

**ZONING BOARD OF ADJUSTMENT
APPLICATION FOR USE VARIANCE AND/OR BULK VARIANCE(S)**

Information on Subject Property:

1. Property address: 704 Fourth Avenue, Bradley Beach, NJ 07720
Block(s) 58 Lot(s) 12 Zone: GBW
2. Does the Applicant own adjoining property? YES NO
If answer to foregoing is yes, describe location and size of adjoining property: _____

3. An application is hereby made for a variance(s) from the terms of Article(s) and Section(s):
Pursuant to NJSA 40:55D-70(c) Variance for Lot width of 43' existing and proposed whereas 50' required
There is no available property to the east or west available to be acquired to make this condition conforming.
Applicant also requests a use variance to construct a 2 1/2 story residential dwelling and detached garage with garage apartment in the Commercial GBW zone. Adjoining properties and properties within the block between Main Street and Memorial Drive and on the north side of Fourth Avenue are consistently developed with residential developments.
4. Justification/Reasons why each variance should be granted [attach forms as necessary]
Applicant requests any waiver and further variance relief as may be identified by the Zoning Board of Adjustment, including but not limited to relief related to setbacks for side, front or rear yards to a principal or accessory structure, driveways, or walkways, building coverage, impervious coverage, size of principal or accessory structures, height, stories or any and all other variances as may be identified. Justifications are as noted in #3 above.
5. If conditional use is required/requested with this application, detail conformance/deviation from the requirements of the zoning ordinance [attach forms as necessary].
N/A

Contact Information:

6. Name of applicant: James and Dorothy Frederick
Mailing address: 283 Spring St., Apt. A, Red Bank, NJ 07701
Phone # [REDACTED] Fax # _____ Cell # Same
E-mail address: [REDACTED]

7. Interest of Applicant if other than owner (i.e. tenant, contract purchaser)(If applicant is not the owner, Owner(s)' Affidavit of Authorization and Consent must be completed & submitted with this application):

Applicant is Owner

8. Name of present owner: Same as Applicant

Mailing address: _____

Phone # _____

Fax # _____

Cell # _____

E-mail address: _____

9. Contact Person: Jeffrey P. Beekman, Esq.

Mailing address: 47 Main Ave., PO Box 395, Ocean Grove, NJ 07756

Phone # 732-774-8262

Fax # 732-774-6989

Cell # [REDACTED]

E-mail address: Jeffrey.Beekman@Beekmanlaw.com

Applicant's Professionals' Information:

10. Name of applicant's Attorney (if applicable)

(Companies/Corporations must be represented): Jeffrey P. Beekman, Esq.

Mailing Address: 47 Main Ave., PO Box 395, Ocean Grove, NJ 07756

Phone # 732-774-8262

Fax # 732-774-6989

Cell # [REDACTED]

E-mail address: Jeffrey.Beekman@Beekmanlaw.com

11. Name of applicant's Engineer (if applicable): Joseph J. Kociuba, P.E. & P.P.

Mailing Address: C/O KBA Engineering Services LLC, 2517 Route 35, Bldg. E, Suite 203
Manasquan, New Jersey 08736

Phone # 732-722-8555

Fax # 732-722-8557

Cell # _____

E-mail address: joe@kbaengineers.com

12. Name of applicant's Planner (if applicable): Same as Engineer above

Mailing Address: _____

Phone # _____

Fax # _____

Cell # _____

E-mail address: _____

13. Name of applicant's Surveyor: Same as Engineer above

Mailing Address: _____

Phone # _____

Fax # _____

Cell # _____

E-mail address: _____

14. Name of applicant's Architect (if applicable): David H. Feldman, RA, AIA

Mailing Address: 1670 Route 34 North, Suite 1B, Wall, New Jersey 07727

Phone # 732-761-8182 Fax # _____ Cell # _____

E-mail address: DAVID.FELDMANarchitects@gmail.com; carrissa.feldmanarchitects@gmail.com

15. Name of applicant's Other Professional (if applicable): N/A

Mailing Address: _____

Phone # _____ Fax # _____ Cell # _____

E-mail address: _____

Detail Property Information:*(PLEASE INCLUDE INFORMATION FOR EACH ZONE/BLOCK/LOT INVOLVED BELOW – ATTACH ADDITIONAL SHEETS AS NECESSARY)*

<u>PRINCIPAL USE:</u>	<u>Required and/or Permitted</u>	<u>Existing</u>	<u>Proposed</u>
Minimum lot area	5,000 sq.'	6,453.29 sq.'	6,453.29 sq.'
Minimum lot width	50'	43'	43'
Minimum lot depth	100'	150.39'	150.39'
Minimum lot frontage	50'	43'	43'
Minimum front yard setback	None	N/A	5.83'
Minimum rear yard setback	10'	N/A	82.75'
Minimum side yard setback	None	N/A	5/9.91'
Maximum percent building coverage	90%	10.58%	35.25% (Inc. Garage)
Maximum percent lot coverage	100%	54.82%	74.43%
Maximum number of stories		N/A	2 1/2
Maximum building height (in feet)	48'	N/A	35'
Square footage of principal structure		N/A	1,559 sq.'
Off-street parking spaces	4		5+
Prevailing Setback of adjacent buildings within the block/within 200 ft.		TBD if necessary	TBD if necessary
<u>ACCESSORY USE/STRUCTURE:</u>	<u>Required and/or Permitted</u>	<u>Existing</u>	<u>Proposed</u>
Minimum front yard setback			
Minimum rear yard setback	5'	0.5'	15'
Minimum side yard setback	5'	0'	5'
Minimum combined side yard setback			14.91'
Maximum percent building coverage			
Maximum percent lot coverage			
Maximum number of stories			Garage w/ Apt.
Maximum building height (in feet)	'		25'
Square footage of accessory structure			700 sq.'
Distance between principal & accessory structure			84 +/-'
Existing use or uses on the lot: Garage Only			
Proposed use or uses on the lot: 2 1/2 story single family dwelling w/ detached garage with garage apartment			
Is the property located in a special flood hazard area? No			

NOTE: Any items that are not applicable to a particular application shall be marked with an "N/A".**Detail Proposed Information:**16. Existing and proposed number of units, if applicable: 2 (Single Family Dwelling & Garage Apt.)

17. Are any extensions of municipal facilities or utilities involved with this application? Y N

If answer is YES, describe: _____

18. Are drainage ditches, streams, or other water courses involved with this application? Y N

If answer is YES, describe: _____

19. Has there been any previous applications before the Planning Board/Board of Adjustment involving these premises? Yes No Unknown

If so, when: _____

Result of decision: _____ (attach copy of prior Resolution)

20. Has a Zoning denial been received as part of this application? YES NO If yes, please attach.

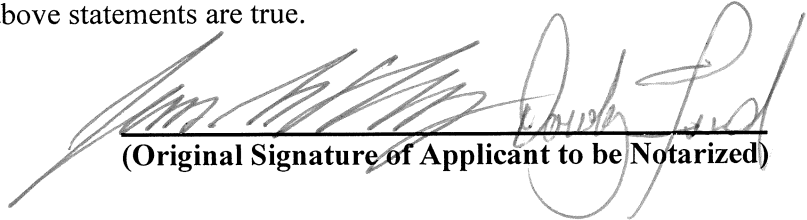
21. Tax and Assessment payment report indication of all taxes and/or assessment required to be paid attached to this application: YES NO TBD

22. Are any easements or special covenants by deed involved with this application? YES (If yes, attach copy) NO

AFFIDAVIT OF APPLICATION

State of New Jersey :
: ss
County of Monmouth :

James Frederick and Dorothy Frederick being of full age, being duly sworn according to Law, on oath depose and says that all the above statements are true.


(Original Signature of Applicant to be Notarized)

James Frederick Dorothy Frederick
(Print Name of Applicant)

Sworn and subscribed before me this

30th day of July, 2021

[NOTARY SEAL]



Signature of Notary Public
Jeffrey P. Beekman, Esq.
Attorney at Law of New Jersey

OWNER(S)' AFFIDAVIT OF AUTHORIZATION AND CONSENT
STATEMENT OF LANDOWNER WHERE APPLICANT IS NOT LANDOWNER

[Original signatures only – copies will not be accepted]

IN THE MATTER BEFORE THE Zoning Board of Adjustment
(Insert Planning Board or Zoning Board of Adjustment)

IN THE BOROUGH OF BRADLEY BEACH, STATE OF NEW JERSEY, COUNTY OF MONMOUTH.

I/WE, James Frederick and Dorothy Frederick, WITH MAILING ADDRESS OF
(Insert Property Owner's Name)

283 Spring St., Apt. A, Red Bank, NJ 07701 OF FULL AGE BEING DULY
(Insert Property Owner's Mailing Address)

SWORN ACCORDING TO LAW AND OATH DEPOSES AND SAYS:

“I/WE ARE THE OWNER(S) OF THE SUBJECT PROPERTY IN CONNECTION WITH
THIS APPLICATION DESIGNATED AS BLOCK(S) 58 LOT(S) 12

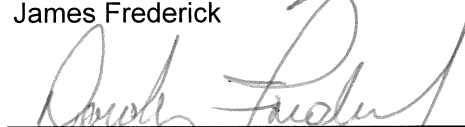
ALSO KNOWN AS 704 Fourth Avenue, Bradley Beach, NJ 07720.
(Insert physical address of the subject property)

I/WE AUTHORIZE James Frederick and Dorothy Frederick
(Insert name of Owner(s)' representative appearing before the Board)

TO APPEAL TO THE PLANNING/ZONING BOARD OF ADJUSTMENT OF THE BOROUGH OF BRADLEY BEACH FOR SUCH RELIEF AS MAY BE REQUIRED RELATING TO THE PROPERTY LISTED ABOVE, CONSENT TO SUCH APPEAL AND APPLICATION, AND AGREE THAT ANY DECISION OF THE PLANNING/ZONING BOARD OF ADJUSTMENT ON SUCH APPEAL SHALL BE BINDING UPON ME/US AS IF SAID APPLICATION/APPEAL HAS BEEN BROUGHT AND PROSECUTED DIRECTLY BY ME/US AS THE OWNER(S).

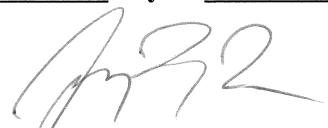


(Original Signature of Owner to be Notarized)
James Frederick



(Original Signature of Owner to be Notarized)
Dorothy Frederick

Sworn and subscribed before me this
30th day of July, 2021



Jeffrey P. Beekman, Esq., Attorney at Law of NJ
Signature of Notary Public

[NOTARY SEAL]

SITE VISIT AUTHORIZATION OF PROPERTY OWNER

I hereby authorize any member of the Borough of Bradley Beach Planning Board/Zoning Board of Adjustment, any of said of Board's professionals or reviewing agencies of the Board to enter upon the property which is the subject matter of this application, during daylight hours, for limited purpose of viewing same to report and comment to the Board as to the pending application.

Date: 7/30/21

James Frederick *Dorothy Frederick*
Signature of Property Owner
James Frederick Dorothy Frederick

Escrow Agreement

I/we fully understand an "Escrow Account" will be established to cover the costs of the professional services which will include engineering, legal, planning, architectural, and any other expenses incurred in connection with the review of this application before the Board.

The amount of the Escrow Deposit will be determined by the Borough of Bradley Beach Ordinance Chapter 60. Land Use Procedures Section 60-29. Application fees and escrow requirements. Please see attached for details.

Any request for replenishment of escrow funds shall be due within fifteen [15] days of receipt of the request. If payment is not received within that time, applicant will be considered to be in default, and such default may jeopardize appearance before the Board and/or hold up of any and all pending approvals and building permits. Continued refusal will result in legal action against the property.

Also in accordance with N.J.S.A. 40:55D-53.1, all unused portion of the escrow account will be refunded upon written request from the applicant, and verification of completion by the board's professionals who reviewed the application.

By signature below, I/we acknowledge receipt of the Borough of Bradley Beach's Chapter 60. Land Use Procedures Section 60-29. Application fees and escrow requirements and agree to all conditions listed.

Name of Applicant: James and Dorothy Frederick
[please print]

Property Address: 704 Fourth Avenue, Bradley Beach, NJ 07720 Block 58 Lot 12

Owner/
Applicant's Name: James Frederick
[Print Name]

James Frederick
[Signature of Applicant] Owner
Dorothy Frederick
[Signature of Owner] Applicant

Applicant/
Owner's Name: Dorothy Frederick
[Print Name]

Date: July 30, 2021



Borough of Bradley Beach
 701 Main Street
 Bradley Beach, NJ 07720
 (732) 776-2999 ext 1038

Date Issued: _____
 Application Number: ZA-21-0126
 Application Date: 5/25/2021
 Project Number: _____
 Permit Number: _____
 Fee: \$45.00 CHK 7410

Zoning Permit Denial

Worksite: **704 FOURTH AVE**
 Location: **Borough of Bradley Beach, NJ 07720**

Contractor: _____

Owner: **FREDERICK, JAMES G & DOROTHY**
 Address: **283 SPRING ST APT A**
RED BANK, NJ 07701

Applicant: **FREDERICK, JAMES G & DOROTHY**
 Address: **405 MAIN STREET**
BRADLEY BEACH, NJ 07720

Block: 58 Lot: 12 Qualifier: _____ Zone: _____

This Certifies that an application for the issuance of a Zoning Permit Denial has been examined.

Present Use: (None)

Non Conforming Use

Non Conforming Structure

Proposed Use: (None)

Work Description:

New Building - CONSTRUCTION OF A 2 1/2 STORY DWELLING AND 1 BEDROOM APARTMENT OVER DETACHED GARAGE AS PER R1 REQUIREMENTS. VARIANCE SOUGHT FOR BUILDING USE AND MINIMUM LOT WIDTH (43FT) FRONT YARD SETBACK 5.85 FT, SIDE YARD SETBACK 5 FT, REAR YARD SETBACK 82.75 FT. ACCESSORY SIDE YARD SETBACK 5 FT, ACCESSORY REAR YARD SETBACK 15 FT. SEE ATTACHED VARIANCE PLAN AND CONCEPTUAL ARCHITECTUAL DRAWINGS FOR ADDITIONAL DETAIL.

Application Approved Date: _____

Upon review it was determined that the Zoning Permit Denial:

Permitted by Ordinance

Permitted by Variance approved on: _____

Approved with Conditions

Valid Nonconforming Use/Structure is established by

Zoning Board of Adjustment

Zoning Officer

Additional Comments:

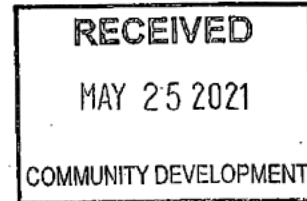
Exceeds both maimimum building and lot coverage - will need Board approval- MM

 Michael Mulcahy, Zoning Officer

6/8/2021

Date

Please contact the Borough of Bradley Beach Construction Department and Code Enforcement Department, for possible required permits prior to commencing work.



ZONING PERMIT APPLICATION

Zoning Control Number ZA-21-0120 Date: 5/25/21 Fee: \$45

TYPE OF APPLICATION

- | | | |
|---|--|---|
| <input type="checkbox"/> Adding a New Use to a Property (\$45) | <input type="checkbox"/> New Accessory Structure (\$45) | <input type="checkbox"/> Residential Addition (\$45) |
| <input type="checkbox"/> Commercial Addition (\$45) | <input type="checkbox"/> New Commercial Business (\$45) | <input type="checkbox"/> Signs (\$45) |
| <input type="checkbox"/> Continuing/Changing the Use of a Property/Structure (\$45) | <input type="checkbox"/> New Ownership of a Property/Business (\$45) | <input type="checkbox"/> Storage Shed (\$45) |
| <input type="checkbox"/> Deck/Balcony (\$45) | <input checked="" type="checkbox"/> New Residence (\$45) | <input type="checkbox"/> Swimming Pool/Hot Tub** (\$45) |
| <input type="checkbox"/> Fence/Retaining Wall* (\$45) | <input type="checkbox"/> Porch (\$45) | <input type="checkbox"/> Zoning Determination (\$100) |
| <input type="checkbox"/> Home Occupation (\$45) | <input type="checkbox"/> Private Garage (\$45) | |
| <input type="checkbox"/> Interior Remodeling (Commercial/Residential) (\$45) | <input type="checkbox"/> Other: _____ | |

PLEASE READ THE ZONING PERMIT INFORMATION SHEET PRIOR TO COMPLETING THIS APPLICATION.

As per the Bradley Beach Land Development Ordinance a zoning permit shall be issued prior to the commencement or change of use of a property, building or structure; the occupancy of any building or structure; the construction, erection, reconstruction, alteration, conversion, or installation of any building or structure.

The Bradley Beach Zoning Map, Land Development Ordinance and its amendments can be found online at <http://ecode360.com/BR2100>.

*Indicate location, height, and type of fence on survey/plot plan.
**Pools require a fence. Please indicate type, height, and area of fence and location of filter.

IF ANY OF THE REQUESTED INFORMATION IS SUBMITTED INCOMPLETE, THEN THIS APPLICATION SHALL BE RETURNED UNPROCESSED.

(PLEASE PRINT CLEARLY)

- Location of property for which zoning permit is desired:
Street Address: 704 4TH AVE Block: 58 Lot: 12 Zone: GBW
- Applicant Name: JAMES FREDERICK Phone: [REDACTED] Fax No: _____
Applicant's Address: 405 MAIN ST., BRADLEY BEACH, NJ 07720
Email: JGFREDERICK21@GMAIL.COM
- Property Owner's Name: JAMES AND DOROTHY FREDERICK Phone No: [REDACTED] Fax No: _____
Property Owner's Address: 405 MAIN ST. BRADLEY BEACH, NJ 07720
Email: JGFREDERICK21@GMAIL.COM
DFREDERICK1@COMCAST.NET

4. Present Approved Zoning Use of the Property: GBW COMMERCIAL

5. Proposed Zoning Use of the Property RESIDENTIAL

6. Describe in detail the activity or activities you are proposing. If you are proposing construction, then describe in detail

the dimension and setbacks. If you are proposing a use, then describe the proposed use CONSTRUCTION OF A 2 1/2 STORY DWELLING AND 1 BEDROOM APARTMENT OVER DETACHED GARAGE AS PER R1 REQUIREMENTS. VARIANCE SOUGHT FOR BUILDING USE AND MINIMUM LOT WIDTH (43 FT) FRONT YARD SETBACK 5.85 FT, SIDE YARD SETBACK 5 FT, REAR YARD SETBACK 62.75 FT, ~~MIN~~ ACCESSORY SIDE YARD SETBACK 5 FT, ACCESSORY REAR YARD SETBACK 15 FT. SEE ATTACHED VARIANCE PLAN AND CONCEPTUAL ARCHITECTURAL DRAWINGS FOR ADDITIONAL DETAIL.

7. Has the above referenced premises been the subject of any prior application to the ZONING BOARD OF ADJUSTMENT or PLANNING BOARD?

Yes No If Yes, state date: _____

Board: _____ Resolution # (if any): _____ (submit a copy of the Resolution)

8. For all exterior work pertaining to additions and accessory structures, excluding fences, please provide.

Building Coverage 35.25 % Lot Coverage 74.43 % (Please include calculations)

40:55D-68.3. Penalty for false filing. Any person who knowingly files false information under this act shall be liable to a civil penalty not to exceed \$1,000 for each filing. Any penalty imposed under this section may be recovered with costs in a summary proceeding pursuant to "the penalty enforcement law." N.J.S.2A:58- 1 et seq.

Adopted. L. 1989. c. 67, §3, effective April 14, 1989. The applicant certifies that all statements and information made and provided as part of this application are true to the best of his/her knowledge, information and belief. Applicant further states that all pertinent municipal ordinances, and all conditions, regulations and requirements of site plan approval, variances and other permits granted with respect to said property, shall be complied with. All zoning permits will be granted or denied within ten (10) business days from the date of complete application.

[Signature]
Signature of Applicant

5/23/2021
Date

JAMES G. FREDERICK
Print Applicant's Name

[Signature]
Signature of Owner

5/23/2021
Date

JAMES G. FREDERICK
Print Owner's Name

----- FOR OFFICE USE -----

Fee date: 5/25/21 Check#: 7410 Cash: _____

Received by: Kate M. Receipt#: _____