

**Borough of Ho-Ho-Kus  
Bergen County, New Jersey  
Zoning Board Minutes  
January 5, 2017  
Regular Meeting  
(Immediately followed the Reorganization Meeting  
which began at 8:00PM)**

**Meeting Called to Order at 8:05PM by Chairman Barto**

**Open Public Meetings Statement: Read into the record by the Board Secretary.**

**Roll Call:** Messrs. Tarantino, Cox (absent), Forst, Ms. Metzger, Messrs. Deegan, Pappas, Rodger, Ms. Loew, Chairman Barto

**Also in attendance:** David Rutherford Esq., Board Attorney; JoAnn Carroll, Board Secretary

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**Approval of Minutes:**

August 4, 2016

**Carried to the February 2, 2017 Board meeting.**

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**Alix & Daniel Burns, 108 Ardmore Road, Block 205, Lot 1:** applicants seek variances to construct a portico to the front of a single family home; non-compliance with Section 85-10 G (1) building coverage; Section 85-10 J projection shall not extend into required front yard setback area more than 8 ft.; Section 85-10 J: roofed entry shall not exceed 35 sq. ft. in area; deemed administratively complete 11/3/16.

**Mr. Daniel Burns and Ms. Alix Burns:** sworn in by Mr. Rutherford.

**Mr. Burns:** stated their house is currently under construction; they would like to add a front portico to the walkway; house is located on a corner lot; want to cover the front entranceway from the elements; believes they are over on their lot coverage.

**Mr. Rutherford:** stated, for the Board's understanding, the homeowner is in the process of constructing a two story addition to the rear of the home; the variance is not needed for the coverage for the two story addition; the addition brings the applicant to 20%; the patio in the rear is proposed to be covered which includes it in the lot coverage calculation; the front porch exceeds the 35 sq. ft. that is permitted and it is encroaching more than the 8 ft. that is permitted into the setback; the lot coverage variance is a proposal for 23.56% where 20% is permitted which is attributable to the covered patio and the covered front porch; the applicant is also before the Board for a front yard setback variance not for the house itself, but because the setback to the edge of

the patio is 20.6 ft. where 22 ft. is allowed and the portico has an area of 84 sq. ft. where 35 sq. ft. is allowed.

**Chairman Barto:** stated the plan shows the current front porch is less than half the size of what you are proposing; asked why the applicant felt the need to increase the size of the front porch.

**Mrs. Burns:** stated the portico is wider because they are located on a corner; the architect designed it wider and that is why it is encroaching in the setback.

**Chairman Barto:** asked why the applicant was increasing the size of the porch; if the porch was left at its current size the portico could be erected and a variance would not be needed because they would be within the permitted 35 sq. ft.

**Ms. Burns:** stated they wanted to widen it a little bit and give it some significance with the columns.

**Ms. Loew:** asked if the width of the house was increased with the addition.

**Ms. Burns:** stated it was increase.

**Ms. Loew:** asked if the house was visually wider and taller.

**Mr. Burns:** stated yes; the house is definitely wider; it is a Cheel Croft house; the garage was in the back and they were unable to access it; the garage was moved to the other side of the house; the house was widened; this may have something to do with the architect widening the portico.

**Ms. Loew:** stated aesthetically it would probably look better, though it doesn't need to come out so much toward the front.

**Ms. Burns:** agreed.

**Mr. Rutherford:** stated the variance is for Ardmore; the plan shows the porch at 20.6 ft. to the edge of the porch and 19.6 ft. from the edge of the first step; there is one step down to grade; 22 ft. is allowed; if the applicant was at 22 ft. they would not need a variance for the front yard setback on Ardmore; there is also the issue of the difference between 35 sq. ft. and 84 sq. ft.; the additional lot coverage that is attributable to the covered patio; if the patio was not covered it would not require a variance because it would be included in the improved lot coverage calculation and the applicant is under on that.

**Chairman Barto:** stated he believed the point that was being made was that it was not inconceivable that the applicant can have what they want if they cut back on some of what is being asked for.

**Ms. Burns:** stated they can scale the portico back.

**Ms. Metzger:** stated the applicant was more than doubling the permitted size of the portico.

**Mr. Rutherford:** stated, for the record, the Board reviewed an exterior elevation plan prepared by DeGraw & DeHaan and dated May 11, 2016, drawing No. A201; the drawing is revised through August 31, 2016; 4<sup>th</sup> revision.

**Ms. Loew:** stated, aesthetically, if the portico was made too small it would not look right with the size of the rest of the house; the width of it should be fine but it shouldn't be made quite as deep.

**Mr. Burns:** stated they are trying to make the house look to scale as much as possible and also aesthetically pleasing; not looking to add a behemoth portico; the design decisions are aesthetic decisions based on the scale of the house.

**Chairman Barto:** stated the house is much bigger than before the construction began; asked what the applicant would suggest cutting back.

**Mr. Burns:** stated he did not have an answer.

**Mr. Tarantino:** stated he believed Ms. Loew said it best; the appearance and the proportionality of the portico porch and the way the plans are is to scale; if it is brought a little back toward the house it would come closer to the permitted square footage but still maintain the proportional appearance.

**Ms. Metzger:** asked how wide the front porch was.

**Ms. Burns:** stated the architect and the contractor said it is possible to scale it back but to go for the variance for what they aesthetically wanted; they will work with their professionals to see what can be done.

**Mr. Rutherford:** stated the setback to the house was 27.6 ft. and the setback to the proposed porch is 20.6 ft.; the difference is 7 ft.; the applicant is 1.4 ft. too far in; if the porch was brought back 1.4 ft. then you would not need the front yard setback variance anymore; the area of the portico would still need a variance because the applicant was not proposing to scale it back to the permitted 35 sq. ft.; the condition would be that Mr. Weissman would revise the plan to revise the area of the proposed porch as well as its setback.

**Chairman Barto:** asked if a coverage variance was still needed because it is just as wide.

**Mr. Rutherford:** stated yes, the coverage variance is primarily attributable to the covered patio in the rear which was not covered originally and therefore not included in the lot coverage calculation; once it was covered it was included.

**Chairman Barto:** stated the front yard setback will no longer be an issue.

**Mr. Rutherford:** stated that was correct.

**Chairman Barto:** asked what the patio is being covered with.

**Ms. Burns:** stated it is just a solid roof.

**Ms. Loew:** asked if any drawings of the covered patio were submitted.

**Ms. Burns:** stated no; just what Mr. Weissman had provided for the application.

**Chairman Barto:** asked for more information regarding the covered patio.

**Ms. Burns:** stated the area will not be enclosed; it is basically a roof that would come over the patio; the patio is made of stone and the roof is attached to the house.

**Chairman Barto:** stated he would like the applicant to submit information regarding the covered patio which would include elevations; the information would need to be submitted to the Board office at least ten days before the next meeting date of February 2, 2017; the front porch has been sorted out and the back patio will be discussed at next month's meeting.

**Mr. Rutherford:** stated there were no members of the public present; for the record, this matter would be carried to the February 2, 2017 meeting at 8:00PM in the Council Chambers of Borough Hall; no re-notice is required; the rear elevation showing the covered patio and the scaled back portico drawing needs to be filed at least ten days before the next hearing date.

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**Motion to adjourn:** Metzger, Rodger  
**All in Favor**

**Meeting adjourned at 8:25PM.**

Respectfully submitted by:

JoAnn Carroll  
Zoning Board Secretary  
January 12, 2017