

Mount Laurel Township Zoning Board of Adjustment
Regular Meeting Minutes
January 10, 2024

Opening

The First Regular Meeting of the Mount Laurel Zoning Board of Adjustment January 10, 2024, was called to order by Chairman Gray at 7:11 p.m.

Pledge of Allegiance and Moment of Silence were observed at the Reorganization meeting

The Open Public notice was read by Suzanna O'Hagan, Board Secretary at the Reorganization Meeting

Roll call was taken at the Reorganization meeting.

Mr. Kramer was excused for the Regular Meeting.

Announcements and Review of Board Procedures

- The hearing for 4 Old Centerton Pike, ZB 23-C-22 is adjourned to February 6, 2024.

Minutes

11/7/2023 motion to approve by Mrs. Andersen, second by Mr. Francescone, all eligible members voted affirmatively.

Resolutions

Resolution R-2023-ZB01, Finding of Facts, Mr. Gray made a motion to approve Mrs. Andersen seconded, all eligible members voted affirmatively and the motion was carried.

Board Professionals were sworn

- All those who testified during the hearing were sworn in prior to their testimony.
- All those who offered expert testimony were accepted as experts by the board

Petitions Before the Board

1. K & L Better Properties LLC. ZB23-D-21, 4129 Church Rd., Block 1301 Lot 4, B-zone. This applicant is requesting a use variance from section 154-25.A of the Zoning Ordinance to allow a 2-unit lodging facility and from sections 154-92.6 and 154-84 to allow an existing non-conforming off-site sign to remain as a second free-standing sign on the lot.

Witnesses Sworn

Kathy Le, applicant; David Kreck, PE, The Petit Group and Terry Combs, PP, The Petit Group

Exhibits Entered

A1, Color rendering of the Site Plan; A2, Color Aerial Photo and A3, Property Photo Packet

Alan Ettenson Esq. represented the applicant, summarized the application and gave a history of the property. He stated that the applicant is requesting an interpretation or use variance to use the property as a 2-unit lodging facility. The applicant has already testified before the planning board. The applicant went before the planning board first because it was their opinion that the proposed use was

permitted. He said there are two units, the first floor and the second floor. The units would be rented for up to a week at a time. Check-in would be done online. He requested that the board give an interpretation that the use is permitted and if not then a use variance.

Chairman Gray asked Mr. Ettenson to clarify his ask.

Mr. Ettenson said he believes the use is permitted but if the board decides that it is not permitted use then they are asking for a use variance.

Mr. Campbell summarized the planning board's decision that they did not have jurisdiction to hear the application because they determined that the use is not permitted. He explained to Mr. Ettenson that the Zoning Board will hear the testimony and if the board determines that the use is permitted, which Mr. Ettenson is advocating for, he would go back to the planning board because if it is not a use variance the Zoning Board does not have jurisdiction. Mr. Campbell asked Mr. Ettenson if they are also requesting a sign variance.

Mr. Ettenson replied no.

Mr. Campbell suggested that if the board were to consider the narrow issue of the sign use variance and grant that use variance, the board would then have jurisdiction to hear the application regardless of the interpretation and the applicant would not have to go back to the planning board.

Mr. Ettenson stated that he wants to stay with the Zoning Board. He said the applicant does not want any signs and they are willing to remove the wooden sign on the property. Mr. Ettenson reviewed the history of the sign with a 1989 resolution.

Mr. Campbell stated the 1989 resolution authorized the McDonald's sign on the property when McDonald's owned the property along with three other lots. There is a provision in paragraph 9 which said that it was treated as a unified development and so long as there was unity of ownership you wouldn't need a use variance. There are 2 subsequent resolutions, one of which recites paragraph 9 exactly and another that deletes it. Mr. Campbell said that the problem Mr. Ettenson has is that there are 2 resolutions from this board. One in 1994 that entirely relies on the 1989 resolution. The 1994 resolution was then amended to delete the paragraph 9 requirement in the 1989 resolution. The second resolution from this board was a variance for a second sign on the property. So there has never been a variance for the McDonald's sign. The 1994 resolution was an interpretation that the use variance was not needed but that was based on the planning board resolutions which were amended. It is confusing. Mr. Campbell said that he believes there is a very good case that can be made for the use variance for the sign and that would end all the confusion.

Mr. Ettenson said his point is that the sign has been there for over 30 years and doesn't bother anyone. In 1994 McDonald's conveyed the property and created an easement. His client has no rights to the sign. He said if the sign shouldn't be there shouldn't it be McDonald's be responsible for removing the sign.

Mr. Campbell stated that Mr. Ettenson's client owns the property subject to the easement. If the Town were to enforce the sign ordinance they would go to his client. He reminded Mr. Ettenson that if he continues and convinces the Zoning Board that the sign is permitted. The Zoning Board will longer have jurisdiction and the application will go back to the Planning Board.

Chairman Grey suggested going off the record to allow Mr. Ettenson to speak with Mr. Campbell.

Mr. Ettenson agreed.

Chairman Gray called for a recess at 7:32 and resumed the hearing at 7:40.

Mr. Campbell stated that the applicant intends to present testimony with regard to that portion of their application requesting a use variance for the McDonald's sign. Then the application will essentially be bifurcated. Mr. Campbell asked the board to vote on the use variance for the offsite McDonald's sign first then we will move on to the next portion of their application.

Kathy Le's Testimony

Ms. Le testified that she purchased the property in 2021 and that she is here to ask the board for a use variance to allow the McDonald's sign to remain on her property and a use variance to use the property as a 2-unit lodging facility. She stated that the sign was on the property when she purchased the property.

Terry Combs' Testimony

Mr. Combs testified that he has reviewed the previous resolutions on the property and has examined the location of the sign on Church Rd. Mr. Combs described Exhibit A1, a rendered image of the site plan. He explained that the sign is on the corner of Church Rd. and Clover Rd. Clover Rd. is a road that connects Rt. 73 to Church Rd. and give Church Rd. access to the McDonald's. He stated that there is an easement created for the sign. In reference to the positive criteria, Mr. Combs said Church Rd. is a major collector road with access to McDonald's and without the sign, there is no visibility or identification for McDonald's. The sign advances a free flow of traffic which meets the positive criteria. In terms of the negative criteria, the sign has been there for 30 years so the variance can be granted without substantial detriment to the public good. He said the sign does not impair the intent and purpose of the zone plan since it was all on one property when it was approved it was compliant with zoning and since an easement was created that sort of gives McDonald's partial ownership which would make it a conforming sign. Mr. Combs used Exhibit A2, aerial image, to point out the sign on Clover Rd. noting that the sign is the only indication of the McDonald's.

Mr. Campbell clarified with Mr. Combs that the McDonald's sign is the same one referred to in the previous resolutions.

Mr. Combs confirmed that is true.

Mr. Ettenson submitted Exhibit A3, a 6-page packet of photographs including the building and the sign.

Mr. Kramer asked who owns and maintains the sign.

Mr. Ettenson replied that McDonald's does

Mr. Sharp asked if the sign has electricity.

Mr. Ettenson replied that it does.

Mr. Davis, Board Planner, agreed with Mr. Combs's testimony and said the positive and negative criteria are met.

Mr. Long said the sign is outside the site triangle and does not appear to be a safety concern.

Chairman Gray opened the meeting for public comment. Seeing none, closed the public portion.

Chairman Gray asked for a motion to approve the sign. Mr. Sharp made a motion to approve, Vice Chair Andersen seconded. Roll call vote, all voted affirmatively and the motion was passed.

Mr. Ettenson began testimony for the 2-unit lodging interpretation.

Kathy Le's Testimony

Ms. Le testified that she wanted to rent the units for up to 1 week. She said that they would advertise, book and take payment online. There is property management offsite that is on call 24/7. Renters will receive an access code to enter then the code will expire when their rental time is up. There is a cleaning crew with an access code that will clean between renters. She testified that the 2 units, one on each floor. Each has a separate entrance and exit. She said there are 3 entrances to the building. One to each unit and one to the basement. The basement is not part of the lodging and no one will have access to the basement it will be used for storage. The downstairs unit will have 3 bedrooms and 2 full bathrooms and upstairs has 2 bedrooms and one full bathroom, each unit has a small kitchen. There will be no leases or long-term rentals. She stated that there are no residences up and down the street it is all commercial and office. She said they have a website to tell customers what is available on what days and they will pay and get a code when they arrive and the property. Ms. Le testified that there is offsite property maintenance that will respond within 10 minutes to any problem such as if the place is dirty or they need a pillow. There will be a cleaner available for daily cleaning if requested, if not requested the unit will be cleaned when the rental time has expired. First property maintenance will go into the unit then the cleaning crew. There are (3) 50-gallon trash bins, the cleaners will take out the trash. Ms. Le said the landscaping will be improved but it is functional as it. There are 14 parking spaces and a handicap ramp and parking spot, she stated they only need 4 -5 regular spots. There is no facility inside the building to purchase food or anything. There is an alarm system and cameras. If there is an emergency, there are instructions in the room on who to call. Ms. Le confirmed that the photos in A3 are accurate. She noted that the existing freestanding sign used to advertise the homecare business on site but they do not need the sign and are willing to remove it.

Chairman Gray asked Ms. Le if she is describing the use as that of hotel or motel

Ms. Le replied that the only difference is that she will not have on site reception or cleaning crew.

Chairman Gray clarified that one is able to walk into a Hilton and get a room but in the proposed lodging facility that would not be possible.

Ms. Le replied that they do not do walk-ins.

Chairman Gray asked how this is different from an Airbnb

Ms. Le replied that Airbnb targets home use, a person lives there and rents the house or room while they still live there. This proposed use is all year round. No one lives there you can rent it every day.

Chairman Gray noted that the ordinance says a hotel has 3 units this only has two

Vice Chair Andersen asked if there would be regular surveillance on the property.

Ms. Le said the cameras are outside the property to be sure everything is ok and someone is watching them.

Mr. Sharp asked if there is someone watching the cameras 24/7.

Ms. Le replied yes.

Vice Chair Andersen asked what the office is for on the first floor.

Ms. Le replied that they are targeting corporate use, or it can be used for family of weddings.

Vice Chair Andersen asked what is the room labeled storage for.

Ms. Le replied that will be used as an entertainment/game room. She said that it should not be labeled storage and they will change that.

Mr. Sharp asked what the intended use was when she purchased the property.

Ms. Le replied that the use was a home care business and an apartment upstairs, she thought that was an approved use and that was her intended use. Then Covid hit and they could not get anyone to rent the property. So she called the board secretary and was told the property is zoned for business use including lodging, motel, and hotel per the ordinance. So she decided to use it for lodging.

Mr. Campbell asked Ms. Le if the building was originally a house and asked her to clarify that this is the only use proposed in the building.

Ms. Le responded that it was, the upstairs kitchen in the original kitchen and the two units are the only use proposed.

Through question and answer between Mr. Campbell and Ms. Le, Ms. Le testified that the building will have 2 units, one downstairs with 3 bedrooms and one upstairs with 2 bedrooms. They currently have ½ baths that will be converted to full baths. Both have small kitchens with an electric stove/oven. Ms. Le said there are 4 entrances, one to the first floor with an access code, one to the second floor with an access code, one to a shared game room and office (she stated earlier there is an entrance to the basement). She said if a renter wants to use the office they would request it and then it will be locked. There is no daily linen service or cleaning service but there is an extra sheet set in the closet. There is an instruction book with restaurants in the area. There is no phone in the room but there will be Wi-Fi. It will not be advertised anywhere but on their own website.

Vice Chair Andersen asked what would happen if someone asked to rent for a month

Ms. Le replied that it would be denied. The app will not allow more than a 7-day rental.

Mr. Campbell asked if she operates any similar businesses.

Ms. Le replied that no but she has a nail salon and her colleagues say that their families come here for weddings and don't want to go to a hotel so they want something like this.

Chairman Gray asked Mr. McVey if there are separate requirements for rental units with kitchens

Mr. McVey replied that they would have to comply with all UCC regulations for residential commercial buildings. It may need a fire suppression system and will definitely require a fire detection system.

Mr. Campbell asked Mr. Ettenson if they are asking the board to interpret that the use, as described, is a hotel, motel or just lodging which is undefined.

Mr. Ettenson replied that it is a lodging facility for people to book online and people he speaks to say this is how it is done now.

Mr. Long asked if a person is able to book 7 days at a time back to back.

Ms. Le replied yes, if it is available.

David Kreck's Testimony re: interpretation

Mr. Kreck testified that it is an existing site, not much is changing. They will be removing a handicap stall because the ramp is too steep. It will be moved to a flatter area. He demonstrated the new stall location and accessible path on Exhibit A1. There will be 13 parking spaces one of which will be striped for the cleaning crew. He noted an area by the handicap ramp that is proposed for trash storage. He said they could put lattice or picket fence around them to block them from view.

Chairman Gray stopped Mr. Kreck and noted we are dealing just with the interpretation right now.

Terry Comb's Testimony re: interpretation

This is the Business District. Uses permitted in the business district are outlined under the Major Commercial Development District. The use they are coming under is a lodging place including Hotel, Motel, and Motor Inn. He asked if the wording implies lodging places limited to Hotel, Motel, or Motor Inn or is it just saying it includes Hotel, Motel, or Motor Inn. The intended use is for transient use and limited occupancy.

Chairman Gray asked if Mr. Combs would agree that it is not a Hotel because it does not have interior Corridors and not a Motel because our ordinance requires Motels to have 3 or more units.

Mr. Combs read a definition for motel "a building or series of buildings connected or separated for the purpose of housing transient guests including hotels, motor courts and motor cabins".

Chairman Gray stated that our ordinance 121-20 reads as follows:

Ordinance 121-20 "Any structure, group of structures, or any portion of any structure that is occupied or intended or designed for occupancy by transients for dwelling, lodging or sleeping purposes. For purposes of this chapter, the term "motel" shall include any hotel, inn, tourist home or residential rental housing having three or more rental units..."

Mr. Combs said then it would just be a lodging place.

Mr. Campbell stated that as he understands Mr. Combs's argument, since lodging place is undefined they fall under a common definition.

Mr. Combs replied they don't meet the specific requirements for those uses then the general description of transient lodging they do meet.

Mr. Campbell asked Mr. Combs, if what your proposing is permitted because its lodging could the site then be used for a trailer park, recreational vehicles, or bed and breakfast?

Mr. Combs replied no.

Mr. Campbell asked why not.

Mr. Combs replied he guesses they could except trailer parks are not transient.

Mr. Campbell asked what if people wanted to camp there.

Mr. Combs replied there is no restriction or definition of transient. This use is not much different from a Hotel or Motel other than 2 units instead of 3.

Mr. Sharp asked Mr. Combs if this were 3 units would this fit in the definition.

Mr. Combs replied yes.

Mr. Davis, Board Planner, stated that this is a hybrid use, some aspects are Hotel and some are Airbnb oriented. He believes the way it is reserved online is more of a short term rental. Because of the operation of the site and that there is no formal management on site and no responsible party on site.

Mr. Long stated that this application was kicked from the Planning Board to the Zoning Board. The term “short term rental” is what the planning board was struggling with and he said he has not heard anything new tonight to change his mind that this is a short term rental.

Ms. Grasso had no comments on this portion of the hearing.

Mr. McVey had no comments on this portion of the hearing.

Vice Chair Andersen asked Mr. Davis what a short-term rental is.

Mr. Davis replied by reading the definition in 154-5 as follows:

RESIDENTIAL SHORT-TERM RENTAL - *A room, group of rooms, or other living or sleeping space for the lodging of occupants other than a hotel or boarding house, including but not limited to residences or buildings used as residences, that are intended to be leased for a duration of less than 30 days at a time, and where the space will not be the occupant's intended primary place of residence.*

Vice Chair Andersen asked about the requirements in our ordinance for Hotel and Motels.

Mr. Davis said section 121-22C requires an onsite manager 24 hours a day.

There was discussion regarding the requirements outlined in Ordinance 121-21 and 121-22.

Ms. Baskay asked Mr. Davis to confirm that the short-term rental ordinance also stated that the property could not be rented more than 100 days per year and the owner has to live in the residence.

Mr. Davis confirmed.

Chairman Ettenson stated that there are no houses anywhere so he does not believe residential rental even applies, this is a commercial district.

Chairman Gray asked if anyone from the public would like to speak. Seeing noone he closed the public portion.

Chairman Gray poled the board to continue past the 1.5 hour mark. The board agreed to continue.

Chairman Gray asked to go into closed session to seek advice from council.

Ms. Baskay read the ordinance allowing the board to go into closed session.

Chairman Gray made a motion to go into closed session Mrs. Andersen seconded, all voted affirmatively. The recording was muted and video turned off, the audience and applicant left the courtroom.

The meeting was reconvened.

Chairman Gray noted for the record that prior to the closed session discussion, Mr. Kramer was excused. The board still has 7 members.

Chairman Gray made a motion to interpret that the proposed use is not consistent with the permitted uses in the Business district. Mr. Blum seconded. Roll Call vote, all present agreed.

Chairman Gray called for a break at 9:17 and reconvened at 9:25.

Terry Combs's Testimony re: Use Variance

Mr. Combs testified that the property is 12, 800 sf. He said the allowed uses in the zone would require a great amount of improvements and would be almost impossible to accommodate. The lot has minimal parking and no loading area. The lot is particularly suited for the proposed use. Granting of the variance would advance purpose m of the purposes of zoning. There are minimal changes required for the proposed use. He said the variance can be granted without substantial detriment to the public good. The property is in a commercial area surrounded by hotels, major office buildings and a McDonald's as well as commercial uses on the other side of Church Rd. The use would be relatively low intensity and low traffic generation with no noise and no odors. Mr. Combs does not believe there would be any negative impact on the surrounding properties. He said if this were 3 units it might qualify as a hotel. It is very close to what would be permitted in the zone. Mr. Combs said this is a minor deviation and does not substantially impair the zone plan.

Chairman Gray noted to Mr. Combs that when he says minor deviation, the deviation is from almost every requirement of section 121-20 through 22.

Mr. Combs said this is not an uncommon use and procedure for online booking.

Mr. Francescone and Chairman Gray asked the applicant to list the relief they are seeking.

Mr. Davis suggested the applicant list the relief they need from the residential short-term rental ordinance also.

Mr. Combs stated the main issue the applicant has, based on their testimony, is that they do not have a person onsite.

Mr. Ettenson said the intended use does not have many of the characteristics of a typical Hotel or Motel so they are asking for relief from those. They are asking for relief from a full time desk clerk, full time security, full time housekeeping, having online registration and to allow 2 units.

Mr. Davis noted the requirement for the identification of renters.

Mr. Ettenson replied that they would meet that requirement.

Mr. Davis asked if there is an age restriction per the Township Ordinance.

Mr. Ettenson replied that the applicant will meet the requirement and require photo ID.

Ms. Le agreed that the age requirement would be part of the online application.

Mr. Davis noted record logs need to be immediately available to the Chief of Police or their designee and provided by the person on duty.

Mr. Ettenson requested relief to allow the information to be provided electronically.

Mr. Davis noted the requirement for 24-hour on site manager.

Mr. Ettenson and Ms. Le reiterated that there would be 24-hour off-site supervision with a 10-minute response time.

There was discussion regarding the Short Term Rental ordinance and the requirements thereof.

Mr. McVey stated that the applicant would comply with the fire marshal requirements and the property would be registered with the township.

Mr. Davis suggested relief from section 121-22.B which requires notification to the police of suspicious guests. He said without someone onsite that is not able to be addressed.

Mr. Ettenson said there are cameras with 24-hour monitoring he believes the owner would report suspicious activity.

Mr. Davis this application is a hybrid of a hotel/motel and a residential short-term rental. He stated that the variance is not inconsistent with the master plan because hotels/motels are contemplated in the ordinance however, short-term rentals are not. He said it is hard to say and hard to justify this would support that.

Chairman Gray and the board discussed the previous testimony regarding site plan.

Mr. Kreck continued his testimony

Mr. Kreck stated that they only need one variance, that is for the length of the parking stalls at 18 feet where 20 is required. The deviation is to ensure a 26-foot wide cartway. The undersized lot, lot width, lot frontage and front yard setback variances are pre-existing. Regarding waivers, the applicant will provide shade trees and two parking spots will be eliminated to provide additional parking lot landscaping. The lighting has been previously approved however, they will do a night lighting test to be sure the lighting meets the ordinance requirements. If it does not, the lighting will be brought into compliance. They will provide some type of screening for the 3 trash cans in the location shown on the plan. He requested relief from the requirement for a masonry wall trash enclosure and agreed to do a lattice enclosure. Mr. Kreck noted the site triangle. He noted the fence that cannot be moved because it belongs to McDonald's. He said the tree noted in a review letter does not impede the view. The applicant will place a stop bar at the stop sign as you exit the driveway.

Chairman Gray asked if there would be any signage identifying the business

Mr. Kreck replied that the applicant testified that the sign would be taken down.

Chairman Gray stated that the sign would be beneficial for safety and property identification.

Mr. Ettenson said they would leave the sign then.

Mr. Kreck asked what kind of plans are required for the sign to change just the face, not the structure.

Mrs. Baskay replied a zoning permit is required.

Mr. Kreck continued that they are requesting a waiver for sidewalks as there are no sidewalks leading up to the property.

Chairman Gray responded that there are a lot of conditional sidewalks in that area. The board does emphasize sidewalks in that area.

Mr. Kreck asked would that be just Church Rd.

Mr. Long responded that the sidewalk would be required on both frontages.

Mr. Ettenson said they agree as a condition to install sidewalks on Church Rd. and Clover Rd.

Mr. Kreck clarified that the sidewalk would "dead end" at the beginning of the McDonald's property and would require ADA ramps and County approval

Mr. Long confirmed that is correct.

Mr. Long reviewed the prior Board Engineer, Drew Pavlick's, 12/18/23 report. He said Mr. Kreck has addressed most of the concerns. Mr. Long asked Mr. Kreck what the existing lighting types are.

Mr. Kreck responded that they are spotlight-type wall lights in the back. Behind the property is an empty field with a basin.

Mr. Long clarified for the board, that the applicant is requesting not to provide a lighting plan and to address it after construction is complete. So they would have to submit a lighting plan before C/O would be approved. He stated that the 18 foot parking spot length complies with RSIS but requires a variance from the Business district. He would recommend the waiver.

Mr. Kreck noted that the loading space would be for the cleaning crew.

Ms. Grasso had no comments.

Mr. McVey reviewed his report dated 5/19/2023. Mr. McVey asked if the applicant would agree to install a Knox Box and to have no combustible landscaping within 3 feet of the wall. He noted that the property is subject to annual fire inspections. He said he supports the relief for the 18 foot parking stalls to ensure a 26 foot drive isle.

Mr. Ettenson agreed to the Knox Box.

Mr. Kreck agreed to no mulch within 3 feet of the building.

Mr. McVey recommended that the trash enclosure comply with the fire prevention ordinance by being 15 feet away from the building.

Mr. Kreck agreed to move the trash enclosure.

Mr. McVey asked if the applicant is agreeable to working with the fire department to establish fire zones and fire lanes.

Mr. Kreck agreed.

Mr. McVey noted that the property would have to conform to all UCC requirements. This would include establishing an emergency coordinator to assist with vacating people or any emergency. He asked if the maintenance person would be the emergency coordinator.

Ms. Le replied yes.

Mr. McVey asked how they will verify that the person who checks in is the same person who registered.

Ms. Le replied that only the person who registers will have the code and they get the code sent to their phone number when they get on site.

Chairman Gray asked what is to stop someone from sending the code to someone else

Ms. Le repeated that the phone number is registered with the person.

Mr. Ettenson said once a person gets a key to a hotel they can give it to anyone they want.

Mr. McVey stated that his concern is ensuring the person registered is the person in the room

Mr. Francescone said people commit fraud, and fraud exists.

Chairman Gray said they are not being given relief from the security requirements.

Mr. Campbell stated that those operational requirements are in sections 121-21 and 121-22 and the only exceptions he noted were from 121-22.A.6 which requires the operator to make certain records and data immediately available to the Police. The condition there is that they are going to have to find an alternative way to make the data available since they will not have a clerk onsite. The other is from section 121-22.C requiring someone to be onsite 24 hours a day which they will not have. Other than those two points of relief the applicant will comply with section 121-21 and 121-22 in their entirety.

Chairman Gray opened the meeting to the public for questions or comments. Seeing none, closed the public portion.

Mr. Campbell asked Mr. Long and Mr. Davis to confirm that there are no objections to the requested submission waivers.

Mr. Long stated that his letter dated 5/18/23, item 1 lists the requested waivers. He recommends submission waives be granted.

Mr. Davis said he agreed with Mr. Long and noted that the applicant has agreed to work with his office for additional landscaping on site.

Chairman Gray asked for a motion regarding the application.

Mr. Francescone made a motion to approve a 2 unit lodging facility variance subject to the stated conditions.

Mr. Campbell noted the conditions below and stated that the conditions will be referenced in the resolution and enforceable as if they were an ordinance. If there is a breach of those there would be no difference than a breach of any other zoning or land use ordinance.

1. compliance with all review letters
2. no rental shall be more than 1 week
3. there will be a responsible party available to respond to either police or a guest within 10 minutes of the request
4. installation of a Knox Box
5. remove combustible landscaping within 3 feet from the building
6. trash will be moved to at least 15 feet from the building
7. the applicant will work with the board planner regarding landscaping
8. the applicant will work with the Fire Department regarding fire lanes and fire zones.

Mr. Sharp seconded, Roll Call Vote, All present voted affirmatively and the motion was carried, approved.

Adjournment:

Chairman Gray asked for a motion to adjourn at 10:21 p.m., Mr. Francescone moved the motion, all present voted affirmatively and the motion was carried.

Adopted on: March 6, 2024

Suzanna Baskay

Suzanna Baskay, Secretary
Zoning Board of Adjustment