

June 4, 2019

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

**Re: Costa Residence
Block 57, Lot 2
619 Fifth Avenue
Our File BBBA 19-07**

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 Donald J. Passman, AIA of Passman & Ercolino Architects, P.C., dated March 26, 2019, with no revisions.
- A boundary and topographic survey consisting of one (1) sheet prepared by David J. Von Steenburg, P.L.S. of Morgan Engineering & Surveying, dated December 6, 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:

1. **Property Description**

- A. The property is located at house number 619 Fifth Avenue (Lot 2, Block 57) with a total area of 2,760.2 square feet. The lot is rectangular in shape and measures 26 feet in width by 106.16 feet in depth.
- B. The existing lot contains a two-story framed dwelling with an enclosed front porch and detached shed.
- C. The Applicant is proposing a one-story addition to the rear of the dwelling.

2. **Zoning and Land Use**

- A. The property is located in the GB General Business Zone and the existing single family dwelling is a non-conforming use.
- B. The proposed improvements require Board approval for a variance on use and others as described in this report. The property has existing non-conformities with lot area, lot width, minimum side and rear yard setback to the shed and off-street parking.

3. **Variances and Waivers**

- A. In accordance with Section 450-29.A. permitted principal uses, a single family dwelling is not identified as a permitted use. The Applicant is proposing an addition to the single family dwelling, which is an expansion of a non-conforming use. **A use variance is required.**

1) Criteria for Use Variance Relief

This application requires a use variance pursuant to N.J.S.A. 40:55D-70.d(2). Testimony is required to demonstrate that the application satisfies the positive and the negative criteria of the Municipal Land Use Law for the granting of the use variance relief. Consequently, the Applicant must demonstrate the site can accommodate the increase in the non-conformity.

- B. In accordance with Section 450-29.D area, yard, and building requirements, the following variances or existing non-conformities are noted below:

- 1) In accordance with Section 450-29.D.(1)(a), the minimum lot area is 5,000 square feet. The existing lot area is 2,760.2 square feet, which represents an existing non-conformity.
- 2) In accordance with Section 450-29.D.(1)(b), the minimum lot width permitted is 50 feet. The existing lot width is 26 feet, which represents an existing non-conformity.
- 3) In accordance with Section 450-29.D.(1)(k), the minimum side yard setback for the shed is 5 feet. The existing shed is 0.81 feet, which represents an existing non-conformity.
- 4) In accordance with Section 450-29.D.(1)(l), the minimum rear yard setback for the shed is 5 feet. The existing shed is 0.86 feet, which represents an existing non-conformity.

- C. The existing property has no off-street parking, which represents an existing non-conformity.

4. **General Comments**

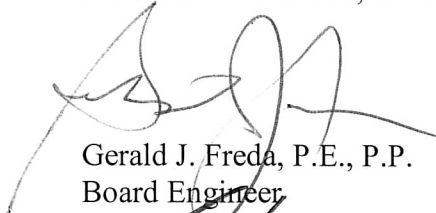
- A. General Note should be added to the plan indicating the curb and sidewalk along the frontage will be replaced if found in poor condition.
- B. A General Note should be added to the plan indicating the planting area between the sidewalk and curb must be natural grass.
- C. The Applicant should provide 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



Christine L. Bell, P.P., A.I.C.P.
Board Planner

DMH:mfl/mcs

cc: Kristie Dickert, Board Secretary
Mark Kitrick, Esq., Board Attorney
Michael J. Wenning, Esq., Applicant's Attorney
Donald J. Passman, Applicant's Architect
Robert and Nancy Costa, Applicant

BB/BA/19/19-07