

July 6, 2018

Borough of Bradley Beach  
Zoning Board of Adjustment  
701 Main Street  
Bradley Beach, N.J. 07720

**Re: Losa Residence  
Block 11, Lot 28  
120 Lake Terrace  
Our File BBBA 16-19**

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 George F. Sincox, AIA, of Sincox/La Luna Architecture + Planning, dated August 24, 2016, with the latest revisions dated June 12, 2018.
- A lot development plan consisting of two (2) sheets prepared by Adnan A. Khan, P.E., C.M.E. of AWZ Engineering, Inc., dated June 8 2018, with no revisions.
- Asbuilt plan consisting of one (1) sheet prepared by Mihir J. Shah, P.L.S., of Sun Land Surveying, Inc., dated March 10, 2018, with no updates.

Our office has reviewed the plans to determine if they conform with the requirements of the Borough Ordinance and report as follows:

1. **Project History**

The Applicant received approval from the Board of Adjustment in March 2017 for alteration to the first floor with additions to the front and rear corners of the first floor. Also received approval for the second floor addition with a front balcony.

The Applicant has indicated during the remodeling and alteration of the existing structure, the structure began to collapse, and resulting in the entire structure to be demolished. The contractor constructed a new foundation in the same footprint.

When the Applicant's contractor requested a foundation inspection, the Construction Office noted that the Applicant did not receive approval from the Zoning Board for a new foundation. The Construction Office told the contractor a new zoning determination is required for the additional work being proposed. The Zoning Officer made the determination that an approval from the Board of Adjustment is required for the additional work.

2. **Property Description**

- A. The property is located at house number 120 Lake Terrace (Lot 28, Block 11) with a total area of 1,960.15 square feet.
- B. The lot had contained a 1 ½ story single-family dwelling. The lot currently has a foundation for a single-family dwelling.
- C. The Applicant is proposing a new structure in the same footprint and layout as previously approved.

3. **Zoning and Land Use**

- A. The property is located in the R-B Residential Beachfront Zone and the proposed single-family dwelling is a permitted principal use in this zone.
- B. The proposed improvements require Board Approval for variances on front, side and rear yard setback, building coverage, and impervious coverage. The property has existing non-conformity with lot area, lot width, and lot depth.

4. **Variances and Waivers**

- A. In accordance with section 450-13, permitted yard encroachments, the following variances or existing non-conformities are noted below:
  - 1) In accordance with Section 405-13.B, the unroofed deck leading to the second floor, directly above the open, unscreened porch is not permitted to project more than 8 feet into the required front yard. The permitted setback for this property is 17 feet. The Applicant is proposing a setback of 3.5 feet. **A variance is required** for the proposed second floor balcony.
  - 2) In accordance with Section 450-13.E, an open and uncovered and unroofed deck or patio not more than three feet above ground level may extend into a required side or rear yard to within five feet of a side or rear property line. The Applicant should provide the height of the proposed deck above ground level and the setback to the property lines. The proposed deck appears to be less than three (3) feet above grade and is setback inches from the south side property line. **A variance may be required.**

- B. In accordance with Section 450-28.D(1)(a) area, yard, and building requirements for a single family dwelling is subject to the requirements and limitations in Section 450-26.D. The following variances or existing non-conformities are noted below:
- 1) In accordance with Section 450-26.D.(1)(a), the minimum lot area is 5,000 square feet. The existing lot area is 1,960.15 square feet, which represents an existing non-conformity.
  - 2) In accordance with Section 450-26.D.(1)(b), the minimum lot width permitted is 50 feet. The existing lot width is 28.39 feet, which represents an existing non-conformity.
  - 3) In accordance with Section 450-26.D.(1)(c), the minimum lot depth permitted is 100 feet. The existing lot depth is 62.83 feet, which represents an existing non-conformity.
  - 4) In accordance with Section 450.26.D.(1)(d), the minimum front yard setback permitted for a street running east to west is 25 feet or the minimum depth of any front yard within the block and fronting on the same street on which the structure fronts, whichever is greater. The Applicant is proposing a front yard setback of 3.58 feet. **A variance is required.**
  - 5) In accordance with Section 450-26.D.(1)(e), the minimum side yard setback permitted is 5 feet and 10 feet. For lots not meeting the minimum lot width requirement that exists shall be 10% (2.8 feet and 20% (5.6 feet) of the lot width. The Applicant is proposing a north side yard setback of 2.50 feet and a south side yard setback of 1.9 feet. **A variance is required for both side yard setbacks.**
  - 6) In accordance with Section 450.26.D.(1)(f), the minimum rear yard setback permitted is 25 feet. For lots not meeting the minimum lot depth requirements the rear yard setback may be reduced proportionately to the existing lot depth as a percentage of required lot depth, but in no case shall be less than 10 feet. For this lot the permitted rear yard setback is 15.7 feet. The Applicant is proposing a rear yard setback of 6.06 feet. **A variance is required.**
  - 7) In accordance with Section 45-26.D.(1)(g) the maximum building height permitted is 35 feet and 2 ½ stories. The Applicant is proposing a building height of 31.30 feet and two stories. The proposed building height conforms.

- 8) In accordance with Section 450.26.D.(1)(h), the maximum building coverage permitted is 35%. The Applicant is proposing a building coverage of 51.84%. **A variance is required.**
- 9) In accordance with Section 450.26.D.(1)(i), the maximum impervious coverage permitted is 60%. The Applicant is proposing an impervious coverage of 60.91%. **A variance is required.**

4. **General Comments**

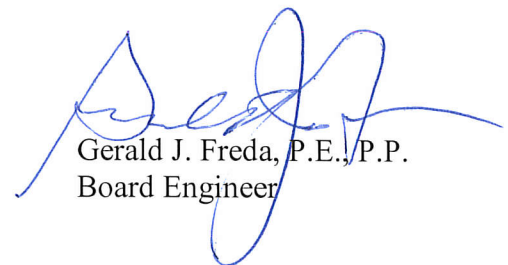
- A. The roadway Lake Terrace is a county road and the Monmouth County approval and permits are required.
- B. The property is located in the Flood Zone AE and the Applicant should comply with the Flood Damage Prevention Ordinance.
- C. The Applicant should provide information that taxes are currently 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

DMH:mcs2

cc: Kristie Armour, Board Secretary  
Mark Kitrick, Esq. Board Attorney  
Ronald J. Troppoli, Esq., Applicant's Attorney  
George F. Sincox, AIA, Applicant's Architect  
Adnan A. Khan, P.E., C.M.E., Applicant's Engineer

BB/BA/16/16-19a