

Seaside Heights Planning Board
Minutes from Meeting
Monday May 25, 2016 6:00pm
Court Room over Fire House

Members Present: Steve Sansone, John Martinez, Chris Vaz, Peter Jarkezian, Michael Carbone, Frank C. Gorman

Absent: Kimberly Parker, Frank Gorman, Bill Brasier, Keith Marino

Meeting was called to order at 6:35

Formal Meeting

Bl. 48 Lot 36- 211 Sampson Ave.- John Anthony Cabeza- Low-Density Residential Zone
Height for front building: 27' allowed: after getting new contractor, the house was set down and is now 31' to peak of roof. Applicant is asking for a height variance.

Joseph Coronato, Jr appearing on behalf of Anthony Cabeza to request a height variance because the current house on this property is approximately 4 feet over the allowed height. Mr. Cabeza's engineer was not available for the meeting and Mr. Coronato spoke with Ken Roberts, Zoning Officer, who told him to go ahead and present the case to expedite the matter.

Questions from the Board:

-John Martinez wanted to hear from the engineer. Coronato stated that the house is already constructed and that to change anything now would cause the applicant financial hardship. Also, Coronato stated that FEMA is recommending families to build above the FEMA regulations since the hurricane.

Martinez's concern is that if this is approved, without a solid foundation of hardship, it could set a precedent for other homeowners and potential construction in town.

Rob Grietz asked for a factual basis from Cabeza. He wanted to know, from the homeowner, how did he get from an approval of his plans to a Stop Order. There is a gap that needs to be filled to help with positive and negative criteria for the board to approve a variance.

-Mrs. Lucrezia Cabeza was sworn. She testified that:

-Yes they hired someone to lift their home, yes they had plans, yes they were approved by the town. She stated that after the storm there were many contractors claiming to be proficient in restoring/lifting homes. The contractor that they hired is out of business. The Cabezas trusted this contractor and believed that he was going to raise/build the house to a certain height, but it was higher. This creates exceptional and extraordinary circumstances.

-Mr. Anthony Cabeza was sworn.

He was asked who did the work? Mr. Cabeza answered that the contractor did the work. It was after the house was lifted and dropped on the foundation, when they learned that their house was too high.

Grietz questioned Cabeza about his involvement in building the house. Cabeza stated that he only worked on the inside of the house, nothing to do with the foundation. They contracted House Lifted to raise their home. The Cabezas were victims of a bad job by House Lifted. They expected it to be

done properly. Mr. and Mrs. Cabeza both stated if they knew then, what they know now, they would have demolished their house and started from scratch like their neighbor did to the right of them.

Michael Carbone motioned to adopt a resolution to approve the height variance to be memorialized at another Planning Board Meeting.

Peter Jarkezian seconded the motion.

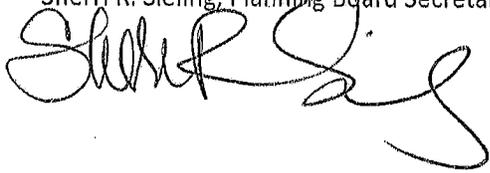
Unanimously voted to approve.

Motion to adjourn the meeting by Steve Sansone, Chair, Seconded by John Martinez

Approximately 7:00pm

Submitted by:

Sherri R. Sieling, Planning Board Secretary

A handwritten signature in black ink, appearing to read "Sherri R. Sieling". The signature is written in a cursive style with a large, sweeping flourish at the end.