

November 3, 2021

*Revised December 10, 2021*

Borough of Bradley Beach  
Zoning Board of Adjustment  
701 Main Street  
Bradley Beach, NJ 07720

**Re: Connolly Residence  
Block 18, Lot 6  
509 Newark Avenue  
Borough of Bradley Beach  
Our File BBBA 21-11**

Dear Chairman and Board Members:

Our office has received and reviewed an application submitted for Board approval in connection with the above referenced project. Submitted with the application are the following:

- An architectural plan consisting of two (2) sheets prepared by Richard Villano, AIA of Architect Richard Villano, LLC, dated ~~August 12, 2021~~ **November 23, 2021**, with no revisions. ~~This plan was not sealed by the person that prepared the plan.~~
- A plan of survey consisting of one (1) sheet prepared by Zenon T. Grybowski, P.L.S., P.P. of Landmark Surveying and Engineering, Inc., dated February 14, 2018, with no revisions.

The application has been deemed **COMPLETE**. ~~Our office has reviewed the plans to determine if they conform with the requirements of the Borough Ordinance and report as follows:~~ Additional comments with regard to the revised plans are noted in **bold italic type**. Our original review comments remain as noted in the letter dated November 3, 2021. The revised plans have been reviewed and we report as follows:

1. **Property Description**
  - A. The property is located at house number 509 Newark Avenue (Lot 6, Block 18) with a total area of 2,252.23 square feet.
  - B. The existing lot contains a two-story framed dwelling with a covered front porch, and detached shed.

- C. The Applicant is proposing a ~~second-story addition to the front of the dwelling.~~ *to reconstruct the first-floor sunroom and proposing a second story addition over the new sunroom. The proposed improvements are at the rear of the dwelling.*

2. **Zoning and Land Use**

- A. The property is located in the R-1 Residential Single-Family Zone and the existing single-family dwelling is a permitted principal use in this zone.
- B. The proposed improvements require Board Approval for variances on building coverage, impervious coverage, ~~front yard setback~~, side yard setback, *rear yard setback* and others described in this report. The property and structures have existing non-conformities with lot area, lot width, lot depth, *front yard setback*, ~~rear yard setback~~, setbacks to accessory structure, and others as described in this report.

3. **Variances and Waivers**

- A. In accordance with Section 450-13, permitted yard encroachments the following variances and existing non-conformities are noted below:
- 1) In accordance with Section 450-13.A.(2), (porch setbacks) for permitted residential structure a porch may extend 8 feet into the required front yard setback area, provided the principal structure conforms to the front yard setback requirement or by submission of the appropriate setback averaging plan. The Applicant did not provide an average setback plan. The permitted front yard setback is 17 feet. The existing porch setback is 8.81 feet , which represents an existing non-conformity.
  - 2) In accordance with Section 450-13.I.(3), (storage shed setbacks), any storage shed shall be erected no closer than 3 feet from a side or rear property lines. The existing shed is on the side property line, which represents an existing non-conformity. The existing rear yard setback to the shed is 3.24 feet, which represents an existing non-conformity.
  - 3) In accordance with Section 450-13.I.(6), (storage shed coverage), storage sheds shall not be counted in building or lot coverages, provided such storage shed is built upon a foundation of lumber, wood or timber. If such storage shed is built upon a foundation of compacted gravel or cement, it shall be considered impervious coverage and the storage shed will be counted in lot coverage accordingly. The plan does not indicate the type of foundation. Testimony should be provided.

B. In accordance with Section 450-26.D area, yard, and building requirements, the following variances or existing non-conformities are noted below:

- 1) In accordance with Section 450-26.D.(1)(a), the minimum lot area permitted per the zoned district is 5,000 square feet. The existing lot area is 2,252.23 square feet, which represents an existing non-conformity.
- 2) In accordance with Section 450-26.D.(1)(b), the minimum lot width permitted per the zoned district is 50 feet. The existing lot width is 25.10 feet, which represents an existing non-conformity.
- 3) In accordance with Section 450-26.D.(1)(c), the minimum lot depth permitted per the zoned district is 100 feet. The existing lot depth is 90.09 feet, which represents an existing non-conformity.
- 4) In accordance with Section 450-26.D(1)(d), the minimum front yard setback permitted for a street east to west (Newark Avenue) is 25 feet and for a street running north to south is 15 feet, or the minimum depth of any front yard within the block and fronting on the same street on which the structure fronts, whichever is greater. When the prevailing setback of the existing buildings along a block front is less than the setback requirements, the front yard setback distance may be reduced to the average of front yard setbacks of principal structures on all developed properties on the same side of the street within 200 feet of the property as documented by a map prepared by a licensed land surveyor. The average depth will be from the front wall of the structure, provided that such setback is not less than 10 feet. Front porches shall also be averaged within 200 feet on each side of the lot and within the same block front.

The Applicant did not provide the average front yard setback. ~~The Applicant is proposing a front yard setback of 6.81 feet to the second story addition. A variance is required. The Applicant is no longer proposing a second story addition to the front of the dwelling. A variance is not required.~~

*The existing front yard setback is 16.78 feet, which represents an existing non-conformity.*

- 5) In accordance with Section 450-26.D.(1)(e), the minimum side yard setback permitted per the zoned district is 5 feet and 10 feet. For lots not meeting the minimum lot width requirement that exists shall be 10% (2.51 feet) and 20% (5.02 feet) of the lot width. ~~The proposed west side yard setback to the second story addition is 2.48 feet. A variance is required. The proposed east side yard setback~~

to the second story addition is 3.67 feet. ~~A variance is required.~~ *The proposed second story addition has been moved to the rear of the dwelling. The Applicant is proposing a west side yard setback of 3.16 feet, which conforms. The Applicant is proposing an east side yard setback of 3.67 feet, which is an expansion of an expansion of an existing non-conformity. A VARIANCE IS REQUIRED.*

- 6) In accordance with Section 450-26.D.(1)(f), the minimum rear yard setback permitted per the zoned district is 25 feet. *For lots meeting the minimum lot depth requirement, may be reduced proportionately to the existing lot depth as a percentage of the required lot depth (22.8 feet) but in no case shall they be less than 10 feet.* The existing rear yard setback is ~~18.25 feet~~ *18.27 feet*, which represents an existing non-conformity. *The proposed rear yard setback to the second-floor addition is 18.27 feet, which is an expansion of an existing non-conformity. A VARIANCE IS REQUIRED.*
  - 7) In accordance with Section 450-26.D.(1)(h), the maximum building coverage permitted per the zoned district is 35%. *The existing building coverage is 52.12%, which represents an existing non-conformity.* The Applicant is proposing a building coverage of ~~53.72%~~ *51.59%*. **A variance is required.**
  - 8) In accordance with Section 450-26.D.(1)(i), the maximum impervious coverage permitted per the zoned district is 60%. *The existing impervious coverage is 69.88%, which represents an existing non-conformity.* The Applicant is proposing an impervious coverage of ~~70.81%~~ *68.77%*. **A variance is required.**
  - 9) In accordance with Section 450-26.D.(1)(j), the minimum off-street parking permitted is two spaces per dwelling. The Applicant should provide testimony on existing off-street parking.
  - 10) In accordance with Section 450-26.D.(1)(m), the minimum distance from primary structure to an accessory structure is 20 feet. The existing distance from the shed to the dwelling is 6.5 feet, which represents an existing non-conformity.
- C. In accordance with Section 450-26.E.(2), the living space of single-family dwelling on lots that are either less than 4,000 square feet or less than 40 feet of frontage shall not exceed two-stories and 30 feet in height. *The existing building height is 26.42 feet, which complies.* ~~The Applicant is proposing to match the existing dwelling height.~~ The Applicant is

proposing a building height of ~~26.42 feet~~ **25.75 feet for the addition**, which complies. The Applicant indicates a two-story dwelling, which complies.

4. **General Comments**

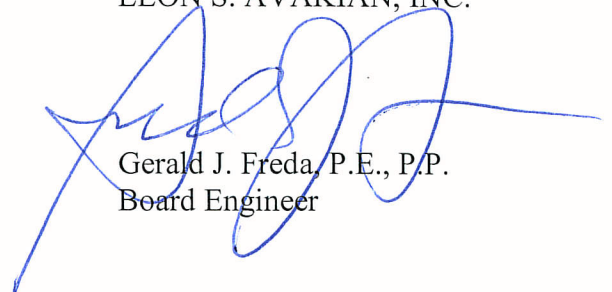
- A. A General Note should be added to the plan indicating the existing curb and sidewalk along the frontage will be replaced, if found in poor condition.
- B. A General Note should be added to the plan indicating the planting area between the sidewalk and curb must remain natural grass.
- C. The Applicant should provide information that taxes are currently paid.
- D. The Applicant shall secure any, and all construction permits needed for the project.

Our office reserves the right to provide additional comments upon receipt of revised plans.

If you have any questions, or require additional information on this matter, please do not hesitate to contact our office.

Very truly yours,

LEON S. AVAKIAN, INC.



Gerald J. Freda, P.E., P.P.  
Board Engineer

DMH:mfl

cc: Kristie Dickert, Board Secretary  
Mark Kitrick, Esq., Board Attorney  
Richard Villano, AIA, Applicant's Architect  
Alice Connolly, Applicant

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