

**Borough of Ho-Ho-Kus
Bergen County, New Jersey
Zoning Board Minutes
April 6, 2017
Regular Meeting**

Meeting Called to Order at 8:00PM by Chairman Barto

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

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

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

Mr. & Mrs. Darrell & Diane Whiteley, 620 Sherwood Road, Block 1012, Lot 8: applicants seek variances for two additions to their existing residence; non-compliance with Section 85-10 K second story setback and Section 85-10 G (3) improved lot coverage.

Mr. Rutherford: stated this is just a Completeness Review; no testimony will be taken or witnesses heard or any exhibits received this evening; the matter will not be discussed on its merits in any way; the sole purpose of the applicant's appearance this evening is for the Board to determine if the application is complete, and if so, to schedule a public hearing which would be held on May 4, 2017.

Chairman Barto: confirmed that two variances were being sought; one for improved lot coverage and the other for a combined 2nd story setback.

Mr. Roger Schlicht, applicant's architect: stated he had spoken with Mr. Berninger, the Borough's Zoning Official, earlier in the day to discuss the 40% lot width; Mr. Schlicht referred to the definition in the ordinance when determining the lot width; the definition states to take the average of the width of the lot in 10 ft. increments; Mr. Berninger takes it at the addition; Mr. Berninger came up with a greater variance than Mr. Schlicht; Mr. Berninger asked for Mr. Schlicht to inform the Board of this discrepancy at this evening's meeting.

Chairman Barto: asked if Mr. Schlicht wanted an interpretation.

Mr. Schlicht: stated he would like the interpretation added to the application.

Mr. Rutherford: asked, on behalf of the Board, for Mr. Berninger to weigh in on this issue; would like Mr. Berninger to submit a letter to the Board; the applicant has a right to challenge the Zoning Officer's interpretation; a sentence can be added to the notice stating the applicant appeals the decision of the Zoning Officer in determining the lot width; this may or may not be an issue.

Mr. Tarantino: asked why Mr. Schlicht used the 10 ft. increments to determine the lot width.

Mr. Schlicht: stated it is a listed definition under the Borough's ordinance.

Chairman Barto: asked the Board Secretary to have the Zoning Official submit his interpretation to the Board.

Application deemed complete.

Resolution:

Approved: Alix & Daniel Burns, 108 Ardmore Road, Block 205, Lot 1: applicants seek a variance to construct a covered patio in the rear of the home; non-compliance with Section 85-10 G (1) building coverage; deemed administratively complete 11/3/16

Mr. Rutherford: reviewed the application and the resolution.

Motion to approve the resolution: Rodger, Loew

Ayes: Deegan, Rodger, Loew, Chairman Barto

Approval of Minutes: Chairman Barto, Rodger

March 2, 2017

Ayes: Deegan, Rodger, Loew, Chairman Barto

Motion to adjourn: Rodger, Deegan

All in Favor

Meeting adjourned at 8:15PM.

Respectfully submitted by:

JoAnn Carroll
Zoning Board Secretary
April 11, 2017