

Richard Fornaro

From: mark French <mfrench174@me.com>
Sent: Tuesday, August 25, 2020 7:12 PM
To: Richard Fornaro
Cc: Jim Marchese; Daniel Fortunato
Subject: Fwd: Zoning Denial

This is the zoning denial we received

Mark French

Sent from my iPhone

Begin forwarded message:

From: mark French <mfrench174@me.com>
Date: June 17, 2020 at 11:39:39 AM EDT
To: staples@printme.com
Subject: Fwd: Zoning Denial

Sent from my iPhone

Begin forwarded message:

From: Katie Muscillo <kmuscillo@bradleybeachnj.gov>
Date: June 17, 2020 at 11:23:08 AM EDT
To: mark French <mfrench174@me.com>
Subject: Zoning Denial

RESUBMISSION:

Pursuant to a meeting, requested by the applicant, with Administration, Borough Engineer, and Zoning Officer. The applicant has opted to make changes to their plans and resubmit under zoning permit number ZA-19-0225.

The property is located within the R-1 Zone. The applicant indicates the present zoning use of the property to be "Residential". More accurately, the present approved zoning use of the property is a Single Family Dwelling (please refer to Land Development Ordinance section 450-26-A-1)

The applicant describes the proposed work in detail:

- "- Remove & replace portion of existing house for new 2 car garage & second floor edition
- Remove entire interior of house including basement
- Replace existing front porch
- Add 2 car driveway"

The applicant indicates the premises has not been subject prior application to the

Zoning Board of Adjustment or Planning Board.

DEMOLITION:

- Prior to the submission of this zoning permit application, the applicant has demolished and abandoned a portion of the existing nonconforming residence and the driveway.

RESIDENTIAL ADDITION:

- The applicant is proposing to construct a 22'X23.83', 2.5 story, residential addition. The proposed presents with a front yard setback of 20' on the north-south street, 25' from the rear yard lot line and 5' from the side yard lot line. The applicant indicates the building height to be 34.25'.

INTERIOR REMODELING:

- The applicant is proposing interior remodeling to the Single Family Dwelling. There is no proposed change in use of the property.

PERMITTED YARD ENCROACHMENTS:

Per Land Development Ordinance section 450-13-A:

A. An open, unscreened entrance porch leading to the basement, cellar or first floor, projecting not more than eight feet in depth, not exceeding the width of the existing or proposed structure, not including steps, into a required front yard area, provided there is no side yard encroachment. If it is a wraparound porch, it will not encroach the side yard setback. Said front porch is to have open rails or spindles.

ZONING NOTES:

- The applicant has removed the previously proposed unscreened entrance porch leading to the first floor.
- The applicant is proposing to construct an uncovered or unroofed deck leading to the first floor. The applicant does not display compliance with the Land Development Ordinance. Zoning Board of Adjustment approval is required.
- The applicant did not draw the proposed structures to scale on the submitted site plan. The applicant does not display the correct proposed projection into the required front yard setback areas. The applicant does not display compliance with the Land Development Ordinance. Zoning Board of Adjustment approval is required.
- The applicant does not display compliance with the Land Development Ordinance. Zoning Board of Adjustment approval is required.
- The applicant is not proposing to have open rails or spindles.

Per Land Development Ordinance section 450-13-D:

D. A projection of the upper stories of a structure containing a primary permitted use, beyond the building line of the lower stories of not more than 24 inches, shall be permitted, provided the projection does not encroach into any required yard area and does not violate the covenants of any deed or deeds to the property upon which the projection is made. Such projections shall not, however, be permitted along the Main Street frontage of any structure or for any permitted living quarters above an accessory garage.

ZONING NOTES:

- The applicant is proposing a 24 inch projection of the upper story of the structure containing a primary permitted use, beyond the building line.

DRIVEWAY REQUIREMENTS:

Per Land Development Ordinance section 450-40:

The following specific regulations apply to the installation of driveways accessing surface or structured parking facilities in the Borough of Bradley Beach:

A. Prior to the installation of any driveway, a curb cut permit shall be obtained. A permit survey or diagram accurately depicting the proposed driveway shall be submitted to the Zoning Officer and shall clearly indicate the proposed location, width and length of driveway. Information sufficient to determine the type of materials to be used, as well as any markings or signage, shall also be submitted. The Zoning Officer shall provide the applicant with a design detail for the construction of a concrete apron, as provided by the Borough Engineer, and the applicant shall construct such apron in accordance with the specifications thereon.

ZONING NOTES:

- The applicant has submitted a site plan indicating the scale to be 1" = 30'-0".
- The applicant did not submit information sufficient to determine the type of materials to be used. Applicant to construct a concrete driveway.
- a copy of the design detail for the construction of a concrete apron, as provided by the Borough Engineer is being provided to the applicant.

B. Except as otherwise specified in this section, no driveway shall enter any public road, street or highway at a point closer than 50 feet from any street intersection, measured from the face of the curb of the intersecting street, to the center line of the proposed driveway.

ZONING NOTES:

- The applicant indicates the driveway to enter the public road on Fletcher Lake Avenue at 61.5' from the intersection.

C. As currently existing, a driveway that provides common access to two adjoining properties shall be considered as a single driveway for the purpose of this section. Common driveways shall not be permitted within the Borough of Bradley Beach.

ZONING NOTES:

- N/A

RESIDENTIAL PARKING AND DRIVEWAY REQUIREMENTS:

Per Land Development Ordinance section 450-41:

A. One- and two-family uses.

(1) Driveways and parking areas installed for one- and two-family dwellings shall be a minimum of eight feet in width inside the property lines and shall be located a minimum of three feet from a side lot line.

ZONING NOTES:

- The applicant indicates the proposed driveway to be greater than 8' in width inside the property lines.
- The applicant indicates the proposed driveway to be located 28' from the rear yard lot line (the neighboring properties side yard lot line).

(2) Curb cuts 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.

[Amended 5-9-2006 by Ord. No. 2006-3]

ZONING NOTES:

- Zoning does not have jurisdiction over structures in the Right-Of-Way. Code Enforcement review and approval is required.

(3) Driveways and parking areas located in the front yard shall not exceed a width of 12 feet, which area shall consist of impervious pavement to be used for off-street parking.

ZONING NOTES:

- The applicant is proposing to construct a 10' wide driveway in the front yard fronting Fletcher Lake Avenue.

(4) No driveway less than 20 feet in length shall be permitted as measured from the property line to the end of the driveway.

[Amended 10-25-2011 by Ord. No. 2011-19]

ZONING NOTES:

- The applicant is proposing a driveway 20' in length as measured from the property line to the end of the driveway.

(5) Driveways on corner lots shall be installed on the side of the lot farthest from the intersection. On corner lots less than 50 feet in width, the driveway shall be installed on the side of the lot with the longest street frontage.

ZONING NOTES:

- The applicant is proposing to construct a driveway on the side of the lot farthest from the intersection.

- The applicant is proposing to construct a driveway on the side of the lot with the longest street frontage.

(6) Driveways and parking areas shall be improved with a dust-free durable, all-weather material, said material is deemed to include concrete, asphalt, brick or concrete pavers but shall exclude gravel, stone or other similar material. The area between the end of the driveway and the street, inclusive of the sidewalk, shall be concrete with a minimum depth of six inches reinforced with welded wire mesh, designed and constructed in accordance with details and specifications provided by the Borough Engineer. The surface of the apron shall be at the same elevation as the sidewalk sections, which are joined to each side so that the sidewalk continues uninterrupted where it crosses the driveway.

ZONING NOTES:

- To be reviewed and approved by the Borough Engineer.

(7) Driveways and parking areas shall be graded and installed to effect positive drainage to the gutter and/or away from the nearest property line and into the lawn area of the front, rear or side yards. No driveway or apron shall obstruct the flow of stormwater in the gutter or otherwise cause water to collect or pond.

ZONING NOTES:

- To be reviewed and approved by the Borough Engineer.

The applicant does not display compliance with the Land Development Ordinance. Zoning Board of Adjustment approval is required.

Thank You,

Kathleen Muscillo
TACO/Secretary
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Bradley Beach, NJ 07720
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