Surveyor dated March 12, 2007**.

Ms. Sydor stated the property is a 6.0612+ acre flag lot in the Industrial Zone (**I5**). The applicant is asking for 5' for the porch even though they may only need 1'5". The reason for the increase in the size of the porch is for storing wood for their 3 fireplaces during the winter. The proposed Garage/Barn is 24' x 36' with a height of 24'. Ms. Sydor stated she was unclear as to why they do not need a variance for the front & side yard setbacks for the garage. The applicant originally applied for setback variances for the accessory structure using the setback requirements for a flag lot which is 100'. Attorney Gallina explained the requirements on a flag lot for a principal structure is 100' but for an accessory structure for residential under the R5 requirements it is as follows: setback requirements are 50' front & rear and no less than 20' one side with a total of 50' using both sides. Ms. Sydor noted the ordinance in the I5 zone states 20' height for accessory structures and she has now been informed that it is 15' in height for accessory structure. Attorney Gallina stated that was correct. The variance now is for an additional 9 feet instead of 4'. Ms. Sydor stated that they would like to put a cupola on the building which would be an additional 4' for the height.

Ms. Sydor noted that she received a letter from Hunterdon County Soil Conservation informing her that since she would be under the 5,000 square foot requirement, certification would not be required. At the conclusion of the testimony, Chairman Terzuolo asked if the board had questions of the applicant. The board informed the applicant to be aware of the limits of land disturbance regarding the garage project. At the conclusion of the board's questions, Chairman Terzuolo opened the hearing to the public for questions. There were none. The Chairman then opened the hearing to the public for comments and statements. There were none. Chairman Terzuolo asked Ms. Sydor to give her summation at this time.

Chairman Terzuolo announced that the evidence taking portion of the hearing is now closed. The board deliberated at this time. Chairman Terzuolo reviewed for the board the letter from Attorney Gallina. The board commented that the presentation made by Ms. Sydor was very good. The variances requested are reasonable. The property is secluded and the porch and the garage/barn will not be a detriment to the neighboring properties. The board feels that the deviations from the zoning ordinance would substantially outweigh any detriments to the public good. Motion by Mr. Kozlowski and seconded by Mr. Maurizio to grant the bulk variance for relief for the proposed front porch and the height of the garage/barn with the following conditions:

**Lebanon Township Board of Adjustment**

**April 25, 2007**

**Page 3**

- a. The applicant shall obtain all necessary approvals from outside agencies having jurisdiction.
- b. The proposed porch shall not encroach further than 5' from the required setback of 100'.
- c. The maximum height of the proposed garage/barn will be 24' to the roof line and the additional 4' for the cupola with a total of 28' maximum.
- d. All permits shall be obtained within 18 months of the date of the Resolution.

**ROLL CALL** **Yes:** Mr. Machauer      Mr. Perry                      **Absent:** Mr. Nagie      **No:** None  
   Mr. Kozlowski      Mr. Abuchowski                      Mr. Eberle  
   Mr. Terzuolo      Mr. Maurizio                              Mr. MacQueen

**Attorney Gallina will prepare the Resolution to be placed on the Agenda of May 23, 2007.**

Being no further business to come before the board, nor comments from the public, motion by Mr. Perry and seconded by Mr. Kozlowski to adjourn the meeting at 8:55 p.m. Unanimously approved.

---

**CHAIRMAN BRUCE TERZUOLO**

---

**GAIL W. GLASHOFF, BOARD SECRETARY**