

June 5, 2018

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

**Re: Delany Residence  
Block 88, Lot 1  
523 Burlington Avenue  
Our File BBBA 18-03**

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 survey of property consisting of one (1) sheet prepared by Thomas M. Ernst, P.L.S., dated April 9, 2018, with no revisions. The Applicant has indicated the location of the proposed fence on this survey.

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 523 Burlington Avenue (Lot 1, Block 88) with a total area of 3,714 square feet. The lot is close to rectangular in shape (parallelogram) and measures 50 feet in width by approximately 74 feet in depth.
- B. The existing lot contains a one and one half-story framed dwelling with a covered front porch and detached shed. The Applicant's application indicates the existing and proposed use as a single-family house. The zoning denial indicates the present approved zoning use of the property is a non-conforming two-family dwelling. The Applicant should provide testimony on whether the use is a single-family dwelling or a two-family dwelling.
- C. The Applicant is proposing a six foot high vinyl fence in the side and rear yard areas.

2. **Zoning and Land Use**

- A. The property is located in the R-1 Residential Single Family Zone.
- B. The proposed improvements require Board approval for a variance on fence height in the side yard. The property has existing non-conformities with lot area and lot depth.

3. **Variances and Waivers**

- A. In accordance with Section 450-29.1.D area, yard, and building requirements, the following variances or existing non-conformities are noted below:
  - 1) In accordance with Section 450-29.1.D.(1)(a), the minimum lot area is 5,000 square feet. The existing lot area is 3,714 square feet, which represents an existing non-conformity.
  - 2) In accordance with Section 450-29.1.D.(1)(c), the minimum lot depth permitted is 100 feet. The existing lot width is 74.3 feet, which represents an existing non-conformity.
- B. In accordance with Section 450-44.A. (Fence Regulations) all fences may be erected, altered or reconstructed to a height not exceeding three (3) feet above ground level when located in any front yard, four (4) feet in any side yard and six (6) feet in any rear yard. The Applicant is proposing a fence height of six (6) feet in the side and rear yard areas. **A variance is required** for fence height in the side yard.

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.

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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 Armour, Board Secretary  
Mark Kitrick, Esq., Board Attorney  
Frank Delany, Applicant

BB/BA/18/18-03