

In The Matter Of:
CITY OF CAMDEN
ZONING BOARD

Transcript of Meeting
April 1, 2024

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ZONING BOARD
CITY OF CAMDEN

- - - -

Monday, April 1, 2024

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Transcript of proceedings of the Zoning Board of Adjustment taken in City Council Chambers, 2nd floor City Hall, 520 Market Street, Camden, New Jersey 08101, commencing at 5:45 p.m.

B O A R D M E M B E R S P R E S E N T

DARNELL HANCE, CHAIRMAN
CHARLES COOPER, VICE-CHAIRMAN
MARITZA ALSTON
JOSE M. BRITO BUENO

A-P-P-E-A-R-A-N-C-E-S

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1 CHAIRMAN HANCE: Good evening ladies and
2 gentlemen. Welcome to the City of Camden Zoning
3 Board for April 1, 2024. Reading of the Sunshine
4 Law: In conformance with the Sunshine Law of New
5 Jersey, notice of the meeting was posted in the
6 Municipal Clerk's office on Tuesday, March 26, 2024.
7 Roll call.

8 MR. EINGORN: Chairman Hance.

9 CHAIRMAN HANCE: Here.

10 MR. EINGORN: Vice-Chairman Cooper.

11 VICE-CHAIRMAN COOPER: Here.

12 MR. EINGORN: Reverend Martinez is
13 absent. Ms. Merricks is absent. Ms. Alston.

14 MS. ALSTON: Here.

15 MR. EINGORN: Mr. Brito Bueno.

16 MR. BRITO BUENO: Here.

17 MR. EINGORN: Ms. Washington is absent.

18 Can we get a motion to approve the
19 minutes from March 2024?

20 VICE-CHAIRMAN COOPER: Motion to accept.

21 MR. EINGORN: Do we have a second?

22 CHAIRMAN HANCE: Second.

23 MR. EINGORN: I'll take a roll-call vote.
24 Chairman Hance.

25 CHAIRMAN HANCE: Yes.

1 MR. EINGORN: Vice-Chairman Cooper.

2 VICE-CHAIRMAN COOPER: Yes.

3 MR. EINGORN: Ms. Alston.

4 MS. ALSTON: Yes.

5 MR. EINGORN: Mr. Brito Bueno.

6 MR. BRITO BUENO: Yes.

7 MR. EINGORN: The motion passes.

8 Good evening everyone and welcome to the
9 Zoning Board of Adjustment for the City of Camden.
10 Unfortunately as you can see here tonight, we were
11 only able to muster four members. That means, we
12 cannot hear anything that would require a use
13 variance. Use variances require five affirmative
14 votes. With only four people, we cannot find five
15 votes. The math just doesn't work. We apologize for
16 this inconvenience but it does sometimes happen.

17 Because of that, we will not be hearing
18 the following applications: Macedonia Baptist
19 Church, 812 to 814 Kaighn Avenue. That will be
20 adjourned to the first Monday in May. Jonathan
21 Gabay, 436 S. 6th Street, also adjourned. Camden
22 County Growth, LLC, 3300 Federal Street, adjourned.
23 Premier Construction, LLC, 521 Cooper Street,
24 adjourned. And David Lee, 819 S. 5th Street,
25 adjourned. All of those matters will not be heard

1 tonight. All of those matters will be moved to the
2 May agenda. Note for the David Lee, we're going to
3 double-check the notice. But as of right now, no
4 further notice will be provided for those five
5 applications. This is the notice of that adjournment
6 for the record on those five matters.

7 If you're here tonight for any of those,
8 you are free to stay and listen to the three matters
9 that will be heard. This is an open public forum.
10 You're welcome and we welcome you to be here. We
11 find it educational. If not, you can leave and come
12 back next month. That's fine too. But, again, those
13 matters will not be heard tonight. They will be
14 adjourned without further notice. This being the
15 notice.

16 Let's see what of the remaining
17 applications are here. Wash Clean Sun, Incorporated,
18 I saw counsel so that one is present and ready to
19 proceed. Katrina Fountain, 442 N. 38th Street. Is
20 that here?

21 MS. FOUNTAIN: Here.

22 MR. EINGORN: Good evening. We'll mark
23 you present.

24 A Gift From God Ministries, 2802 Thompson
25 Street.

1 MS. DAUGHTRY: Here.

2 MR. EINGORN: Good evening.

3 And then following all of those, we'll
4 adopt our Resolutions and adjourn. So let's start
5 with the first matter, Wash Clean Sun, Incorporated,
6 80 S. 27th Street. Please come forward.

7 MS. KAO: Good evening Board members.
8 For the record, I'm Tara Kao and I'm attorney for
9 Wash Clean Sun, Inc. The owner is Ms. Juan who is
10 standing next to me. I have two copies of my
11 presentation that I wanted to hand out.

12 MR. EINGORN: Perfect. In the interim,
13 would you like to swear your witness?

14 MS. KAO: Yes.

15 MR. EINGORN: Would you raise your right
16 hand, please.

17 - - -

18 QIAO JUAN HUANG, having first been duly
19 sworn/affirmed, was examined and testified as
20 follows:

21 - - -

22 MR. EINGORN: Please state your full name
23 and address for the record,

24 MS. HUANG: My name is Qiao Juan Huang.
25 My address is 80 S. 27th Street, Camden, New Jersey

1 08312.

2 MS. KAO: So the applicant had purchased
3 this property on 80 S. 27th Street on December 19,
4 2023, so just late last year. And the property is
5 zone R-2. And the property is 2800 square about and
6 with two stories. She's seeking to continue the use
7 of the property as a laundromat.

8 So this property has been a laundromat
9 for many, many years. The previous owner who she
10 brought it from, is actually here today. He had
11 operated a laundromat for 45 years and had purchased
12 and now is retiring. So they sold it to my client
13 who wants to continue this business. And he
14 purchased from a previous owner Bill Laundromat, Inc.
15 who had purchased this property in 1978. So it has
16 been a laundromat for at least 45 years. The
17 previous owner had a valid laundry license issued by
18 the City of Camden Bureau of Licenses and Inspections
19 until 2023 when they sold it to my client. And
20 they've renewed this license very year and kept it
21 valid.

22 And before she purchased it, she also was
23 able to get a Certificate of Continuing Occupancy
24 from the City of Camden stating that the building is
25 approved for this continued use. So because it's

1 zoned R-2, it's nonconforming because it is a
2 commercial business. And we are requesting that she
3 continue this use and get relief from the
4 nonconforming use.

5 The area, it is mostly residential but
6 there is some businesses hereby that services this
7 community, just like her laundromat. The continuing
8 use as a laundromat will not negatively impact the
9 neighborhood. The laundromat had actually filled a
10 need in this neighborhood. And I think everybody
11 knows this laundromat and it actually benefits the
12 neighborhood. This will not cause any detriment to
13 the public good as it will not impact the neighbor's
14 use of their properties. And it will not
15 substantially impair the Zoning Plan because there's
16 not going to be any significant change.

17 She just wants to continue this use as a
18 laundromat and with no exterior or interior
19 modifications. And it is a pretty well-kept
20 business. And the previous owner is here and has
21 been operating for 37 years. And the laundromat, I
22 think, would advance the Zoning Ordinance that
23 benefits -- because it benefits the residents in
24 neighborhood and promotes residential use.

25 The property is already constructed as a

1 laundromat business and cannot be used as
2 residential. This will cause substantial undue
3 hardship if she cannot operate a laundromat. The
4 laundromat had been there, as I had said, at least 45
5 years and services the entire neighborhood. She even
6 told me that there are neighbors coming in and asking
7 why they are getting this letter saying why it is not
8 conforming; and don't want them to leave because it
9 fills a need in the neighborhood.

10 If it's not granted, if this
11 nonconforming use is not granted, then she'll be
12 forced to move her laundromat. And I think that will
13 be detrimental to the neighborhood. And everything
14 and I'll ask her if she accepts what I had said.
15 Everything that I had just explained about your
16 application, do you accept what I had said and agree
17 with everything that I had just presented?

18 MS. HUANG: Yes, I accept and agree.

19 MS. KAO: I don't know if the Board has
20 any questions. But I think the previous owner would
21 like to say a few words too.

22 MR. EINGORN: Sure. Would you raise your
23 right hand, please.

24 - - -

25 SUI K. PANG, having first been duly

1 sworn/affirmed, was examined and testified as
2 follows:

3 - - -

4 MR. EINGORN: Please state your name and
5 address for the record.

6 MR. PANG: My address is 622 Jerome
7 Avenue, Cherry Hill, New Jersey.

8 I have been in the neighborhood for 37
9 years running the laundromat since 1986, January
10 17th. So until last year December 19th, I sold it to
11 the new owner. So I know the whole neighborhood very
12 well. In fact, I know the whole city too. So last
13 week I went back to do my own laundry and one
14 neighbor told me, the laundromat must never go
15 anywhere because they we need it. They want to be
16 nearby. It was a neighbor across the street. They
17 say the City cannot do anything. Just let it be.
18 Thank you.

19 MR. EINGORN: Thank you for coming out.
20 Any questions? This is a Cert of Nonconforming Use
21 so the legal standards is a little different. Right?
22 They have to demonstrate that this was a use that
23 preexisted the change in the Ordinance. Looks like
24 we have some information here that would support that
25 determination. However, we do have to open to the

1 public. Anybody here tonight that would like to be
2 heard on the application of Wash Clean Sun, Inc.,
3 80 S. 27th Street?

4 UNIDENTIFIED SPEAKER: Yes. I received a
5 letter so I don't know if I'm suppose to here.

6 MR. EINGORN: Please come up. Would you
7 raise your right hand, please.

8 - - -

9 JANA VIA CARPENTER, having first been duly
10 sworn/affirmed, was examined and testified as
11 follows:

12 - - -

13 MR. EINGORN: Please state your full name
14 and address for the record.

15 MS. CARPENTER: My name is Janavia
16 Carpenter. 2783 Stevens Street, Camden.

17 MR. EINGORN: Ma'am, you live near the
18 laundromat?

19 MS. CARPENTER: Yes.

20 MR. EINGORN: How long have you lived
21 near the laundromat?

22 MS. CARPENTER: Since 1971.

23 MR. EINGORN: It has always been a
24 laundromat?

25 MS. CARPENTER: Pardon me?

1 MR. EINGORN: To your knowledge it has
2 always been a laundromat?

3 MS. CARPENTER: Yes.

4 MR. EINGORN: And we like the laundromat,
5 right?

6 MS. CARPENTER: I don't go there.

7 MR. EINGORN: You don't go there. Okay.
8 It doesn't matter. You got a notice that they were
9 coming before the Board tonight --

10 MS. CARPENTER: Yes.

11 MR. EINGORN: -- and giving you the option
12 to be here. You didn't have to be here. We
13 appreciate you being here cause you helped out, and
14 it was very nice meeting you. Do you have anything
15 that you'd like to say whether for or against it?

16 MS. CARPENTER: As long as they keep it
17 clean, it's fine.

18 MR. EINGORN: It's fine, good.

19 MS. CARPENTER: So I didn't have to come
20 here, right?

21 MR. EINGORN: No, but we're glad that you
22 did. Anybody else in the public that would like to
23 be heard on this application? Hearing none, we'll
24 close the public portion. So we have testimony from
25 the applicant, the prior owner and the public that

1 his has been a laundromat for a very long time. We
2 also have documentation from the applicant. Is there
3 any questions regarding the application?

4 VICE-CHAIRMAN COOPER: None at all.

5 MR. EINGORN: None at all. So we've
6 heard the evidence. We need a discussion and a
7 motion.

8 VICE-CHAIRMAN HANCE: I'll start off. I
9 live in that neighborhood. I've been in that
10 neighborhood for over 30 some years and it has always
11 been a laundromat. The only thing I can say is, if
12 we keep that area clean the way it is now, we can
13 move forward and have no problems whatsoever.

14 But the people in the neighborhood do
15 need that laundromat. I see them every day walking
16 with their bags to clean their clothes. So I think
17 it's a positive that you guys are there. And it will
18 be a positive if you keep it running the way that
19 it's running and keep the people off the corner. All
20 right?

21 MS. KAO: They want you to keep it
22 clean.

23 MS. JUAN: Yes, of course.

24 CHAIRMAN HANCE: I'm going to piggyback.
25 Actually, my sister lives on Mickle Street right down

1 the block. She's been there approximately, I would
2 say, 12 years. I've known that laundromat when
3 it was a child actually. I've drove past it many
4 times. I never used it but drove past it many times.
5 It has always been kept clean. There's also like a
6 grocery store there and a couple of other stores;
7 like a little strip mall right there. I think the
8 neighborhood does need it. It serves the purpose.
9 My sister uses the laundromat. My brother that lives
10 on Mickle Street uses the laundromat. I don't see
11 any issues with it. There's no trash around it. It
12 stays clean. I haven't heard anything bad about it.

13 MR. EINGORN: Motion?

14 VICE-CHAIRMAN COOPER: Motion.

15 MR. EINGORN: Motion to what?

16 VICE-CHAIRMAN COOPER: To accept.

17 MR. EINGORN: Very good. Do we have a
18 second?

19 CHAIRMAN HANCE: Second.

20 MR. EINGORN: We'll take a roll-call
21 vote. Chairman Hance.

22 CHAIRMAN HANCE: Yes.

23 MR. EINGORN: Vice-Chairman Cooper.

24 VICE-CHAIRMAN COOPER: Yes.

25 MR. EINGORN: Ms. Alston.

1 MS. ALSTON: Yes.

2 MR. EINGORN: Mr. Brito Bueno.

3 MR. BRITO BUENO: Yes.

4 MR. EINGORN: Having four in favor and
5 none opposed, the motion passes. Congratulations.
6 Good luck with the laundromat and have a nice night.

7 MS. KAO: Thank you for your time.

8 MR. EINGORN: Thank you for coming up.

9 The next matter on the agenda is Katrina
10 Fountain, 442 N. 38th Street.

11 MR. EINGORN: Would you raise your right
12 hand, please.

13 - - -

14 KATRINA FOUNTAIN, having first been duly
15 sworn/affirmed, was examined and testified as
16 follows:

17 - - -

18 MR. EINGORN: Please state your full name
19 and address for the record.

20 MS. FOUNTAIN: Katrina Fountain, 442 N.
21 38th Street, Camden, New Jersey 08110.

22 MR. EINGORN: Do you want me to read your
23 appeal for zoning or do you have something prepared?

24 So the name and address of the applicant
25 is Katrina Fountain, 2100 Haddonfield Road,

1 Apt. 8106, Pennsauken, New Jersey. The applicant is
2 the owner of the property on 442 N. 38th Street,
3 Camden, New Jersey. It's an R-2 Zoning District.
4 The lot has a frontage of 50 feet on 38th Street and
5 a depth of 100 feet. There are zero buildings on the
6 lot because it's presently an empty lot.

7 The proposed use is a single-family
8 dwelling. The Zoning Officer denied a permit because
9 the minimum aggregate width and side yard, so a bulk
10 variance is needed. The appeal is made to allow a
11 home to be built without the minimum aggregate
12 width and side yard. The applicant is requesting
13 20 SF property to guarantee additional comfort and
14 dwelling space on the empty lot. The original home
15 that was on the lot was destroyed by the conjoining
16 home which was a cause of a fire.

17 So Ms. Fountain owns an empty lot,
18 correct?

19 MS. FOUNTAIN: Yes.

20 MR. EINGORN: And you want to build a new
21 home?

22 MS. FOUNTAIN: I want my home back. I
23 lived there. I purchased the home in 2005 and my
24 neighbor had an accident and now I don't have my
25 house.

1 MR. EINGORN: So you want to rebuild the
2 home?

3 MS. FOUNTAIN: Correct. This is the
4 second time we had a fire due to our neighbor.

5 MR. EINGORN: Got it. I see you have
6 some plans?

7 MS. FOUNTAIN: Correct. I supplied the
8 plans as well as the survey of the empty lot.

9 MR. EINGORN: We have a survey and we
10 have some elevations. Some proposed construction
11 details. So the house previously had an adjoining
12 wall?

13 MS. FOUNTAIN: Yes.

14 MR. EINGORN: The lots to the sides of
15 you, are they empty or is there buildings there now?

16 MS. FOUNTAIN: There are two -- well, one
17 house because the other, the conjoining home is empty
18 as well.

19 MR. EINGORN: Okay. So they didn't
20 rebuild that at all?

21 MS. FOUNTAIN: No. They're actually
22 planning on selling the land.

23 MR. EINGORN: They intend to sell the
24 land?

25 MS. FOUNTAIN: Yes.

1 MR. EINGORN: Got it. Are you expanding
2 the -- is the foundation intact from the -- before
3 the fire?

4 MS. FOUNTAIN: No.

5 UNIDENTIFIED SPEAKER: Well --

6 MR. EINGORN: Would you raise your right
7 hand please.

8 - - -

9 DANIEL MCKEOWN, having first been duly
10 sworn/affirmed, was examined and testified as
11 follows:

12 - - -

13 MR. EINGORN: Your full name and address
14 for the record.

15 MR. MCKEOWN: Name is Daniel Mckeown,
16 2100 Haddonfield Road, Apt. 8106.

17 MR. EINGORN: What's your relationship to
18 the applicant?

19 MR. MCKEOWN: She's my girlfriend.

20 MR. EINGORN: Very good. And you were
21 previously chiming in from the audience there. Is
22 the foundation intact?

23 MS. FOUNTAIN: No. Everything is dug
24 out.

25 MR. EINGORN: Everything has been dug

1 out. Okay.

2 CHAIRMAN HANCE: Footing, all of that is
3 gone?

4 MR. MCKEOWN: Everything. They just dug
5 everything out then back-filled.

6 MR. EINGORN: Is the foundation that's
7 proposed, going to be bigger than the foundation that
8 was there previously?

9 MR. MCKEOWN: Yes, I believe so. The
10 foundation before I think it was maybe --

11 MS. FOUNTAIN: Are you talking about the
12 size of the foundation?

13 MR. EINGORN: The width.

14 MR. MCKEOWN: The foundation, like the
15 basement.

16 CHAIRMAN HANCE: Like what the frame sits
17 on?

18 MR. MCKEOWN: Yeah.

19 CHAIRMAN HANCE: It's a concrete
20 foundation which the frame will rest on. Is it going
21 to be any wider?

22 MR. MCKEOWN: It's going to be a little
23 wider now.

24 MS. FOUNTAIN: The proposal is, it's
25 going to be five feet wider. Or five square footage.

1 MR. EINGORN: It previously shared a
2 party wall on what I guess if we're looking at the
3 building, to the right of the house it shared a wall?

4 MS. FOUNTAIN: Yes.

5 MR. EINGORN: To the left of the house,
6 is there an alleyway?

7 MS. FOUNTAIN: No.

8 VICE-CHAIRMAN COOPER: That's the empty
9 lot.

10 MR. MCKEOWN: It was an empty lot, yeah.

11 MR. EINGORN: Okay. So there's an empty
12 lot to the left?

13 MS. FOUNTAIN: Yes. To your left, yes.

14 MR. EINGORN: If we're facing --

15 MR. MCKEOWN: If you're facing it, it's
16 to your left. That's where you park the cars at on
17 the side.

18 CHAIRMAN HANCE: So you have a house on
19 the righthand side or a business?

20 MR. MCKEOWN: There's nothing on the
21 righthand side.

22 CHAIRMAN HANCE: So the whole lot is
23 empty?

24 MS. FOUNTAIN: The whole lot.

25 MR. MCKEOWN: Both two lots is empty.

1 MS. FOUNTAIN: It says Pennsauken because
2 we share a zip.

3 VICE-CHAIRMAN COOPER: Like the chairman
4 said, the lot next door is available too, correct?

5 MS. FOUNTAIN: We tried to purchase it.

6 MR. MCKEOWN: And then she didn't
7 purchase -- she didn't want to sell it. And then now
8 we're going through all this --

9 MS. FOUNTAIN: And now she wants to sell
10 it.

11 MR. MCKEOWN: -- and she puts it up for
12 sale last week.

13 MR. BRITO BUENO: You have a picture --

14 MS. FOUNTAIN: Picture of?

15 MR. BRITO BUENO: -- of the lot.

16 MS. FOUNTAIN: The empty lot or the
17 house?

18 MR. BRITO BUENO: The house on the empty
19 lot.

20 MS. FOUNTAIN: I don't know if I have --
21 we have it after the fire. The picture that you
22 brought up, that's exactly how it looked prior to the
23 fire.

24 MR. BRITO BUENO: So this is the house?

25 MS. FOUNTAIN: Yes.

1 MR. EINGORN: Let the record reflect that
2 Mr. Brito Bueno has used his phone to access
3 photographs.

4 MS. FOUNTAIN: This is my house; this is
5 our yard; and that's the neighbor's house. And both
6 lots are both empty.

7 MR. BRITO BUENO: Oh, so there's no
8 longer this house?

9 MS. FOUNTAIN: It's no longer.

10 MR. BRITO BUENO: Oh, okay. So you are
11 going to build to the right facing this way?

12 MS. FOUNTAIN: Yes.

13 MR. EINGORN: They can only build on the
14 one lot because they don't own the lot next door.

15 VICE-CHAIRMAN COOPER: But they're asking
16 for an additional five feet of property.

17 MR. EINGORN: No. What they're asking
18 for is to encroach on the minimum or maximum -- the
19 minimum, excuse me, side yard aggregate width.
20 Right? So I don't have a copy of the R-2 Zone with
21 me. However, I believe it needs -- was it 25 feet
22 aggregate?

23 CHAIRMAN HANCE: They're five feet
24 different?

25 MR. EINGORN: They're five feet short.

1 MS. FOUNTAIN: I have photos on my phone.

2 VICE-CHAIRMAN: You shouldn't be using
3 your phone here.

4 MR. EINGORN: Yes. We really shouldn't
5 be reviewing phone photos because we can't put that
6 on the record.

7 MS. FOUNTAIN: I'm sorry.

8 VICE-CHAIRMAN COOPER: You're fine. For
9 me to take that and look at it, I can't weigh in on
10 it.

11 MR. EINGORN: But we understand that this
12 was a twin that's been burned down.

13 MS. FOUNTAIN: Yes.

14 MR. EINGORN: You own one half of the lot
15 that the twin was on. And you want to reconstruct
16 your house there. I believe what you're coming here
17 to say is that you have a hardship based upon the
18 size of the lot --

19 MS. FOUNTAIN: Yes.

20 MR. EINGORN: -- versus what a standard
21 size home would be constructed today?

22 MS. FOUNTAIN: Correct.

23 MR. EINGORN: And so you're asking for a
24 variance, a bulk variance for the minimum aggregate
25 width and side yard which would be deficient by about

1 25ish -- not 25. It's five feet. My apologies.

2 CHAIRMAN HANCE: But you're also trying
3 to buy the lot next to you and they wouldn't sell it
4 to you.

5 MS. FOUNTAIN: Correct. It has been a
6 year this month and we're just over it. We have a
7 teenage daughter. We're just trying to rebuilt and
8 get back into our home. Because we're still
9 displaced. So we're paying mortgage and we're paying
10 rent.

11 CHAIRMAN HANCE: So you're moving back
12 into --

13 MS. FOUNTAIN: Yes. Once the house is
14 rebuilt, we're moving back in here. Are neighbors
15 are great. They invite us over for dinner. We're
16 ready to go back. I've been ready to go back.

17 MR. EINGORN: I'm looking at Walter
18 McNamara & Associates. I believe this is the survey.
19 Just cut off on the bottom. This is the proposed
20 two-story dwelling. The applicant seems to be
21 proposing two 10-foot side yards according to this.
22 I believe I'm right. It should be 25 aggregate
23 feet. She's going to have 20 feet; 10 feet on each
24 side. So the 10 feet would be fine. She needs 25
25 total. So there still will be 10 feet on either

1 side. This will be a detached single-family home as
2 opposed to a twin. Is that correct?

3 MS. FOUNTAIN: Correct.

4 MR. EINGORN: Thank you. I don't want to
5 act like I'm testifying to have it confirmed. Other
6 questions? Hearing none. Let's now open to the
7 public. Is anybody in the public here tonight that
8 would like support of object to the application of
9 Katrina Fountain, 442 N. 38th Street? Hearing none,
10 we'll close the public portion.

11 The Board has heard an application for a
12 bulk C(1) variance regarding minimum aggregate side
13 yard setbacks. The applicant is proposing two
14 10-foot side yard setbacks totally 20 feet where 25
15 feet would be required. The applicant argues that
16 she has a hardship due to the size of the land and
17 standard size housing by today's standards. If the
18 Board has any further questions, now is the time to
19 ask it, otherwise, a discussion of the Positive and
20 Negative Criteria and a motion.

21 CHAIRMAN HANCE: So how long has the
22 house been burned down?

23 MS. FOUNTAIN: A year. March 22, 2023 is
24 the date of the fire.

25 CHAIRMAN HANCE: For the past year, you

1 plan on moving back into the house again?

2 MS. FOUNTAIN: Yes. I'm positive.

3 CHAIRMAN HANCE: Your face tells a lot.
4 You miss your house.

5 MS. FOUNTAIN: I do.

6 CHAIRMAN HANCE: I think it's a good
7 thing. When someone loses something that's close to
8 them and they get a chance to do it all over again,
9 but just a little bit better, I'm willing to take the
10 extra step. It's always good to rebuild and start
11 something new and fresh. And just looking at it
12 right now, it shows she misses her home.

13 When I mentioned home, her face changed:
14 I want to move back into my home. That's a good
15 thing because they want a strong community; someone
16 that's going to stay here through the good and bad
17 times. And then maybe that land on the left and that
18 land on the right, maybe they'll build something and
19 ring that street right back up again. I think it's
20 a good thing. I think it's positive. And this is
21 what Camden needs.

22 MR. EINGORN: Not often that you see a
23 single-family home.

24 VICE-CHAIRMAN COOPER: I think it's a
25 positive. Whenever someone comes back into our City

1 and build, it's great. I'm a lifetime resident. We
2 need more people; more young people to come back into
3 the City cause that's the only way we're going to
4 bring the City back. We need youth. I'm all for
5 this and I'm going to say yes. I make a motion.

6 MR. EINGORN: Motion to grant the
7 requested bulk variance?

8 VICE-CHAIRMAN COOPER: Yes.

9 MR. EINGORN: Do we have a second?

10 CHAIRMAN HANCE: Second.

11 MR. EINGORN: I'll take a roll-call vote.
12 Chairman Hance.

13 CHAIRMAN HANCE: Yes.

14 MR. EINGORN: Vice-Chairman Cooper.

15 VICE-CHAIRMAN COOPER: Yes.

16 MR. EINGORN: Ms. Alston.

17 MS. ALSTON: Yes.

18 MR. EINGORN: Mr. Brito Bueno.

19 MR. BRITO BUENO: Yes.

20 MR. EINGORN: Having four in favor and
21 none opposed, the motion passes. Congratulations
22 and I hope you enjoy your new home.

23 MS. FOUNTAIN: Thank you. And thank you,
24 Ms. Muhammad. I called her every day with questions.
25 Thank you so much.

1 MR. EINGORN: The last matter for the
2 evening, last application, A Gift From God
3 Ministries, 2802 Thompson Street. Would you raise
4 your right hand, please.

5 - - -

6 DARLENE DAUGHTRY, having first been duly
7 affirmed, was examined and testified as follows:

8 - - -

9 MR. EINGORN: Please state your full name
10 and address for the record.

11 MS. DAUGHTRY: My name is Darlene
12 Daughtry. Address is 205 White Pine Court, Bear,
13 Delaware, 19701.

14 MR. EINGORN: Ms. Daughtry, can you tell
15 me your relationship to A Gift From God Ministries?

16 MS. DAUGHTRY: I'm the owner.

17 MR. EINGORN: Are you the sole owner?

18 MS. DAUGHTRY: The sole owner.

19 MR. EINGORN: Very good. Do you need me
20 to read the appeal for zoning or are you prepared to
21 proceed?

22 MS. DAUGHTRY: I'm prepared.

23 MR. EINGORN: Very good. Let's hear what
24 you got.

25 MS. DAUGHTRY: I am seeking the Board's

1 approval to put up a 6-foot fence around the
2 property along with to put some bollards on the
3 sidewalk. I was also informed that I had to put the
4 City on my insurance which I did do that. And the
5 reasoning for requesting is that there on the back
6 street of the property -- well, let me back up a
7 little bit.

8 We're a transitional home which we have
9 been there since 2002. We house those that are in
10 transition. We give them permanent residency --
11 temporary residency until we can help them get up on
12 their feet. In the meantime through the time that
13 we've had this property, there's low income
14 residency, an apartment complex on the back side
15 which is Howell Street. And unfortunately, there's
16 no place for them to park except for 28th Street.
17 And what they tend to do is always park on the
18 sidewalk on the back of our property. Or they'll
19 park on my actual land, my grass. And that has
20 become a problem with my insurance company because
21 every so often, we have to upgrade the concrete
22 because it's constantly cracking.

23 Then I'm also getting fines from the City
24 because of the amount of dumping that is going on on
25 my property. So I even at one point made a deal with

1 the neighbors. I said, listen, I understand you
2 don't have a place to park. I will allow you
3 access. Just please maintain the property from the
4 debris, but they failed to do that. I continue to
5 get fines from the City. It has now increased to
6 become a known place to dump your stolen vehicles.
7 We recently had the police, PSE&G and everyone else
8 out there because a vehicle that was stolen had
9 nitrogen gas inside of it. So that was the
10 drawing point for me and I then began to seek support
11 to put a fence up and to put the bollards up to keep
12 the stolen vehicles and the debris from being trashed
13 on to the property.

14 Not to mention if I can add to, it's also
15 for years, it was a place for those that have been in
16 that development to hide their drugs on my property
17 until we added cameras going around the entire
18 perimeter. And now the cops love me because they use
19 our cameras to be proactive in the community. But it
20 was just known for them to come and hide their
21 illegal stuff on our property. And, again, it is
22 just not a good place when the kids are trying to go
23 outside and they're doing that on the property.

24 MR. EINGORN: I'm looking at four
25 photographs that you provided. Did you take these

1 yourself?

2 MS. DAUGHTRY: Yes.

3 MR. EINGORN: And did you mark them
4 yourself?

5 MS. DAUGHTRY: Yes.

6 MR. EINGORN: Are you proposing to fence
7 the entire property?

8 MS. DAUGHTRY: That is correct.

9 MR. EINGORN: And can you describe the
10 bollards that you're proposing?

11 MS. DAUGHTRY: They are --

12 MR. EINGORN: Are they like the long
13 rectangle bollards that you see?

14 MS. DAUGHTRY: They are stand-up
15 bollards. I think I took a picture of them.

16 MR. EINGORN: I apologize. I don't see
17 one.

18 MS. DAUGHTRY: So they're like concrete
19 poles. They stand about yay high. You can either do
20 four feet or six feet and they stand right there.
21 The purpose of the bollards are to keep people from
22 parking on the actual sidewalk. And so what they are
23 then a little four or six feet -- not six feet, I'm
24 sorry -- four feet to five feet and they fill them
25 with cement. So that is to prevent -- oh, he has

1 them.

2 MR. EINGORN: Let the record reflect that
3 Mr. Brito Bueno has found a photo on the Internet of
4 the proposed bollards.

5 VICE-CHAIRMAN COOPER: Are they legal in
6 the City?

7 MS. DAUGHTRY: They are.

8 MR. EINGORN: City Council approval would
9 be required to put them on the sidewalk.

10 MS. DAUGHTRY: Yes. And they said the
11 approval would be predicated on me putting them on my
12 insurance policy which I did attach that in there as
13 well. So they have been added on my policy.

14 MR. EINGORN: And you're requesting
15 six-foot high fence?

16 MS. DAUGHTRY: Yes. A 6-foot chain link
17 fence, yes.

18 VICE-CHAIRMAN COOPER: Now, this is a
19 corner property, correct?

20 MS. DAUGHTRY: Yes.

21 MR. COOPER: On the corner itself, six
22 foot may be exceeding our --

23 MS. DAUGHTRY: On the corner?

24 VICE-CHAIRMAN COOPER: Yes. Because of
25 cars turning and you got a 6-foot fence and you may

1 impede the vision.

2 MS. DAUGHTRY: So I'm not doing like a
3 security-type fence. It's just a chain link fence.

4 VICE-CHAIRMAN COOPER: Chain link?

5 MS. DAUGHTRY: Yes. So that's what I was
6 requesting. So they can see because there will be
7 nothing blocking that. And not to mention, if you
8 even look on the way the corner angles, my property
9 comes in. So it's more than enough of your vision
10 for you to be able to turn without it interfering
11 because it sits back where the fence would be.

12 VICE-CHAIRMAN COOPER: And this is in
13 East Camden?

14 MS. DAUGHTRY: This is on the east side
15 of Camden, yes.

16 CHAIRMAN HANCE: Okay. I'm actually from
17 the east side, 28th Street.

18 MS. DAUGHTRY: I'm on the corner of 28th
19 and Thompson.

20 CHAIRMAN HANCE: I know where you are.

21 MS. DAUGHTRY: Okay.

22 CHAIRMAN HANCE: I was raised and born
23 right there.

24 MS. DAUGHTRY: We've been here since 2002
25 and I heard that house was like a little landmark in

1 that community. The residents who owned that, she
2 used to rent part of the land out for them to do
3 gardening. And they used to have all kinds of
4 gardening and everything in there. A lot of the
5 neighbors come and tell me about the lady on the
6 corner.

7 CHAIRMAN HANCE: The church is St. John
8 The Baptist right there.

9 MS. DAUGHTRY: I know that. I'm a
10 minister.

11 MR. BRITO BUENO: Kyle, I got a question.
12 So we're only concentrating on the height of the
13 fence, right, not the bollards? That's not our
14 jurisdiction, right?

15 MR. EINGORN: They would need -- it's
16 kind of hard to say. Yes, the 6-foot height is the
17 bulk variance. The bollards are something that
18 aren't permitted in the zone. Right? Or they're not
19 specifically permitted. And so they would need,
20 I guess, a bulk variance for that as well contingent
21 upon City Council approval and the insurance. So it
22 would be a conditional -- you have to condition the
23 approval on that.

24 MS. DAUGHTRY: So they did tell me. We
25 ended up having to go back and apply for the bulk

1 variance which we did that. They told me that
2 this right here, would be solely for the height of
3 the 6-foot because they said the City would have to
4 approve the bollards to what you're saying.

5 MS. MUHAMMAD: She already submitted the
6 information for the bollards.

7 MS. DAUGHTRY: Yes, I did all of that for
8 the bollards.

9 MR. EINGORN: Then, yes, it ends for the
10 fence.

11 MS. DAUGHTRY: Yeah, it's just for the
12 six foot because the standard they said was four
13 foot. But when I was explaining why I needed the six
14 foot, they understood.

15 MR. BRITO BUENO: Why do you need it so
16 high, the fence?

17 MS. DAUGHTRY: Because the goal really is
18 to keep the people out. And at a four foot you're
19 just are not going to keep them out. I know you may
20 say not even at a six but that's more of a challenge
21 for you to try to jump over a six foot than a four
22 foot. I would prefer a four foot especially for cost
23 reasons.

24 However, my goal is really to become a
25 deterrent and to keep the property lines clean.

1 Because as the young man here just said, just keeping
2 Camden and itself clean, I don't want my property to
3 known as it is currently known now as the dumping
4 site and that's what it's known as, and I don't want
5 that.

6 MR. BRITO BUENO: Do you have cameras?

7 MS. DAUGHTRY: We have the cameras. We
8 put the cameras all around. Well, that deterred the
9 drugs a little bit. But it still has not deterred
10 the car because, again, they come at night. So we've
11 even had to chop down as you know that area. You
12 know, that house was surrounded with over
13 30-something trees. We chopped down 20. That's
14 how many trees. It has become a real cost to try to
15 just really maintain the property and to keep the
16 riff-raff off.

17 MS. ALSTON: Right now you have nothing?

18 MS. DAUGHTRY: Right now we have
19 nothing.

20 MS. ALSTON: So you didn't even try
21 putting the 4-foot fence?

22 MS. DAUGHTRY: We did not try.

23 MS. ALSTON: And then you have the
24 cameras and maybe a "no trespassing sign"?

25 MS. DAUGHTRY: No. They take the

1 "no-trespassing sign," the tow company sign, they
2 take them off every time. We've used screws to put
3 them in and they take them off.

4 MS. ALSTON: Where are they taking them
5 off?

6 MS. DAUGHTRY: Off the tree. That's the
7 only place we can put them which is on the tree and
8 they take them off with screws and drill screws.

9 CHAIRMAN HANCE: So we're talking about a
10 safety hazard, a health hazard and a trespassing?

11 MS. DAUGHTRY: That is correct. Because
12 not to mention there's been needles and different
13 paraphernalia that's always on the property.

14 CHAIRMAN HANCE: I thought it said, if
15 you took the steps of cutting the trees down, hook up
16 video and then the next one is the 6-foot fence --

17 MS. DAUGHTRY: That's correct.

18 CHAIRMAN HANCE: -- which we know, and you
19 got the first and came for the 6-foot fence?

20 MS. DAUGHTRY: Yes.

21 CHAIRMAN HANCE: So we know that a 4-foot
22 fence is not going to hold anyone out?

23 MS. DAUGHTRY: Yes.

24 CHAIRMAN HANCE: And, again, it's for the
25 safety of your church?

1 MS. DAUGHTRY: Yes.

2 CHAIRMAN HANCE: And also for the people
3 coming into the church?

4 MS. DAUGHTRY: Yes, it is. It really is.

5 CHAIRMAN HANCE: And I'm not talking for
6 it. I'm --

7 MS. DAUGHTRY: No. But it is for the
8 safety because especially in the climate in which
9 we're in today, it's a concern. It's just not a
10 concern for me but it's a concern for the residents
11 as well, especially the women who are coming in late
12 at night from work. So we put up flood lights and
13 everything on. But you see the people even with the
14 cameras and the flood lights coming on, they don't
15 care. They're still going through the property.

16 VICE-CHAIRMAN COOPER: It's a short cut?

17 MS. DAUGHTRY: That's exactly what it
18 is. I stood there one day and I asked the lady,
19 excuse me, I have the no-trespassing; please don't.
20 She looked at me and said, okay, and kept going
21 through the property. So there's nothing else I can
22 do but try to do this which is another costly
23 mechanism to try to deter what's currently going on.
24 And this is my last resort.

25 MR. EINGORN: Any other questions for the

1 applicant?

2 MS. ALSTON: I was just thinking about
3 maybe options like four foot in the front and then
4 six around the other. What was your train of thought
5 on that?

6 MR. BRITO BUENO: That was my question.
7 Are you going to see that too from the front?

8 MR. EINGORN: Well, it's a corner lot,
9 remember so it's going to have two frontages.

10 VICE-CHAIRMAN COOPER: Do you have a stop
11 sign on either corner?

12 MS. DAUGHTRY: There's a stop sign on the
13 corner right there at 28th & Thompson Street.

14 MR. EINGORN: That's part of the issue
15 with a corner lot is, you have a lot of frontage.
16 It's half the property. How about we do this.
17 No more questions?

18 CHAIRMAN HANCE: No questions.

19 MR. EINGORN: Let's open to the public.
20 Anybody in the public that's here tonight that would
21 like to be heard in support or in opposition to the
22 application of a Gift From God Ministries, 2802
23 Thompson Street for a 6-foot high fence? Hearing
24 none, we'll close the public portion.

25 MS. ALSTON: Just on this here, and you

1 know where your property starts and ends at?

2 MS. DAUGHTRY: Yes.

3 MS. ALSTON: Because I see you have a
4 drawing all the way around.

5 MS. DAUGHTRY: Yes. Because that's also
6 my lot.

7 MS. ALSTON: Back here towards to where
8 the cars are?

9 MS. DAUGHTRY: Yes, that's my lot as
10 well.

11 MS. ALSTON: So it's going to go all the
12 way around the property?

13 MS. DAUGHTRY: Yes. And just so you see
14 those cars, those are the neighbor's cars who park on
15 the lot every day.

16 MR. EINGORN: Did you bring any pictures
17 of the building itself?

18 MS. DAUGHTRY: No.

19 MR. EINGORN: I think what the Board is
20 running into is that, and I know it's a corner lot,
21 so it has two frontages. But there's really one
22 frontage for the house, the building itself, right?

23 MS. DAUGHTRY: Yes.

24 MR. EINGORN: So what I think the Board
25 is asking is, would you be able to do four-foot high

1 along the front where the front door is but then six
2 foot around the rest. I think that's what the Board
3 is really asking.

4 MS. DAUGHTRY: I can do four foot at the
5 front. You're talking about right there; that would
6 be Thompson Street, correct?

7 MR. BRITO BUENO: Yes.

8 MS. DAUGHTRY: Right. Four foot on the
9 front of Thompson Street is fine. Because it's --
10 they do just the walk-thru. It's the cars and the
11 back end. That's my biggest problem. If I can keep
12 that at six feet.

13 MR. EINGORN: So if I can just ask you
14 quickly. I'm showing you this first photograph in
15 your packet. Is this here, this is Thompson Street
16 so the front of the building is here?

17 MS. DAUGHTRY: Permission to proceed?

18 MR. EINGORN: Yes. Can the Board see
19 this? So this is the first photograph. Can you tell
20 me where the front door is in relation to this?

21 MS. DAUGHTRY: So the front door is
22 right up here.

23 MR. EINGORN: Is right here?

24 MS. DAUGHTRY: Yes.

25 MR. EINGORN: We can't really look at the

1 phones because we can't keep your phone on the
2 record. Right? You don't want to give up your
3 phone.

4 MS. DAUGHTRY: I'm sorry.

5 MR. EINGORN: It's okay. So the front
6 door faces this way?

7 MS. DAUGHTRY: The front door faces that
8 way.

9 MR. EINGORN: Right on to Thompson
10 Street.

11 MS. DAUGHTRY: This is the front door.
12 When you come right over here and you walk up one
13 step.

14 MR. EINGORN: So this is 28th Street
15 here. So where is the front door -- where is the
16 building in relation to this?

17 MS. DAUGHTRY: So this is 28th so this is
18 the house all right there.

19 MR. EINGORN: So this is the side?

20 MS. DAUGHTRY: This is the side. So the
21 fence will go right along that way.

22 MR. EINGORN: So which one is Howell
23 Street?

24 MS. DAUGHTRY: This is Howell Street.

25 MR. EINGORN: Okay.

1 MS. DAUGHTRY: So the fence would then
2 again go right along all up in there.

3 MR. EINGORN: And then the building would
4 be over here?

5 MS. DAUGHTRY: The building is right in
6 here, right in between these trees right there.

7 MR. EINGORN: Got it.

8 MS. DAUGHTRY: If there's another -- all
9 these trees -- but this is whole dump that they dump.

10 MR. EINGORN: So these cars here, are
11 these on your property?

12 MS. DAUGHTRY: Yes.

13 MR. EINGORN: They're on your property?

14 MS. DAUGHTRY: Yes.

15 MR. EINGORN: Is this the building here
16 or is the building to this side?

17 MS. DAUGHTRY: The building is over here.
18 That's the housing back there.

19 MR. EINGORN: I understand now. I got
20 it.

21 MS. DAUGHTRY: So it's here. And this is
22 all where they all -- this is the side right here
23 where they dump the illegal cars. So this is where
24 we always find the cars at.

25 MR. EINGORN: Understood. Okay. That

1 makes a lot of sense now.

2 CHAIRMAN HANCE: I'm just going to say
3 this. Are you going to use that land for parking or
4 are you just going to block it off?

5 MS. DAUGHTRY: So we're going to block it
6 off because the City, we talked to them. We always
7 used it for parking for the residents. They have
8 social workers and different people and it's always
9 easy for them to come up and park. But the City said
10 we couldn't use it until I paved it. Once I paved
11 it, then it is considered because we are a 501(c)(3).

12 CHAIRMAN HANCE: Right.

13 MS. DAUGHTRY: So they would not put it
14 under as parking lot until we pave it. So that's the
15 goal.

16 CHAIRMAN HANCE: So now we're going back
17 to the 6-foot fence because I see something
18 different.

19 MS. DAUGHTRY: Okay.

20 CHAIRMAN HANCE: You guys don't have to
21 agree with me. I see the fence line here. Right?

22 MS. DAUGHTRY: Yes.

23 CHAIRMAN HANCE: Now if they pull up,
24 they're going to be past that fence line. The
25 sidewalk is what, six feet, seven feet long? So if

1 you pull by that corner to make that turn, you're
2 going to sit. The fence is not going to block the
3 site. And the area that I know of, she needs a
4 6-foot fence because that area is bad back there.
5 And you got to get lighting. You need lighting back
6 there.

7 MS. DAUGHTRY: I do.

8 CHAIRMAN HANCE: You have a street light
9 there?

10 MS. DAUGHTRY: Yup. There's one, two,
11 three, four, five, six -- seven. There are seven
12 motion lights that come on. It looks like a
13 Christmas light out there.

14 CHAIRMAN HANCE: So what I'm saying is,
15 she took every step until she came to a 6-foot fence
16 to stop everything. So I'm going to take her
17 judgement that she definitely needs a 6-foot fence.

18 MR. EINGORN: Even in the front where
19 the --

20 CHAIRMAN HANCE: Yes, I would put a
21 6-foot fence in the front because, like I said,
22 people have been here before for a 6-foot fence. And
23 they were saying that dogs can go over it and they
24 can with a 4-foot fence. And if she's doing any type
25 of child care or anything like that, you want to keep

1 them out. And it's going to be linked. It's not
2 going to be a solid white fence. It's going to be a
3 linked fence so you can still see through the fence.
4 I mean, it's your option to go with four in the front
5 or six but you came here for what?

6 MS. DAUGHTRY: I came here for the six.

7 CHAIRMAN HANCE: So you came here for the
8 six all the way around?

9 MS. DAUGHTRY: I came here for the six
10 all the way around because I'm just -- again, I
11 understand what you guys are saying but y'all are not
12 living in my situation. I have women; I have
13 children; I have all of these people and it's always
14 a concern. And if I put the four and I pay for it,
15 and it doesn't meet the situation that I'm trying to
16 deter, I'm right back where I started from. That's
17 what I'm trying to get you to understand. He may
18 understand more because he knows the area.

19 CHAIRMAN HANCE: Well, I got a little bit
20 more than that. I work for Camden County OEO. We
21 have 16 buildings that I'm in charge of. And the
22 issues with our buildings are, we have a 4-foot fence
23 but we got the homeless coming over the fence. We
24 got them making tents. We got them sleeping there.
25 A 4-foot fence is not going to stop anybody homeless

1 from coming over the fence. When you got past our
2 buildings, you'll see even on our steps we have a
3 gate that they still climb over.

4 And they actually put a tent up there.
5 And I got to come there and I'm on call 24/7 and I
6 got to come there and tell them, could you please
7 move. So now we're going to raise that up to six
8 foot. Because the four foot that we put there -
9 well, we're going to come and get permission - but
10 the four foot that we put there, is not keeping
11 nobody out. It really isn't.

12 MR. EINGORN: I think the question is,
13 that's a commercial building, right?

14 CHAIRMAN HANCE: All are commercial
15 buildings, yes.

16 MR. EINGORN: But this is a residential
17 building. So if you put a six foot and it's hard to
18 tell because we don't have a picture of the front of
19 the home. But, generally, a 6-foot high fence that
20 surrounds the front of a home, looks less like a home
21 and more like --

22 VICE-CHAIRMAN COOPER: Curb appeal is not
23 there.

24 MR. EINGORN: Curb appeal really gets --
25 and part of the Board's job is to weigh, you know,

1 what is this going to look like, right? Because does
2 it promote the health, safety, wellness, the
3 beautification of the area? You need to consider
4 whether a 6-foot fence in front of the front door is
5 the esthetic that the City is looking for.

6 VICE-CHAIRMAN COOPER: Right.

7 MR. EINGORN: I understand that there's
8 dumping in the back where a 6-foot fence would be.
9 But they're not, knock on wood, going to drive
10 through the fence hopefully to park in the back.
11 To knock on wood, I say that because and now that I
12 say it, it's probably going to happen, and I don't
13 mean that factitiously. I think this is a really
14 tough situation.

15 MS. DAUGHTRY: I'm sorry. If I can just
16 add what I deal with in that area.

17 MR. EINGORN: Sure.

18 MS. DAUGHTRY: When we put cameras up in
19 the home, they literally put a ladder up there and
20 came and took the cameras down. They came and took
21 the cameras down off the property. So then we turned
22 around and put the cameras inside. This was all on
23 the police report. We put the cameras inside the
24 home. They literally then put the ladder up on the
25 home, broke the window, came in and snatched the

1 cameras down because we gave the footage to the
2 police. This is what I'm dealing with why I'm trying
3 to tell you. It's nothing for them to go over a
4 4-foot. I'd rather -- it's a deterrent.

5 What I do in my career as a district
6 manager and I say to -- I don't put security guards
7 in stores to shoot people. I put them there to be a
8 deterrent. That's what the fence is for me. It is a
9 deterrent. I understand what you guys are saying
10 when you're talking about turning the corner. But I
11 can't see -- it's not a privacy fence that I'm asking
12 to put up. So I can't see how that 6-foot fence
13 would deter anyone from seeing around the bend the
14 way that the corner is. The house sits back. It
15 doesn't sit up on the very edge of the corner; it
16 just doesn't.

17 And in regards to beautifying the City,
18 how can I beautify a City? How will the chain link
19 6-foot fence take away from the beauty of the home
20 anymore than the trash, the drugs and all the other
21 stuff that's being dumped on my site? If that makes
22 sense, then I guess what you're saying about the
23 6-foot fence, makes sense.

24 VICE-CHAIRMAN COOPER: The only problem
25 we have, we don't have a problem with the 6-foot

1 fence. You go all the way around the perimeter. But
2 when you come to the front of your house and you got
3 a 6-foot fence that we're going to look at, that's
4 not curb appeal to us. You might bring the 6-foot
5 fence to where your steps is; put a gate there or
6 something. It's not just all around.

7 CHAIRMAN HANCE: So what you're saying
8 is, if she came to the front of the house --

9 VICE-CHAIRMAN COOPER: Yes.

10 CHAIRMAN HANCE: -- and made a "U" to the
11 left and right side of the house --

12 VICE-CHAIRMAN COOPER: Yes.

13 CHAIRMAN HANCE: -- you got to leave the
14 front open.

15 VICE-CHAIRMAN COOPER: Open.

16 MS. DAUGHTRY: I'm not going to block in
17 my steps and stuff.

18 VICE-CHAIRMAN COOPER: But from the curb
19 you are blocking it cause you got to open the gate to
20 get to your steps. Do you understand what I'm
21 saying?

22 MS. DAUGHTRY: Right.

23 MR. BRITO BUENO: Can we see some
24 pictures?

25 MR. EINGORN: Yes. I think that's part

1 of the issue.

2 MR. BRITO BUENO: So we can see what
3 we're talking about?

4 MR. EINGORN: Right. I think we need to
5 see the front of the building and what you're
6 proposing at the front. Because without that
7 information, it's really difficult for the Board to
8 make a determination whether or not six feet at the
9 front of the building is going to be appropriate.

10 MS. DAUGHTRY: I understand that you said
11 that I could not use my phone because you can't keep
12 it. But can I at least just show it to you so that
13 you can get an idea?

14 MR. EINGORN: We're not suppose to do
15 that because we're suppose to have what we hear in
16 the record.

17 VICE-CHAIRMAN COOPER: If you have
18 something, come up.

19 MR. EINGORN: The issue is this. You
20 have neighbors. Okay? And I want -- just one
21 second. Just let me explain what I'm saying. And I
22 know there's nobody here. These people here just
23 showed up so I don't if they're here in relation to
24 this to this application. But the point is that, if
25 somebody were to challenge your approvals and they'll

1 have 45 days to do that, and then the Board made a
2 decision without the photographs, there's a
3 possibility that they could win. Right? And then
4 you'd be either back here or you wouldn't get your
5 fence at all based upon what happens.

6 So it's not just for the Board's
7 protection. It's for your protection as well.
8 Right? Because to the extent you get the variance
9 you're requesting, you want it to hold up on appeal
10 to the extent that someone comes in and says, whoa,
11 whoa; you just stuck a big fence in front of the
12 property. Right? So without the photographs, you
13 have an incomplete kind of application and an
14 inability to demonstrate to the Board: Hey, we have
15 enough space; we have enough air; we have enough
16 light to demonstrate that a 6-foot fence at this
17 point of the property would be appropriate visually.

18 And so when you get your approvals, the
19 Board would like - because remember, the Board's the
20 one who has to defend itself on appeal - would like
21 to have something in the record that it can stand on
22 to withstand an appeal. Right? Because the Board is
23 a quasi-judicial Board. They act as a judge. And so
24 to the extent that there is an appeal, we'd all be
25 before the court together.

1 CHAIRMAN HANCE: So what I'm saying is
2 this. You're going to have it professionally
3 installed, correct?

4 MS. DAUGHTRY: Yes.

5 CHAIRMAN HANCE: Okay. So I would go to
6 whoever you're going to get to install it, have them
7 give you a diagram of how it would look around your
8 house so then we get a clear picture of how it looks.
9 That way you won't be running back and forth; someone
10 won't come here and say, hey, that's terrible.

11 MS. DAUGHTRY: But my question was this,
12 even if we considered the four foot, on the part
13 where they are parking the illegal cars which is not
14 in front of the house, would that be okay to put the
15 six foot down there?

16 MR. EINGORN: As far as I hear, I don't
17 think there's any issue with the 6-foot fence in the
18 back. The issue is along the front where the front
19 door of the building is.

20 MS. DAUGHTRY: Right.

21 MR. EINGORN: That's really what the
22 Board is hung up on right now.

23 MS. DAUGHTRY: Right.

24 MR. EINGORN: And so that's really what's
25 at issue right now. That's what the Board needs to

1 see. That's the one picture we don't have.

2 MS. DAUGHTRY: Right. But that's what
3 I'm saying. If their suggestion cause it kind of
4 came from that end first, of trying a four foot on
5 the front end and a six going around. My question is
6 again, not the front part of the house that block. I
7 own the land that's right there next to that. Is
8 that a problem if that empty lot had the six and then
9 we came down to four? That's nowhere near the
10 corner. It's nowhere near the corner. It's in the
11 middle of the block.

12 CHAIRMAN HANCE: This is why we need
13 pictures of the house and that's going to tell the
14 story for you. And the issue is not the 6-foot
15 fence. It's just the front of the house where that
16 is going to be the case for the 6-foot fence or is it
17 going to be open? And the 6-foot fence is going to
18 be on the lefthand side of the house or on the
19 righthand side of the house where the house stands
20 out where you can walk to the house?

21 MS. DAUGHTRY: And I hear that. But what
22 I'm just saying is that, again, I came here to get a
23 resolution. It's a yes or no. But if a four foot in
24 the front would get me to the yes, because I cannot
25 continue. We just had again the police and everybody

1 else, PSE&G, everyone surround our property and it
2 scared the life out of us because someone dumped
3 another illegal truck there with nitrogen gas. This
4 has been an ongoing issue.

5 I would like to put a fence up and I have
6 to wait another 30 days. So if the argument is four
7 foot in the front and as long as they cannot get in.
8 Because I'm told, they will approve the bollards. I
9 don't know if that's you or whoever it is. But that
10 is going to keep the cars from coming in. That's the
11 biggest thing to keep the stolen cars off the
12 property cause they won't be able to drive up in the
13 land. So then it's the people piece. That was
14 second thing. So with the four foot is the issue
15 then I'm willing to entertain --

16 VICE-CHAIRMAN COOPER: Does she have to
17 do her application over again? She can't change it.
18 She wanted a 6-foot fence.

19 MR. EINGORN: No, she doesn't have to do
20 it over because she'll be compliant for the four foot
21 along the front. Right? And she'll get a variance
22 for the other piece.

23 VICE-CHAIRMAN COOPER: I'm happy.

24 CHAIRMAN HANCE: Open to the public.

25 MR. EINGORN: We already. Since we've

1 amended the application.

2 CHAIRMAN HANCE: All right.

3 MR. EINGORN: Is there any other
4 questions; any other concerns?

5 MS. ALSTON: I would just like to see the
6 visual. I understand what she is saying and I did
7 hear that there is an issue. This issue did not
8 start today. And if a 4-foot fence was already
9 installed then you would be moving to the 6-foot
10 fence and then we would say, hey, four foot is there;
11 it wasn't working. We're going from nothing to a six
12 foot and we can't see the front or around.

13 The cars being illegally parked there is
14 a problem; the trash being illegally dumped there is
15 a problem and I understand that. But I think there's
16 more than just -- there's more going on. And I
17 personally would like to see a little more visuals
18 just to get an understanding. Maybe it does call for
19 a six foot and we're saying no to it.

20 MS. DAUGHTRY: Just so that you do know,
21 it was a 4-foot fence around the entire house. It
22 was a whole 4-foot fence. It was broken into
23 different pieces and we took it out. So it
24 definitely was a whole 4-foot fence around the
25 property.

1 CHAIRMAN HANCE: So she needs all four
2 votes, right?

3 MR. EINGORN: No. It's a bulk variance.
4 She would just need a majority of the Board present.

5 MS. ALSTON: A majority?

6 MR. EINGORN: Yes.

7 VICE-CHAIRMAN COOPER: To make this
8 application easier, if we can get photos.

9 MR. BRITO BUENO: Yes.

10 VICE-CHAIRMAN COOPER: If we can get some
11 photos and I understand it's going to be another
12 month, but for us to make a decision or something
13 that we're going off of, photos that's not showing us
14 the full property, it's going to be hard to get four
15 of our votes tonight. To give you a fair shake, if
16 you give us pictures, I think we can work this out.

17 MR. EINGORN: Is that the verdict,
18 photographs?

19 MR. BRITO BUENO: Yes.

20 MR. EINGORN: So, Ma'am, what we need is
21 photographs of the front of the building. If you
22 have a fence contractor that can provide some sort of
23 diagram, elevation, computer-generated model,
24 whatever they call it nowadays and I know I'm not
25 that old, but I don't know what it's called, and some

1 additional photographs of around the area, the Board
2 will consider it. And everything you've already said
3 plus what's already in the record at the May
4 meeting. May 6th. And since this is Old Business,
5 we would take you first.

6 CHAIRMAN HANCE: Better safe than sorry.

7 VICE-CHAIRMAN COOPER: That's what I was
8 going to say.

9 MS. DAUGHTRY: We will see.

10 MR. EINGORN: For the record, there's no
11 need to renote. We're announcing right now that
12 this matter is being adjourned for additional
13 information to the May 6th meeting without further
14 notice to the public.

15 MS. DAUGHTRY: Okay. Thank you.

16 MR. EINGORN: Thank you. So now we have
17 the Adoption of Resolutions.

18 We have multiple Resolutions. I didn't
19 get to all of them. I didn't get to Melanie Garcia
20 or Benson Investments. But Mr. Brito Bueno came in
21 in the middle so he's only able to vote on certain
22 ones. So the first three, Chairman Hance, Mr. Cooper
23 and Ms. Alston can vote on.

24 So those are Bulk Variances for Alba
25 Aguilar, 1164 Everett Street for the duplex.

1 A Nonconforming Use for Barbara Clark,
2 314 Marlton Pike, a duplex.

3 And a Bulk Variance Approval for Hettie
4 Pope, 422 Washington Street. That was the
5 ground-level deck.

6 So can I get a motion to approve to adopt
7 those three?

8 CHAIRMAN HANCE: I make a motion that we
9 adopt.

10 VICE-CHAIRMAN COOPER: Second.

11 MR. EINGORN: I'll take a roll-call vote.
12 Chairman Hance.

13 CHAIRMAN HANCE: Yes.

14 MR. EINGORN: Vice-Chairman Cooper.

15 VICE-CHAIRMAN COOPER: Yes.

16 MR. EINGORN: Ms. Alston.

17 MS. ALSTON: Yes.

18 MR. EINGORN: Having three in favor and
19 none opposed, the motion passes.

20 And then everybody can vote on the
21 following Resolutions: Granting Use Variance
22 Approval Lydia Robles, Southside Polk, 310 E. 28th
23 Street, the installation of a carport.

24 Granting Nonconforming Use Antonio Ovando
25 Rodriguez, 1016 Broadway for the restaurant.

1 Denying Use Variance Approval for
2 Roger D. Machigal, 2500 Baird Boulevard, auto repair
3 and 6-foot fence.

4 Granting Nonconforming Use Hanan Alomari,
5 601 N. 5th Street. That was the grocery store.

6 Granting Nonconforming Use for Triplex
7 Auto Group, 901-909 S. 3rd Street. That was an auto
8 repair garage. So those five, do we have a motion to
9 adopt those?

10 VICE-CHAIRMAN COOPER: Motion to adopt.

11 MR. EINGORN: Do we have a second?

12 CHAIRMAN HANCE: Second.

13 MR. EINGORN: Roll-call vote. Chairman
14 Hance.

15 CHAIRMAN HANCE: Yes.

16 MR. EINGORN: Vice-Chairman Cooper.

17 VICE-CHAIRMAN COOPER: Yes.

18 MR. EINGORN: Ms. Alston.

19 MS. ALSTON: Yes.

20 MR. EINGORN: Mr. Brito Bueno.

21 MR. BRITO BUENO: Yes.

22 MR. EINGORN: Having four in favor and
23 none opposed, the motion passes. I'll have the last
24 two Resolutions for next month. We need a motion to
25 adjourn.

1 VICE-CHAIRMAN COOPER: Motion to adjourn.

2 MR. EINGORN: Do we have a second?

3 MR. BRITO BUENO: Second.

4 MR. EINGORN: All in favor?

5 THE BOARD: Yays.

6 - - -

7 (*Meeting concluded at 6:53 p.m.*)

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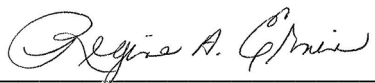
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2
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7 to testify to the truth.

8 I FURTHER CERTIFY that the foregoing is, to
9 the best of my ability, a true and accurate
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11 me at the time, place, and date hereinbefore set
12 forth.

13 I FURTHER CERTIFY that I am neither a relative,
14 employee, attorney or counsel to any of the
15 parties to the action, nor a relative or employee of
16 such attorney or counsel and that I am not
17 financially interested in the action.

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