

## AGENDA OF THE ZONING BOARD OF APPEALS

TO BE HELD TUESDAY, 11 JULY 2023, AT CITY HALL AUDITORIUM, 110 RIVER STREET, 7:00 P.M.

Non-participants may view the meeting live (via YouTube): <https://www.youtube.com/c/MGATCity>

**TO VIEW ONLINE PLANS AND OTHER DOCUMENTS FOR THE ITEMS LISTED BELOW, CLICK [HERE](#)**

### A. PLEDGE OF ALLEGIANCE/ROLL CALL

### B. CONSIDERATION OF AGENDA ITEMS

1. **12 Francis Street**, MBP 6/84/2; R-7.5; Kevin Curseaden, Esq., for Antoinette Voll and Joseph Voll, appellants; Appeal the decision of the Zoning Enforcement Officer in accordance with the provisions of section 9.2.1 regarding April 20, 2023, Notice of Violation and related decision that there is a violation of Sections 5.7.2, 5.7.6.6, 5.8.6.6, 5.8.6.7 of the MZR.
2. **25 Eighth Avenue**, MBP 9/102/9; R-7.5; Robert Maslan, Esq., for S. Swan, Laurel Beach Assoc. and E.T. Krolikowski III, appellants; Appeal the decision of the Zoning Enforcement Officer in accordance with the provisions of section 9.2.1 regarding Certificate of Zoning Compliance for Use of Land or Building, Certifying each of the existing developer lots, Lot #'s 23, 24, 25 and 26 as shown on Maps R-33 and F-580 are legally nonconforming lots of record.
3. **128 Beach Avenue**, MBP 60/743/11; R-7.5; Thomas Lynch, Esq., for Mervyn Klein, owner; Vary Section 4.1.1.1 proposed pool front-yard setback from Blackall Road to 15' where 20' required.
4. **1534 New Haven Avenue**, MBP 82/780/3; R-7.5; Kevin Curseaden, Esq., for Family Trust of James Francis Kennedy III and Joyce Estelle Kennedy, appellants; Appeal the decision of the Zoning Enforcement Officer in accordance with the provisions of section 9.2.1 regarding decision to approve K-7 form for used car dealership on site when no approvals for used car dealership exist. **WITHDRAWN**
5. **40 Morehouse Avenue**, MBP 30/639/12; R-5; Thomas Lockwood, Cheryl Quinlan, owners; Vary Section 4.1.4.3 to allow front deck where such deck is not permitted because it's not the minimum allowed.
6. **10 Fourth Avenue**, MBP 9/73/3; R-10; Stephen and Pamela Moore, owners; Vary Section 3.1.4.1 side-yard setback to 6.7' where 10' required for garage expansion.
7. **87 Bayshore Drive**, MBP 28/566/3; R-7.5; Amy Berkowitz, owner; Vary Section 4.1.4 front-yard projection to 11.5' where 16' permitted for new front deck and stairs.
8. **783 East Broadway**, MBP 22/474/35; R-5; Thomas Lynch, Esq., for Julie Porzio, owner; Vary Section 3.1.4.1 side-yard setbacks to 3.1' each side where 5' and 10' required; 4.1.4 side projections to 3.1' each side where 4' and 8' permitted; Section 6.3.2 expansion of nonconforming structure all to construct a new residence with deck.

### C. NEW BUSINESS

### D. OLD BUSINESS

### E. STAFF UPDATE

### F. ACCEPTANCE OF MINUTES FROM 13 JUNE 2023 HEARING

### G. ACCEPTANCE OF APPLICATIONS FOR 9 AUGUST 2023 HEARING