

AMENDED  
BOROUGH OF BRADLEY BEACH  
ZONING BOARD OF ADJUSTMENT  
FORM A

NOTICE OF APPEAL AND VARIANCE APPLICATION FORM

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OFFICIAL USE ONLY

CASE # \_\_\_\_\_ DATE FILED \_\_\_\_\_

DISPOSITION \_\_\_\_\_ HEARING DATE \_\_\_\_\_

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TO THE APPLICANT: Please complete sections in full for Relief Requested.

NOTICE OF APPEAL  
ZONING OFFICER'S DECISION

TO THE ZONING ENFORCEMENT OFFICER:

The petition of DAWN & Kevin DiMassimo Gioffi  
Applicant's Name

shows that on or about the 16 day of June, 2020, an

application to the Zoning Officer (or Building Inspector) for the purpose of:

Describe intended action: Demolish Front, single family STRUCTURE  
AND Replace with New 2 1/2 story STRUCTURE. Rear  
single family STRUCTURE to remain.

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on the premises located at: 511 McCabe Avenue  
Street Address

Block 34 Lot 3

as shown on the Municipal Tax Maps and owned, or optioned by this applicant was made; that after due

consideration, the Zoning Enforcement Officer did on the 28<sup>th</sup> day of JUNE, 2020, declined to issue said permit for the reasons stated in the attached copy of the Zoning Enforcement Officer's Refusal of Permit form.

Applicant feeling aggrieved at the action of the Zoning Enforcement Officer, files this notice of appeal with Said officer, together with the required fee of \_\_\_\_\_, and requests that action of the Zoning Enforcement Officer be reversed or modified as the facts may be determined and the applicant further requests that a day be fixed for hearing on this appeal and states that the proper notice will be given to all owners of property situated **within two hundred (200) feet** of all property specified above, and others required by statute.

**File all copies with Zoning Enforcement Officer, where appeal is sought.**

ZONING BOARD OF ADJUSTMENT  
APPLICATION FOR VARIANCE

An application is hereby made for a (~~hardship~~) (use) variance from the terms of Article(s) and Section (s)

- 1) §450-15: one principal single family structure per lot. (2<sup>nd</sup> proposed)
- 2) §450-10A(5B) outdoor Shower
- 3) 450-13E Deck (REAR) greater than 3 feet above ground level.
- 4)

DESCRIPTION OF PROPOSED STRUCTURE OR USE

Premises affected known as:

Block 34

Lot 3

Street Address 511 McCabe Ave.

Applicant's Name: DAVID & Kevin Di Massimo Croff

Applicant's Address: 7412 MARIANILLA Reef Way, Melbourne Beach, Florida

Applicant's Telephone No \_\_\_\_\_

Owner's Name: SAME

Owner's Address: \_\_\_\_\_

Owner's Telephone No. \_\_\_\_\_

Lessee's Name: N/A

Owner's Address: \_\_\_\_\_

Owner's Telephone No. \_\_\_\_\_

**Present Use:**

Single Family Front Structure. Single family Rear Structure

**Size of Lot:**

8175 sq ft.

**Size of building (s)**

1496.71

Present and/or proposed at street level 2 1/2 story

**Front Footage:**

50 ft

**Deep Footage:**

163.50'

**Percentage of lot occupied by the building(s):**

34.3%

**Building(s) Height:**

34.17 ft

**Number of Stories:**

2 1/2

**Setback footage:**

**Front:**

28'

**Side:**

(If corner lot)

**Zoning Requirements:**

**Front:**

25'

**Side Yards:**

5' x 10'

**Rear Yard:**

25'

**Setbacks:**

**"Prevailing Setback of adjoining buildings within one block:**

\_\_\_\_\_ feet.

**Has there been any previous appeal involving these premises?**

YES



NO

**If so, state the character of appeal and the date of disposition:**

**Proposed Use:**

Front Single Family Structure, Rear Single Family Structure.

This application for use variance includes an application for approval of the following:

**Subdivision** \_\_\_\_\_

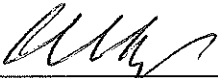
**Site Plan** \_\_\_\_\_

**Conditional Use** \_\_\_\_\_

Attached hereto and made a part of this application, I submit the following:  
(All of the following papers must be submitted with this application.)

- a. The **original** Building Application, **signed** by the Building Official and/or true copy of the Official Order issued by the Building Official and signed by him, where applicable.
- b. **Five (5)** copies of a map showing **all lots within two hundred (200)** feet of the property; if buildings exist thereon, the map shall be a certified "**Location Map**" and clearly indicate such buildings and their approximate locations.
- c. **Five (5)** copies of **Plot Plan** and clearly indicate such buildings thereon with all front, side and rear dimensions.
- d. **Five (5)** copies of the **List of Property Owners** served, indicating method of service on each, the date of service, together with copies of the Post Office Receipts, if any.
- e. **Five (5)** copies of Subdivision, Site Plan, or Conditional Use application, when applicable.

File all copies with the Secretary of the Zoning Board of Adjustment when only a variance is sought.



\_\_\_\_\_  
Signature of Applicant or Agent

*Michael J. Whinnery, Esq.*

Telephone No. 732-774-1212

Date: 2/25/21

## NOTICE REQUIREMENTS

The applicant must submit a written request to the Tax Assessor for a certified list of property owners located within 200 feet in all directions of the property subject to a hearing. This must be accompanied by a fee of \$10.00.

### CONTENTS OF NOTICE:

- A. Date, time and place of hearing.
- B. Nature of matters to be considered.
- C. Identification of the property proposed for development by street address, block and lot numbers as shown on current tax duplicate.
- D. Location and times at which maps and documents for which approval is sought are to be available for public inspection.

### AT LEAST TEN (10) DAYS PRIOR TO SCHEDULED HEARING:

- A. Publish notice in the Asbury Park Press.
- B. Notify by personal service or certified mail:
  - 1). All property owners within 200 feet.
  - 2). Clerk of adjoining municipality, if located within 200 feet.
  - 3). County Planning Board, if adjacent to existing or proposed County road, adjoining other County land, or situated within 200 feet of boundary.
  - 4). Commissioner of Transportation, if property is adjacent to State highway.
  - 5). Commissioner of the Department of Community Affairs, if development exceeds 150 acres or 500 dwelling units. (include copy of maps and documents required to be on file with secretary.

AFFIDAVITS for both Publication and Notice to Property Owners are required, and are to be submitted at least three (3) days prior to the scheduled hearing, accompanied by a copy of notice sent and list of property owners.

**NOTE: The Municipal Agency will notify each applicant of their scheduled hearing date when the application is deemed complete.**

### NOTICE OF DECISION:

- A. Required on all development applications.
- B. Brief notice to be published in the Asbury Park Press, The Coaster, The Coast Star.
- C. To be arranged by the applicant.
- D. A copy of the affidavit of publication is to be submitted to the Board Secretary.

**BOROUGH OF BRADLEY BEACH CODE/CONSTRUCTION OFFICE  
ZONING PERMIT  
APPLICATION**

A copy of a current, accurate, scaled survey must be submitted with this application!

PERMIT # \_\_\_\_\_

Address of Work Site: 511 McCabe Avenue Block: 34 Lot: 3 Zone: R-1

Name of Applicant Dimassimo Gioffi Phone: \_\_\_\_\_

Applicant's Address 7412 MARANILLA Reef Way, Melbourne Beach, FLA. 32951

Owner's Name: SAME Address \_\_\_\_\_

Description of Work to be performed: (circle one) New/Addition or Alteration  
 POOL FENCE SHED PATIO DRIVEWAY (describe below)

Demolish Existing Front Single Structure and Construct  
New Single Family Front Structure

(print legibly) Please provide a diagram with the details on the survey for the above requests. Thank you

	Existing Lot Size	Proposed	Required	Variance Required?	
				Yes	No
Width	<u>50'</u>	<u>50'</u>	<u>50'</u>		<input checked="" type="checkbox"/>
Depth	<u>163.5'</u>	<u>163.5'</u>	<u>100'</u>		<input checked="" type="checkbox"/>
Area	<u>8175 sq ft</u>	<u>8175 sq ft</u>	<u>5000'</u>		<input checked="" type="checkbox"/>
Frontage	<u>50'</u>	<u>50'</u>	<u>50'</u>		<input checked="" type="checkbox"/>

	Existing Principal Building	Proposed	Required	Variance Required?	
				Yes	No
Front Setback	<u>16.45</u>	<u>28</u>	<u>25</u>		<input checked="" type="checkbox"/>
Rear Setback	<u>105.14</u>	<u>82.50</u>	<u>25</u>		<input checked="" type="checkbox"/>
Side Setback	<u>2.37</u>	<del>5</del> <u>5.5'</u>	<u>5</u>		<input checked="" type="checkbox"/>
Side Setback	<u>28.70</u>	<u>12.5</u>	<u>10'</u>		<input checked="" type="checkbox"/>
Height	<u>20.07</u>	<u>34.7</u>	<u>35'</u>		<input checked="" type="checkbox"/>

(Measured from top of curb)

	Existing Accessory Building	Proposed	Required	Variance Required?	
				Yes	No
Front Setback	<del>16.45</del> <u>0.21'</u>	<del>28</del> <u>0.21'</u>	<u>5'</u>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Rear Setback	<del>105.14</del> <u>0.21'</u>	<u>0.21'</u>	<u>5'</u>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Side Setback	<u>5'</u>	<u>11.74</u>	<u>11.74'</u>		<input checked="" type="checkbox"/>
Side Setback					<input checked="" type="checkbox"/>
Height	<u>17.77</u>	<u>17.77</u>	<del>28</del> <u>28'</u>		<input checked="" type="checkbox"/>

(Measured from top of curb)

Distance between Principal and Accessory Dwellings \_\_\_\_\_

Building Coverage (All structures including covered porches or decks, pools, sheds etc.)

Existing 18.7 Proposed 34.3 Max. Allowed 35%

Impervious Coverage (Building coverage in addition to all impervious surfaces)

Existing 32.7 Proposed 45' Max. Allowed 60% \_\_\_\_\_

Does Applicant own Adjoining Property? Yes \_\_\_\_\_ No

Are there Deed Restrictions or Covenants? Yes \_\_\_\_\_ No

If yes, please attach a copy.

Please describe the present use: Single Family Front Structure; Single Family Rear Structure

Please describe the proposed use: SAME

Conforming \_\_\_\_\_ Non-Conforming

Have there been previous applications before the **Planning or Zoning Boards**? Yes \_\_\_\_\_ No

Approved \_\_\_\_\_ Denied \_\_\_\_\_

If yes, please supply the dates and details: \_\_\_\_\_

(Please attach a separate sheet if necessary)

**Miscellaneous:**

Does the application involve new exterior lighting? Yes \_\_\_\_\_ No \_\_\_\_\_  
Does the application involve a new driveway curb cut? Yes \_\_\_\_\_ No \_\_\_\_\_

(If yes, please provide details on a separate sheet)

I (and all agents and representatives) will comply with all Borough Ordinances. All Zoning Approvals maybe revoked.

*[Signature]*  
Applicant or Agent's Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Name of Corporation/Association

**OFFICE USE ONLY**

PERMIT:                      APPROVED \_\_\_\_\_                      DENIED \_\_\_\_\_                      For Relief  
Apply to Zoning Board \_\_\_\_\_  
(The Board indicated reflects the opinion of the Zoning Officer. Your attorney may or may not agree)                      Apply to Planning Board \_\_\_\_\_

Applicable Ordinance(s): \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
William M. Gray, Zoning Official

\_\_\_\_\_  
Date

This is **not** a construction permit. Failure to secure a required construction permit **may** result in fines.

Fee: \$35.00

Cash/Check# \_\_\_\_\_ Amount \$ \_\_\_\_\_ Date Received \_\_\_\_\_ Received by \_\_\_\_\_