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**ZONING BOARD OF ADJUSTMENT**  
Thursday, December 5, 2019  
**APPROVED MINUTES**

**OPENING:** The meeting was called to order by Chairman Jonathan Rardin at 7:30 PM.

**PLEDGE OF ALLEGIANCE:** Led by Chairman Jonathan Rardin.

**OPMA STATEMENT:** Read by Chairman Jonathan Rardin in compliance with the Sunshine Law.

**ROLL CALL**

- **Members in attendance:** Jonathan Rardin; Daniel DiRenzo, Jr.; Wyatt Sklar; Jeff Potter; Ann Madden Tufano; Nacovin Norman; and Greg Bruno.
- **Professionals in attendance:** Jacob Richman, PP, AICP, Planner; ; Jeremy Noll, PE, Zoning Board Engineer; and Allen Zeller, Esq., Zoning Board Solicitor.

**ADMINISTRATIVE ITEMS**

*Adoption Meeting Minutes from November 21 2019.* Mr. Sklar made a motion, which was seconded by Ms. Tufano, to adopt the Meeting Minutes from November 21, 2019. Affirmative votes by Rardin, DiRenzo, Sklar, Tufano, Potter, and Bruno. Minutes are approved.

**AGENDA ITEMS:**

**19-Z-0024**

Block(s) 528.01 Lot(s) 6  
Zone: Limited Office (O1)

**Erkan Kilinc**

1804 Haddonfield-Berlin Road  
Cherry Hill, NJ 08003

*Relief Requested: Site plan waiver with a use (d)1 variance and bulk (C) variances to convert a portion of an existing office building into a single-family dwelling, where single-family residential is not permitted..*

**Applicant's Representatives:** Erkan Kilinc – Applicant/Contract Purchaser; and Levent Ulusal – Applicant's Project Manager.

**Exhibits Submitted:** None.

Mr. Kilinc introduced himself to the Board and was accompanied by Mr. Ulusal. Mr. Ulusal indicated that he would be translating for Mr. Kilinc.

Mr. Ulusal stated that the applicant was directed to the property by his realtor but ultimately found out that the subject property does not permit mixed use due to its Limited Office (O1) zoning district. Mr. Ulusal stated that the property is currently a vacant office use but that the applicant wants to convert a portion of the existing building into a single-family residence. Mr. Ulusal noted that the property was most previously utilized as a chiropractic office. Mr. Ulusal stated that the applicant intends for the residence to be owner occupied but that he would like to rent out the existing office space to a medical use. While a tenant has not yet been identified, Mr. Kilinc stated that he would like to utilize the office space as administrative office only for his frozen yogurt business.

Mr. Ulusal noted that the site does not have striping in the parking areas; however, they are presently proposing, through striping, ten (10) dedicated angles parking spaces for the office use plus the two (2) existing spaces located in the attached

garage which are for the residential component. After discussion with the Board regarding a medical office needing twelve (12) parking spaces in order to not need a parking variance, Mr. Ulusal stated that the applicant can accommodate two (2) additional angled parking spaces in the interior island in order to comply with the parking requirements. Provided the applicant can keep the net impervious coverage increase below 500 SF, no grading plan is required.

Mr. Ulusal detailed some of the proposed site improvements which include new striping, parking bumpers, traffic control signs, and pavement repairs. Mr. Bruno asked the applicant if they would be willing to convert the striped off area located at the front of the parking area (proposed as a conforming ROW parking setback) into grass in order to prevent illegal parking in that area. Mr. Ulusal stated that Mr. Kilinc agrees to that condition and, in consultation with Mr. Noll, will remove the pavement and put in soil and grass seed.

Mr. Ulusal stated that the applicant is requesting a non-residential parking setback of 3' where 5' is required; however, this is a technical variance as the concrete along the property already exists. It is only being repaired and then striped for new parking spaces. Mr. Ulusal stated that he believes this condition is safer due to the addition of delineated spaces and parking bumpers. Mr. Ulusal stated that the area is mixed-use and as there a number of property nearby that are homes, businesses, or both. Mr. Ulusal stated that the property will maintain its character as now new exterior improvements are proposed; however, the interior will undergo cosmetic updated. Mr. Ulusal added that the property is particularly suited as a mixed use due to its present configuration and past use as a mixed use property.

Following discussion with the Board regarding the designation of parking space, Mr. Ulusal stated that the applicant agrees to provide "Office Only" parking signs in order to more clearly designate the parking for the office use. Mr. Ulusal also stated that the applicant agrees to include in their lease agreement that not tenants (if the residence is ever leased) can park in the office designated parking space during business hours. Mr. Richman brought up the fact that the two (2) newly proposed parking spaces triggered a design waiver from Section 511.Q.2 of the Zoning Ordinance where parking areas must have at least three (3) contiguous parking spaces; however, Mr. Noll stated that he supports the requested design waiver as it helps the applicant avoid a parking variance. A discussion then ensued regarding visitor parking and ensuring that the parking needs of the residential use does not impact the office use. After discussion regarding the necessary/needed repairs to the parking area, the applicant, in consultant with Mr. Noll, agreed to revise the note on the plan concerning the 2" mill and overlay to only make such repairs at the discretion of the Township Department of Engineering and Board Engineer based upon a future site evaluation. Furthermore, the applicant stated that the "masonry barn" located at the rear of the property will only be used for storage purposes and that there will be no human and/or animal habitation. Lastly, the applicant stated they will obtain all necessary permits as it relates to the occupancy of the residential side and the commercial side of the building as well as any potential future identification signage.

**Public Comment:** Ms. Sally Tong of 101 Walt Whitman Boulevard stated that she lives across the street from the subject site and has a mixed use property herself. Ms. Tong stated that she believes the applicant's proposed use for the subject site is appropriate.

**Motion:** Following a review of the application and conditions of approval by Solicitor Zeller, a motion was made by Mr. DiRenzo and seconded by Ms. Tufano, with affirmative votes for approval by Rardin, DiRenzo, Sklar, Potter, Tufano, Norman, and Bruno for the approval of the Site Plan Waiver with a Use d(1) Variance Bulk (C) Variances. Motion carries 7-0.

**RESOLUTIONS:**

**19-Z-0039**

Block(s) 524.14 Lot(s) 5

Zone: Residential (R1)

**David M. Gibson**

10 Southwood Drive

Cherry Hill, NJ 08003

*Relief Requested: Bulk (C) Variances to permit an "as-built" second garage (detached) on top of an existing concrete slab in the rear yard, where only one (1) garage is permitted per lot and where there already exists an attached garage at the subject residence.*

**Motion to Ratify:** Following the review of the resolution, Mr. Sklar made a motion which was seconded by Mr. Bruno, to memorialize the resolution for David M. Gibson. Affirmative votes by Rardin, DiRenzo, Sklar, Tufano, Potter, and Bruno. The resolution is memorialized.

**Meeting Adjourned:** at 8:19 PM.

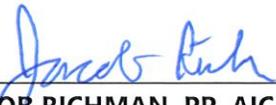
**ADOPTED:** 12/19/19



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**JONATHAN RARDIN, CHAIRMAN**

**ATTEST:**



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**JACOB RICHMAN, PP, AICP**  
**ALT. ZONING BOARD SECRETARY**

