

**RESOLUTION OF THE ZONING BOARD  
OF ADJUSTMENT OF THE  
BOROUGH OF BRADLEY BEACH**

RESOLUTION NO. 411-1-25-04

WHEREAS, Tom and Alice Connolly, (hereinafter referred to as the "Applicant"), is the owner of property known as Block 18, Lot 6 as shown on the Borough of Bradley Beach Municipal Tax Map, more commonly known as 509 Newark Avenue, Bradley Beach, New Jersey; and

WHEREAS, the Applicant has appeared before the Borough of Bradley Beach Zoning Board of Adjustment (hereinafter referred to as the "Board"), pro se for a variance to construct enclosed deck at rear of structure. The property in question is located on the southern side of Newark Avenue between Hammond and Fletcher-Lake Avenues. This location is within the Borough's Residential Zone A (R-A). The lot is approximately 25' x 91' and currently contains a two-story dwelling. The applicant proposes to construct an enclosed deck on the rear of the house. The existing use and proposed uses are conforming for the zone, however bulk variances will be required for the existing and proposed non-conformities; and

WHEREAS, notifications as required by the Statutes of the State of New Jersey as well as the Borough of Bradley Beach pertaining to the public hearings on this matter have been satisfactorily perfected; and

WHEREAS, the Board did conduct a public hearing on July 15, 2004 to evaluate and consider the application as above set forth; and

WHEREAS, the Board did hear testimony of the Applicant, considered the various exhibits, thereafter marked into evidence and introduced as follows:

A-1 Application of Thomas Connolly to construct patio enclosure on new deck dated February 23, 2004;

A-2 Survey prepared by Michael J. Williams dated October 28, 2002, unsealed;

A-3 Notice of Hearing to Property Owners signed by Thomas Connolly and dated May 28, 2004;

A-4 Affidavit of Service signed by Thomas Connolly dated June 5, 2004;

A-5 Affidavit of Publication of Asbury Park Press dated June 3, 2004;

A-6 Certified receipts of mailing dated June 7, 2004;

A-7 Color photos (2) of similar porch enclosures proposed by the applicant;

A-8 Four page pictorial brochure of various styles of porch enclosures of Tri-State Building;

A-9 Computer generated black and white photos (4) of rear of applicant's house.

WHEREAS, based upon the testimony presented, the exhibits offered by the Applicant, the following findings of fact and conclusion of law that have been made by the Board, to wit:

1. The Board has jurisdiction to herein consider the application pursuant to N.J.S.A. 40-555D-1, et seq.
2. The Applicant has satisfied the notice requirements of the State and Municipal Ordinances, and, therefore, the Board has authority and jurisdiction to consider the application.
3. The Applicant is the owner of premises known as 509 Newark Avenue, Bradley Beach, New Jersey and further known as Block 18; Lot 6, as shown on the Tax Map of the Borough of Bradley Beach.
4. The Board has concluded that the proposed application would not adversely impact upon the master plan of the Borough of Bradley Beach and does promote the safety and welfare of the residents of the municipality and accordingly has satisfied the requirements of obtaining the said Variance.
5. The Board is further satisfied that the information in evident submitted by the Applicant is sufficient to permit the Board to make a decision in this case and, as such, waives any additional formal requirements as contained in the Borough Ordinance.

NOW, THEREFORE, BE IT RESOLVED by the Borough of Bradley Beach Zoning Board of Adjustment that the variance application requested is hereby *granted* as presented subject to the following:

1. The Applicant shall cause notice of the decision to be published on one occasion in the official newspaper of the Borough of Bradley Beach and return proof of publication to the administrative office of the Board of Adjustment.

2. The Applicant shall pay any application fees and taxes which may be due to the Board or the municipality.

3. The approval is subject to the posting of any and all required guaranties or other escrows which may be required by the appropriate Borough officers or professionals to secure performance of this approval.

4. The approval is subject to compliance with all federal, state, and local rules, regulations, laws and/or ordinances and the procurement of any required governmental approval or permits required in connection with this application.

5. The Applicant's request for a variance is therefore granted.

IT IS FURTHER RESOLVED that a copy of this Resolution certified by the secretary of the Borough of Bradley Beach Zoning Board of Adjustment to be true shall be forwarded to the  
Tax Collector  
Construction Code Officer, Borough Clerk, Board Engineer, Borough Assessor and within ten (10) days of the date hereof to the Applicant herein.

BE IT FURTHER RESOLVED that the notification of this Resolution shall be published in the Asbury Park Press within ten (10) days of its passage.

DATED: JULY 15, 2004

MOVED BY: CHAIRMAN MAYER

SECONDED BY: MR. HELD

ROLL CALL VOTE:

Those in favor: CHAIRMAN MAYER, VICE-CHAIRMAN SIRI, MR. HELD, MR. CONOSCENTI,  
MR. ALBERS, MR. KOVACH, MRS. CICCHI

Those absent: MR. BISHKOFF

Those abstaining:

Those ineligible: MR. GOLDFARB

MEMORIALIZATION DATE: AUGUST 19, 2004

MOVED BY: MR. HELD

SECONDED BY: VICE CHAIRMAN SIRI

ROLL CALL VOTE:

Those in favor: CHAIRMAN MAYER, VICE CHAIRMAN SIRI, MR. HELD, MR. CONOSCENTI,  
MR. ALBERS, MR. KOVACH, MRS. CICCHI

Those absent: MR. BISHKOFF, MR. GOLDFARB

Those abstaining:

Those ineligible: NONE

The foregoing is a true copy of the Resolution adopted by the zoning Board of Adjustment of the Borough of Bradley Beach at its meeting of July 15, 2004, and copies from the minutes of said meeting.

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SECRETARY, Zoning Board of  
Adjustment of the Borough of  
Bradley Beach

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