

**MINUTES OF THE BOARD OF ADJUSTMENT
SEPTEMBER 20, 2000**

PRESENT: Chair Harrison, Vice Chair Church, Mr. Chapman, Mr. Fleischer, Ms. Freundlich, Mr. Gallardo, Ms. Rock-Bailey; also, Michael Sullivan, Esq., Karen Kadus, Secretary and Donald Sammet, Assistant Secretary.

ABSENT: Mr. Williams

Ms. Kadus called the roll and announced the regular meeting of the Montclair Board of Adjustment. Notice had been given in accordance with the Open Public Meeting Act.

On motion by Mr. Chapman, seconded by Ms. Rock-Bailey, the **Minutes of the August 16, 2000** regular meeting were adopted as modified, Mr. Fleischer abstaining.

On motion by Mr. Chapman, seconded by Vice Chair Church, the following Resolution Memorializing the approval of the variance application of **Jill Smolowe and Joseph Treen, 2 Ferncliff Terrace**, was adopted as modified, Chair Harrison and Mr. Fleischer abstaining:

WHEREAS, Jill Smolowe and Joseph Treen, owners of property at **2 Ferncliff Terrace**, did make application to the Board of Adjustment of the Township of Montclair for a variance pursuant to NJSA40:55D-70c to allow a central air conditioning unit in the front yard of their single family residence designated as Lot 5 in Block 4409 on the Township Tax Map and located in the R-1 One Family Residential Zone pursuant to **Montclair Code Section 347-46C**; and

WHEREAS, the applicants submitted a property survey prepared by Farro Associates, dated June 10, 1994; and

WHEREAS, this matter came on to be heard at a meeting of the Board of Adjustment held on August 16, 2000 at which time it was established that notice was properly published and the property owners within 200 feet of the property in question had been properly served notice; and

WHEREAS, the Board carefully reviewed the testimony presented and established the following findings:

1. The subject property is a corner lot, measures approximately 10,240 square feet in size and contains a 2 ½ story single-family dwelling.
2. The applicants' proposal is to place a central air conditioning unit in the Cleveland Road front yard.

3. The proposed central air conditioning unit will measure 35 inches deep by 39 inches wide at the base with a height of 43 inches.

4. The unique configuration of the single-family dwelling on the property prevent the applicants from placing the central air conditioning unit at another location on the property.

5. A row of trees exists along the Cleveland Road front yard and a number of shrubs exist adjacent to the structure at the Cleveland Road frontage which will screen the unit from view.

WHEREAS, the Board, based upon the foregoing findings, concluded that the applicants proved peculiar and exceptional practical difficulties and exceptional and undue hardship and did prove that the variance could be granted without substantial detriment to the public good and would not substantially impair the intent and purpose of the zone plan and the zoning ordinance pursuant to NJSA40:55D-70C(1); and

WHEREAS, the Board, based on the aforementioned findings, concluded that the applicants did prove that the purpose of the Municipal Land Use Law would be advanced by a deviation from the zoning ordinance requirements, and proved that the benefits of the deviation would substantially outweigh any detriment and proved that the variance could be granted without substantial detriment to the public good and would not substantially impair the intent and purpose of the zone plan and zoning ordinance pursuant to the requirements of NJSA40:55D-70C(2); and

NOW, THEREFORE, BE IT RESOLVED by the Board of Adjustment of the Township of Montclair that the within variance application of Jill Smolowe and Joseph Treen is hereby approved, subject to the following condition:

1. The applicant shall plant a shrub immediately in front of the central air conditioning unit to screen the unit from public view.

NOW, THEREFORE, BE IT FURTHER RESOLVED that a copy of this resolution be transmitted to the applicant, Township Manager, Township Council, Township Clerk, Township Engineer and Construction Code Official.

On motion by Mr. Chapman, seconded by Vice Chair Church, the following Resolution Memorializing the denial of the variance application of **Andrew Dingle, 113 Essex Avenue** was adopted, Mr. Fleischer abstaining:

WHEREAS, Andrew Dingle, owner, did make application to the Board of Adjustment of the Township of Montclair for a variance pursuant to NJSA40:55D-70c to allow for the construction of a six foot high fence in his Frederick Street front yard where only a four and one half foot high fence is permitted pursuant to **Montclair Code**

Section 347-27A(2), on property designated as Lot 1 in Block 3412 on the Township Tax Map and located in the R-1 One-Family Zone; and

WHEREAS, the applicant submitted a survey prepared by Benjamin and Wizorek, Inc., Professional Engineers and Land Surveyors, dated January 2, 1996 and a written statement describing the basis for the request and photographs of the site prepared by the applicant; and

WHEREAS, this matter came on to be heard at a meeting of the Board of Adjustment held on August 16, 2000 at which time it was established that notice was properly published and the property owners within 200 feet of the property in question had been properly served notice; and

WHEREAS, the Board carefully reviewed the testimony presented and established the following findings:

1. The subject property has dimensions of approximately 65 feet by 151 feet and contains a two-and-one half story single-family dwelling.
2. The applicant proposes to construct a six foot high fence in his Frederick Street front yard where only a four and one half foot high fence is permitted.
3. The applicant demonstrated that the usable size of their rear yard would be reduced if a six foot high fence was placed in a conforming location.
4. The applicant demonstrated that Frederick Street is a high pedestrian traffic area and that passers by occasionally harass his pet Akita which is attached to a lead in the rear yard.
5. The applicant has not demonstrated his efforts to use alternative screenings such as hedges and shrubbery alone or in conjunction with a conforming four and one half foot high fence.
6. The location of the proposed fence represents an unreasonable visual intrusion into the Frederick Street front yard and would result in the detriment to the adjacent property owners which is inconsistent with the intent and purpose of the zoning ordinance.
7. The applicant failed to cite the purposes of the Municipal Land Use Law which would be advanced or any public benefit which would result in granting the application.

WHEREAS, the Board, based upon the aforementioned findings, concluded that the applicants had not met the proofs required to support the granting of a variance from **Montclair Code Section 347-27A(2)**; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Adjustment of the Township of Montclair that the within variance application of Andrew Dingle is hereby denied.

NOW, THEREFORE, BE IT FURTHER RESOLVED that a copy of this resolution be transmitted to the applicants, Township Manager, Township Council, Township Clerk, Township Engineer, and Construction Code Official.

On motion by Vice Chair Church, seconded by Ms. Freundlich, the following Resolution Memorializing the approval of the variance application of **Barbara Grieco, 75 Columbus Avenue** was adopted, Mr. Chapman and Mr. Fleischer abstaining:

WHEREAS, Barbara Grieco, owner of property at **75 Columbus Avenue**, did make application to the Board of Adjustment of the Township of Montclair for variances pursuant to NJSA40:55D-70c to allow for a side yard setback less than that required pursuant to **Montclair Code Section 347-104** and for a driveway width less than that required pursuant to **Montclair Code Section 347-102C** for the construction of a driveway on property designated as Lot 25 in Block 4401 on the Township Tax Map and located in the R-1 One-Family Zone; and

WHEREAS, the applicant submitted a property survey prepared by P&L Associates, Licensed Land Surveyors, dated July 13, 2000; and

WHEREAS, this matter came on to be heard at a meeting of the Board of Adjustment held on August 16, 2000 at which time it was established that notice was properly published and the property owners within 200 feet of the property in question had been properly served notice; and

WHEREAS, the Board carefully reviewed the testimony presented and established the following findings:

1. The subject property is an interior lot, measures approximately 5,621 square feet in size and contains a 2 ½ story single-family dwelling.
2. The single-family dwelling was constructed in 1887, and no consideration was given to the creation of a driveway at that time.
3. The applicant's proposal is to create a parking area in the westerly side yard with space for one vehicle.
4. The 35 foot width of the property and configuration of the single-family dwelling on the property prevents the applicant from placing a driveway at another location on the property.
5. The location of a 300 year old oak tree prevents the applicant from extending the driveway into the rear yard.

6. The applicant has attempted to find parking elsewhere in the neighborhood but none is available.

WHEREAS, the Board, based on the foregoing findings, concluded that the applicant proved peculiar and exceptional practical difficulties and exceptional and undue hardship and did prove that the variances could be granted without substantial detriment to the public good and would not substantially impair the intent and purpose of the zone plan and the zoning ordinance pursuant to N.J.S.A. 40:55D-70C(1); and

WHEREAS, the Board, based on the aforementioned findings, concluded that the applicant did prove that the purpose of the Municipal Land Use Law would be advanced by a deviation from the zoning ordinance requirements, and proved that the benefits of the deviation would substantially outweigh any detriment and proved that the variance could be granted without substantial detriment to the public good and would not substantially impair the intent and purpose of the zone plan and zoning ordinance pursuant to the requirements of NJSA 40:55D-70c(2); and

NOW, THEREFORE, BE IT RESOLVED, by the Board of Adjustment of the Township of Montclair, that the within application of Barbara Grieco for variances pursuant to N.J.S.A. 40:55D-70c to construct a driveway in the westerly side yard is hereby approved,

NOW, THEREFORE, BE IT FURTHER RESOLVED, that a copy of this resolution be transmitted to the applicants, Township Manager, Township Council and Township Clerk.

On motion by Mr. Chapman, seconded by Vice Chair Church, the following Resolution Memorializing the approval of the variance application of **Grand Auto Service, 694 Bloomfield Avenue** was adopted, Mr. Fleischer abstaining:

WHEREAS, Grand Auto Service, Inc., as owner, did make application to the Board of Adjustment of the Township of Montclair for a variance pursuant to *N.J.S.A.* 40:55D-70d(3) and site plan approval to establish a motor vehicle rental agency for five rental units on an existing service station located at 694 Bloomfield Avenue on property designated as Lot 4 in Block 1405 on the Township tax map and located in the C-1 Central Business Zone; and

WHEREAS, the applicant submitted a site plan prepared by Francis C. Klein and Associates, Architects, dated April 29, 1997 and bearing a final revision date of July 1, 1997; and

WHEREAS, this matter came on to be heard at a regular meeting of the Board of Adjustment held on July 16, 1997, at which time it was established that notice was properly published and the property owners within 200 feet of the property in questions had been properly served; and

WHEREAS, the Board carefully reviewed the testimony presented and established the following findings:

1. The proposed site is particularly suitable for the proposed use which provides a convenient service to the community.
2. The existing lot area is 9,425 square feet which fails to meet the conditional use requirement of 10,000 square feet contained in Montclair Code Section 224-13A(1). This deviation, however, is minimal and does not result in any negative impact.
3. The area proposed for outdoor parking and storage of rental units does not exceed 10% of the lot not covered by buildings and other structures or include any area restricted to another use in compliance with Montclair Code Section 224-13A(2).
4. The parking area for rental units is not located on the lot in a way which creates dangerous impediments to traffic visibility or result in interference with normal traffic onto, in or from the lot in compliance with Montclair Code Section 224-13A(3).
5. The five rental units shall not be parked in any portion of the eight parking spaces required by the existing use in compliance with Montclair Code Section 224-13A(4).
6. The parking for rental units is located on a hard-surface area marked by clearly visible boundaries and the rental units shall remain parked within such boundaries except when being serviced in compliance with Montclair Code Section 224-13A(5).
7. Based upon the existing character of the neighborhood which includes a number of automotive uses, approval of the application will not have any substantial adverse effect upon the neighborhood in compliance with Montclair Code Section 224-13A(6).

WHEREAS, the Board, based on the foregoing findings, concluded that the applicant proved the requisite special reasons for the granting of this application and proved by a preponderance of the evidence that the proposed relief could be granted without substantial detriment to the public good, and would not substantially impair the intent and purpose of the zone plan and zoning ordinance.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Adjustment of the Township of Montclair, that the within application of Grand Auto Service, Inc. for a variance pursuant to *N.J.S.A. 40:55D-70d(3)* and site plan is hereby approved subject to the following conditions:

1. The five spaces for rental units shall be clearly marked as such.
2. No more than five rental cars shall exist on the site at any time.

3. Parking of automobiles on the sidewalk or outside the property lines is prohibited.
4. Outdoor parking of automobiles shall be permitted only within designated spaces.
5. Outdoor parking of more than thirteen cars is prohibited.
6. This property may not be used for parking by off-site uses.
7. Storage of materials shall be limited to inside the building and storage trailer and all debris on site shall be removed.
8. The proposed landscaped buffer shall consist of evergreens not less than three feet in height at the time of planting and spaced not more than five feet apart.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that a copy of this resolution be transmitted to the applicant, Township Manager, Township Council and Township Clerk.

On motion by Mr. Chapman, seconded by Vice Chair Church, the following Resolution Memorializing the approval of the variance application of **Ellake Jefferson, 46 Lexington Avenue/88 Maple Avenue** was adopted as modified, Mr. Fleischer abstaining:

WHEREAS, Ellake Jefferson, owner of property at **88 Maple Avenue/46 Lexington Avenue**, did make application to the Board of Adjustment of the Township of Montclair for a variance pursuant to NJSA 40:55D-70d and minor subdivision approval on property designated as Lot 26 in Block 3004 on the Township tax map and located in the R-2 Zone; and

WHEREAS, the applicant also sought variances pursuant to NJSA40:55D-70c as follows:

1. Lot 26.01 shall contain side yard setbacks of 4.29 feet and .80 feet in lieu of the minimum requirements of 6 feet and 10 feet pursuant to Montclair Code Section 347-51.
2. Lot 26.01 shall contain a 12.25 foot rear yard setback in lieu of the minimum rear yard setback requirement of 25 feet pursuant to Montclair Code Section 347-51.
3. Lot 26 shall contain a 24.35 foot rear yard setback in lieu of the minimum of 25 feet required pursuant to Montclair Code Section 347-51.

4. Lot 26.01 shall contain no on-site parking contrary to Montclair Code Section 347-101.

WHEREAS, the applicant submitted a minor subdivision map prepared by Richard J. Hingos Inc., Professional Land Surveyors, dated June 1, 2000.; and

WHEREAS, this matter came on to be heard at a meeting of the Board of Adjustment held on August 16, 2000 at which time it was established that notice was properly published and the property owners within 200 feet of the property in question had been properly served notice; and

WHEREAS, the Board carefully reviewed the testimony presented and established the following findings:

1. The application was first heard on February 24, 1993 and approved by the Board of Adjustment.
2. The applicant failed to file a plat in conformity with such approval from the Board of Adjustment and the provisions of the Map Filing Law within 190 days from the resolution of municipal approval dated March 17, 1993.
3. The subject property contains a one story brick commercial building and a 2-1/2 story two-family dwelling. The proposed subdivision will reduce the lot area containing the non-conforming commercial building thus necessitating a use variance pursuant to the holding in Raberry's Inc. v. Kingwood Tp., 250 N.J. Super. 324 (App. Div. 1991)
4. The proposed subdivision line will have no practical effect on the use of the property as the property is already divided by a concrete wall and fence at the same location.
5. Approval of this application is consistent with the purposes of the Municipal Land Use Law in that it provides a benefit to the community by eliminating a financial connection between the two otherwise unrelated uses on the property.
6. Given the location of the existing building's concrete wall and fence, the proposed parking and setback variances are more technical than substantive and will result in no material change in the use of the property.
7. No improvements are contemplated by this application and thus no visible change will be apparent.

WHEREAS, the Board, based upon the foregoing findings, concluded that the applicant proved the requisite special reasons for the granting of this application and proved by a preponderance of the evidence that the proposed relief could be granted without substantial detriment to the public good, and would not substantially impair the

intent and purpose of the zone plan and zoning ordinance pursuant to the requirements of NJSA 40:55D-70d; and

WHEREAS, the Board, based on the foregoing findings, concluded that the applicant proved peculiar and exceptional practical difficulties and exceptional and undue hardship and that the variances could be granted without substantial detriment to the public good and would not substantially impair the intent and purpose of the zone plan and zoning ordinance pursuant to NJSA 40:55D-70c(1);

WHEREAS, the Board, based on the aforementioned findings, concluded that the applicant proved that the purposes of the Municipal Land Use Law would be advanced by a deviation from the zoning ordinance requirements, and that the benefits of the deviation would substantially outweigh any detriment and would not cause substantial detriment to the public good and would not substantially impair the intent and purpose of the zone plan and zoning ordinance pursuant to the requirements of NJSA 40:55D-70c(2);

NOW, THEREFORE, BE IT RESOLVED by the Board of Adjustment of the Township of Montclair that the within variance application of Elelke Jefferson is hereby approved.

NOW, THEREFORE, BE IT FURTHER RESOLVED that a copy of this resolution be transmitted to the applicant, Township Manager, Township Council, Township Clerk, Township Engineer and Construction Code Official.

Secretary Kadus announced that the variance application of **Steven Lauda and Ralph Latoracca, Murray Street** would be carried to the October 11, 2000 regular meeting of the Board of Adjustment due to insufficient notice and that new notice is required.

Secretary Kadus announced that the site plan and variance application of **Montclair Community Church, 143 Watchung Avenue** has been adjourned to the October 11, 2000 regular meeting of the Board of Adjustment at the request of the applicant and that no further notice is required.

Mr. Gallardo joined the meeting.

Chair Harrison announced the variance application of **The Church of the Immaculate Conception, North Fullerton Avenue**. Calvin Trevenen, Esq. appeared as attorney for the applicant. Mr. Trevenen described the application.

Mr. Trevenen called Monsignor Timothy Shugrue, Pastor and Secretary of the Church of the Immaculate Conception, he was sworn.

Marked into evidence was:

A-1 Sanborn map showing Immaculate Conception properties.

Mr. Trevenen stated that according to the Sanborn map, parking once existed on the property in question.

Monsignor Shugrue described the locations of church properties and their uses, as well as the locations and sizes of parking facilities on church property. Monsignor Shugrue stated that the Renaissance School program at the church may expand in the future and that there is no space for additional parking on other church properties. Monsignor Shugrue continued by stating that parking is strained during the week and that approximately 800-900 persons come to Sunday services. The Monsignor stated that parishoners are being ticketed for parking illegally, and that an illegally parked car on Munn Street once blocked emergency vehicle access. Monsignor Shugrue stated that creating parking on the property in question would provide much needed parking for parishoners and funeral attendees.

Monsignor Shugrue described the property in question as a playground which is covered with asphalt. The Monsignor continued by stating that if the variance application was approved, property at the rear of 12 Munn Street would be used as the new location for the playground.

Marked into evidence was:

- A-2 Copy of Township Tax Map page, number 22.
- A-3 Copy of Township Tax Map page, number 23.
- A-4 Copy of Township Tax Map page, number 32.

Monsignor Shugrue described the land uses in the neighborhood.

The Board questioned Monsignor Shugrue.

Chair Harrison called for questions from the public for Monsignor Shugrue.

Kathryn Lordi, Esq. appeared as attorney for Winnifred and Richard Grady, 42 North Fullerton Avenue. Ms. Lordi cross-examined Monsignor Shugrue.

Mr. Trevenen called Herbert Githens, Architect and Professional Planner, he was sworn. Mr. Githens described his qualifications. Mr. Githens stated that Cottage Place was chosen as the ingress/egress point due to the topography of the site. Mr. Githens described this as the best access point to the property and stated that the applicant will construct a new sidewalk on the Cottage Place frontage. Mr. Githens stated that a buffer strip of landscaping is proposed around the perimeter of the lot and that the buffer would be wider at the North Fullerton Avenue frontage since that is the most public side of the property.

Marked into Evidence was:

A-5 Letter to Karen Kadus from Herbert Githens, dated March 28, 2000.

Mr. Githens described the proposed lighting on site which would include 42 inch high bollard-type lighting that will be shielded to prevent light from spilling onto adjacent properties.

Mr. Githens continued by describing that an electrical cabinet on the site would be shielded by both fencing and landscaping. Mr. Githens also stated that a solid wood fence is proposed to further shield surrounding properties from the proposed parking lot.

Mr. Githens described the special reasons for which the variance should be granted including that the proposal provides more parking for the church and that the Township Master Plan calls for improved parking for church facilities.

The Board questioned Mr. Githens.

Ms. Lordi called Dr. Richard Grady, owner, 42 North Fullerton Avenue, he was sworn. Dr. Grady stated that the property was always used as a playground and was never actually a parking lot as shown on the Sanborn maps. Dr. Grady stated that he had surveyed the use of church parking facilities and that parking is available for parishioners and visitors. Dr. Grady continued by stating that the proposal would result in the loss of four on street parking spaces on Cottage Place due to the proposed access point to the parking lot.

Marked into evidence was:

O-1 Log of mass attendance and parking space count.

Dr. Grady stated that he is concerned about security in and around the site, circulation and access to the lot and noise and emissions from cars using the lot.

Marked into evidence was:

O-2a&b Photographs on boards.

Mr. Trevenen cross-examined Dr. Grady.

Chair Harrison called for questions from the public for Dr. Grady. None were offered.

Ms. Lordi called Ms. Janet Terry, Director of Children's, Family and Bilingual Services, Diocese of Paterson, she was sworn. Ms. Terry described the size of play areas required for day care facilities.

Mr. Trevenen objected to use of the witness and stated that the playground facility is not relevant to this application. The Board sustained the objection.

The meeting was opened to public questions and comments.

Ms. Leah Johnston-Rowbotham of 14 Munn Street stated that parking for senior citizens should be located close to the church, that the neighborhood is becoming commercialized and that the project would inconvenience the neighborhood.

Ms. Lordi summarized by stating that there is not a need for additional parking for the church.

Mr. Trevenen summarized by stating that there is a need for church parking as addressed in the Township Master Plan and that the proposal would result in fewer cars parking on the street.

The Board discussed the application.

On motion by Mr. Fleischer, seconded by Mr. Gallardo, Mr. Chapman abstaining, it was resolved to deny the variance requests.

Chair Harrison stated that the application of **Metricom, 56 Walnut Street** would be continued at the October 11, 2000 regular meeting of the Board of Adjustment and that no further public notice would be given.

The Board took a short recess.

Chair Harrison announced the variance application of **Jay Koven, 315 Park Street**. Mr. Jay Koven, owner, was sworn. Mr. Koven stated that he is also owner of 319 Park Street and although 315 and 319 Park Street are separate lots, they function as one property. Mr. Koven continued by stating that the lots cannot be combined due to estate purposes. Mr. Koven described the proposed gazebo as octagonal in shape with a 15 foot height. Mr. Koven stated that the gazebo would not be visible from the street, would be painted to match the existing house and would be screened by landscaping. Mr. Koven stated that the gazebo would not have to be moved if a single family dwelling was built on the lot.

The Board questioned the applicant.

Chair Harrison called for questions from the public for Mr. Koven. None were offered.

The meeting was opened to public questions and comments. None were made.

The Board discussed the application.

On motion by Ms. Freundlich, seconded by Ms. Rock-Bailey, it was resolved to approve the variance application.

Chair Harrison announced the variance application of **Leonard Factor, 74 Montclair Avenue**. Mr. Leonard Factor and Ms. Melanie Factor, owners, were sworn. Mr. Factor stated that he intends to restore both the interior and exterior of the house to its original Victorian architectural style including the wrap-around porch.

Marked into evidence was:

- A-1 Photographs of restorations.
- A-2 Photographs of adjacent properties.

Ms. Factor stated that the wrap-around porch and addition would not bring the house closer than the adjacent houses on Columbus Avenue or Montclair Avenue.

The Board questioned the applicants.

Ms. Factor stated that the second story porch shown on the plans is only an architectural design feature and is not functional.

Chair Harrison called for questions from the public for Mr. and Mrs. Factor. None were offered.

The meeting was opened to public questions and comments.

Mr. Rudy Schlobaum of 78 Montclair Avenue stated that the Factors are doing a beautiful job of restoring the house and that he does not find the proposed setback intrusive.

Mr. Peter Guiffra of 69 Montclair Avenue stated that the restoration of the home will be an asset to lower Montclair Avenue.

The Board discussed the application.

On motion by Mr. Chapman, seconded by Mr. Fleisher it was resolved to approve the variance request.

Chair Harrison announced the variance application of **Joseph Quinones, 428 Grove Street**. Mr. Joseph Quinones, applicant and owner, was sworn. Mr. Quinones stated that the Board of Adjustment granted a front yard setback variance for an addition on the rear of the dwelling on March 15, 2000. A deck was not planned at that time. Mr. Quinones continued by stating that after during construction of the addition, it was decided that a deck would be more desirable than just a staircase and a variance would be needed for a deficient front yard setback.

Chair Harrison called for questions from the public for Mr. Quinones. None were offered.

The meeting was opened to public questions and comments. None were made.

The Board discussed the application.

On motion by Mr. Fleischer, seconded by Mr. Chapman, it was resolved to approve the variance request subject to the following conditions:

1. The applicant shall adhere to all conditions set forth in the April 5, 2000 Board of Adjustment resolution.
2. The sides of the deck shall not extend beyond the sides of the rear addition.

On motion by Mr. Fleischer, seconded by Mr. Chapman, the **Minutes of the September 6, 2000** regular meeting were adopted, Ms. Rock-Bailey abstaining.

The meeting was adjourned at 11:20p.m.