

LEON S. AVAKIAN, INC. *Consulting Engineers*

788 WAYSIDE ROAD • NEPTUNE, NEW JERSEY 07753

LEON S. AVAKIAN, P.E., P.L.S. (1953-2004)
PETER R. AVAKIAN, P.E., P.L.S., P.P.
MEHRYAR SHAFAI, P.E., P.P.
GREGORY S. BLASH, P.E., P.P.
LOUIS J. LOBOSCO, P.E., P.P.
GERALD J. FREDA, P.E., P.P.
RICHARD PICATAGI, L.L.A., P.P.
JENNIFER C. BEAHM, P.P., AICP
CHRISTINE L. BELL, P.P., AICP
SAMUEL J. AVAKIAN, P.E.

November 18, 2020

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

**Re: Perrette Residence
Block 85, Lot 17
5 Madison Avenue
Our File BBBA 20-18**

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:

- A pool variance plan consisting of two (2) sheets prepared by William E. Jensen, Jr., P.E., of Jensen Design Group, dated November 16, 2018, with the latest revisions dated October 22, 2020.
- A boundary and topography survey consisting of one (1) sheet prepared by Joseph J. Wright, P.L.S. of Blue March Associates, Inc., dated September 21, 2018, and signed on July 14, 2020. This survey did not have any revisions.
- A pool plan consisting of one (1) sheet prepared by Cardinal Systems, Inc., dated December 3, 2018, with no revisions.
- A soil log consisting of one (1) sheet prepared by William E. Jensen, Jr., P.E. of dated October 8, 2020, 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:

1. **Property Description**

- A. The property is located at house number 5 Madison Avenue (Lot 17, Block 85) with a total area of 8,723 square feet.
- B. The existing lot contains a 2-story dwelling with shed and driveway.

C. The Applicant is proposing an in-ground swimming pool and patio.

2. **Zoning and Land Use**

A. The property is located in the R-1 Residential Single-Family Zone. The existing single-family dwelling is a permitted principal use in this zone.

B. The proposed in-ground swimming pool is a permitted accessory use in this zone.

C. The proposed improvements require Board Approval for variances with rear yard setback to the pool, distance from primary structure, distance from accessory structure, and others described in this report.

3. **Variances and Waivers**

A. In accordance with Section 450-26.(B)(4), a private swimming pool, is subject to the requirements and limitations of Chapter 406, Swimming Pools. The following variances or existing non-conformities are noted below:

1) In accordance with Section 406-4.A., a swimming pool and its accessories thereto shall be permitted in the rear yard only. Per the Ordinance Section 450-4 (Definitions) the lot depth for a corner lot is the greater of the frontages shall be the lot depth. The greater of the frontages for this lot is along Madison Avenue, which is lot depth. Per the Ordinance Section 450-4 (Definitions) the lot width is measured at right angles to its depth, which for this lot is along Monmouth Avenue. Per the Ordinance Section 450-4 (Definitions) the rear yard for corner lots shall mean the open unoccupied space extending the width of the lot, situated between the rear lot line and the rear of the building line of the principal structure, which is the yard area opposite of Monmouth Avenue. The Applicant is proposing the swimming pool in the rear yard, which complies.

2) In accordance with Section 406-4.B.(1), the minimum setback from the side lot line to the pool and pool patio is 6 feet. The Applicant is proposing an east side setback of 32.8 feet to the swimming pool and 31.8 feet to the pool patio. Both of these setbacks comply.

3) In accordance with Section 406-4.B.(2) the minimum setback from the rear lot line to the pool and patio is 6 feet. The Applicant is proposing a rear setback of 3.5 feet to the pool. **A variance is required.**

- 4) In accordance with Section 406-4.B.(3), the minimum setback from the primary structure to the pool and pool patio is 15 feet. The Applicant is proposing a primary structure setback of 7.0 feet to the pool. **A variance is required.**
- 5) In accordance with Section 406-4.B.(4), the minimum setback from the accessory structure (shed) to the pool and pool patio is 10 feet. The Applicant is proposing an accessory structure setback of 4.0 feet to the pool. **A variance is required.**
- 6) In accordance with Section 406-4.D., the filtration system shall be located in the rear yard area and screened so as not to be visible from the street or neighboring properties. The Applicant is proposing the pool equipment in the rear yard, which complies. The Applicant should provide testimony on the proposed screening so as not to be visible from the street or neighboring property.
- 7) In accordance with Section 406-4.E.(1), the bottom of the in-ground pools shall be a minimum of the 2 feet above the seasonal high groundwater table. The Applicant is proposing 0.4 feet from the bottom of the pool to the seasonal high groundwater table. **A variance is required.**
- 8) In accordance with Section 406-4.E.(6), the pool area shall be completely enclosed with a permanent fence of durable material at least 4 feet in height with self-closing gates. Gates shall be locked at all times that the pool is not in use. A self-latching device shall be placed at the top of the gate and made inaccessible to small children. The plot plan indicates a pool fence height of 4 feet and will be self-latching and closing gates. The proposed fence complies.
- 9) The Applicant should provide testimony on compliance with the following:
 - a) Pool materials shall be durable, waterproof and easily cleaned. The bottom and sides of pools shall be either white or a light color except that aluminum paint shall not be used as a finish. The sides and bottoms of pools shall be smooth and free of cracks and open joints. Walkways around pools shall be slip-proof and easily cleaned.

- b) The critical depths of swimming pools, i.e., depths at both ends and at the location of a change in slope in the pool, shall be conspicuously marked in a permanent manner on both the vertical and horizontal surfaces of the pool and shall be visible in and out of the water.
 - c) All swimming pools, where the depth exceeds two feet at the shallow end, shall have a minimum of one staircase or ladder that shall be constructed of a nonslip tread. Step holes shall not be permitted.
- 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)(h), the maximum building coverage permitted per the zoned district is 35% of the lot area. The existing building coverage is 31.0% of the lot area. The Applicant is not proposing any increase to building coverage.
 - 2) In accordance with Section 450-26.D.(1)(i), the maximum impervious coverage permitted per the zoned district is 60% of the lot area. The existing impervious coverage is 48.2%, which conforms. The Applicant is proposing an impervious coverage of 53.6%, which conforms.

4. **General Comments**

- A. A General Note should be added to the plan indicating the planting area between the sidewalk and curb must remain natural grass.
- B. 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.
- 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.

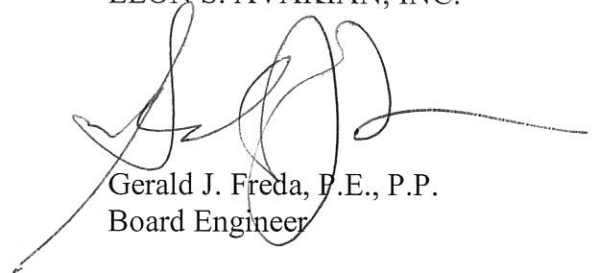
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Our office reserves the right to provide additional comments upon receipt of revised plans.

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
William E. Jensen, Jr., P.E., Applicant's Engineer
Steve and Linda Perrette, Applicant

BB/BA/20/20-18a