

May 7, 2021

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

**Re: French Residence
Block 21, Lot 10
501 Park Place Avenue
Borough of Bradley Beach
Our File BBBA 19-14**

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 five (5) sheets prepared by Daniel Fortunato, R.A. of Fortunato of Fortunato Architecture, P.A., dated August 1, 2019, with the latest revisions dated March 23, 2021.
- An average setback survey consisting of one (1) sheet prepared by David J. Von Steenburg, P.L.S., of Morgan Engineering & Surveyor, dated October 14, 2020, with no revisions.
- A survey of property consisting of one (1) sheet prepared by David J. Von Steenburg, P.L.S. of Morgan Engineering & Surveyor, dated December 27, 2018, with no revisions.

This application is deemed complete. Our office has reviewed the plans to determine if they conform with the requirements of the Borough Ordinance and report as follows:

1. **Project Description**

- A. The property is located at house number 501 Park Place Avenue (Lot 10, Block 21) with a total area of approximately 5,000 square feet.
- B. The existing lot has a dwelling under construction.

- C. The Applicant is removing the covered front porches along Park Place Avenue and Fletcher-Lake Avenue and removing a portion of the rear of the dwelling.

The Applicant is proposing a new front porch along both roads and an addition consisting of a garage with living space and deck above the garage.

2. **Zoning and Land Use**

- A. The property is located in the R-1 Residential Single-Family Zone and a single-family dwelling is a permitted principal use in this zone.
- B. The proposed improvements require Board Approval for variances on front and side yard setbacks for the porch, building coverage, driveway size, and others as described in this report.

3. **Variances and Waivers**

- A. In accordance with Section 450-13, permitted yard encroachments the following variances or existing non-conformities are noted below:
 - 1) In accordance with Section 450-13.A., an open, unscreened entrance porch leading to the basement, cellar or first floor, projecting not more than 8 feet in depth into a required front yard area and not exceeding the width of the existing or proposed structure. The average porch setback was provided by the Applicant's Surveyor. The average porch setback along Park Place Avenue is 8.53 feet and along Fletcher Lake Avenue is 5.8 feet. The existing front yard setback to the porch is 6 feet along Fletcher Lake Avenue and is 8 feet along Park Place Avenue. The setback along Park Place Avenue represents an existing non-conformity. The Applicant is replacing and expanding the front porch. The proposed front yard setback to the porch is 4 feet along Fletcher Lake Avenue and is 6 feet along Park Place Avenue. **A variance is required for both of the front yard setbacks to the porch.** The zoning table on the architectural plan should be revised.
 - 2) The Applicant is proposing a roof to deck over the garage, with spiral staircase coming from the attic floor above. 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)(d), the minimum front yard setback permitted for a street east to west (Park Place Avenue)

is 25 feet and for a street running north to south (Fletcher Lake Avenue) 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 has provided a plan prepared by a New Jersey licensed surveyor showing the front yard setback of the existing porch but did not provide the setback to the dwelling. The existing front yard setback along Fletcher Lake Avenue is 13.0 feet and along Park Place Avenue is 15.0 feet. Both of these setbacks represent an existing non-conformity. The Applicant is proposing a front yard setback of 20 feet along Fletcher Lake Avenue for the garage addition. This front yard setback conforms.

- 2) In accordance with section 450-26.D.(1)(e), the minimum side yard setback permitted is 5 feet and 10 feet. The existing side yard setback 2.5 feet which represents an existing non-conformity. The Applicant is proposing a new porch and an addition to the rear existing dwelling.

The Applicant is proposing a side yard setback of 5.5 feet to the addition at the rear of the dwelling. This setback conforms. However, the proposed side yard setback to the porch is 2.5 feet, which is an expansion of a non-conformity. **A variance is required.**

- 3) In accordance with Section 450-26.D.(1)(f), the minimum rear yard setback permitted is 25 feet. The existing rear yard setback is 19 feet, which represents an existing non-conformity. The Applicant has removed the rear portion of the dwelling to propose a garage with living space and deck above. The proposed rear setback to the addition is 28 feet, which conforms.
- 4) In accordance with Section 450-26.D.(1)(g), the maximum building height permitted is 35 feet and 2 ½ stories. The Applicant indicates a building height of 34 feet, which conforms.

The half story is a story under a sloping roof, which may have dormers with windows, have a floor area not exceeding 50% of the floor area below it. Our office calculated the second-floor area of approximately 1,534 square feet and half story area of approximately 846 square feet. The attic floor is not a half-story, which represents an existing non-conformity. The Applicant should provide supporting area calculations for the attic floor.

- 5) In accordance with Section 450-26.D.(1)(h), the maximum building coverage permitted is 35% of the lot area. The existing building coverage is 55%, which represents an existing non-conformity. The Applicant is reducing the proposed building coverage to 46%, which exceeds the maximum building coverage allowed. **A variance is required.**
 - 6) In accordance with Section 450-26.D.(1)(i), the maximum impervious coverage permitted is 60% of the lot area. The Applicant is proposing an impervious coverage of 58.9%, which conforms.
 - 7) In accordance with Section 450-26.D.(1)(j), the minimum off-street parking is two (2) spaces per dwelling unit. The Applicant is proposing four (4) off-street parking spaces, which conforms.
- C. In accordance with Section 450-41, residential parking and driveway requirements, the following variances or existing non-conformities are noted below:
- 1) In accordance with Section 450-41.A(1), driveway and parking areas installed for one and two-family dwellings shall be a minimum of 8 feet in width inside the property line and shall be located a minimum of 3 feet from a side lot line. The Applicant is proposing a driveway width of 20 feet, which conforms.

The proposed driveway setback is over 3 feet, which conforms.

- 2) In accordance with Section 450-41.A.(2), a curb cut shall be a maximum of 12 feet in width. Driveway aprons shall be a maximum of 10 feet in width at the property line and 12 feet in width at the curbline. The portion of a sidewalk forming part of a driveway and the driveway apron shall be constructed of concrete, six inches thick, reinforced with six by six 10/10 WWM. Each lot shall have no more than one driveway and curb cut. The Applicant is proposing a curb cut of 20 feet. **A variance is required.**

The Applicant is proposing a driveway apron width of 20 feet at the property line and 20 feet at the curbline. **Two variances are required.**

p 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 be restored with natural grass turf.
- 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 D. Fornaro, Esq., Applicant's Attorney
Daniel Fortunato, RA, Applicant's Architect
BB/BA/19/19-14b