

BOROUGH OF BRADLEY BEACH
ZONING BOARD OF ADJUSTMENT
NOTICE OF APPEAL OF ZONING OFFICER'S DETERMINATION

OFFICIAL USE ONLY

CASE # _____

DATE FILED _____

DISPOSITION _____

HEARING DATE _____

TO THE ZONING ENFORCEMENT OFFICER:

The petition of ODETE RODRIGUES MENDES
Applicant's Name

shows that on or about the 16 day of Feb, 20 22, an application to

the Zoning Officer for the purpose of (Describe intended action): 1.) Replace Kitchen Cabinets;

2.) Provide New Bathrooms; 3.) Replace windows & doors; 4.) Repair & Replace
Roof; 5.) OPEN wall TO gain access to rear of interior.

No increase of footprint. Convert 3 family layout
to a 2 family layout

on the premises located at: 609 Fifth Ave.
Street Address

Block 57

Lot 9

as shown on the Municipal Tax Maps and owned, or optioned by this applicant was made; that after due consideration, the Zoning Officer did on the 18 day of February, 20 22, decline to issue said permit for the reasons stated in the attached copy of the Zoning Officer's Refusal of Permit form.

Applicant feeling aggrieved at the action of the Zoning Officer, files this notice of appeal with said officer, and requests that action of the Zoning 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 a copy of this sheet/notice with the Zoning Officer, where appeal is sought.

1. Property Address: 609 fifth Avenue
2. Block 57 Lot 9
3. Property is located in a R-1 Zoning District according to the Borough of Bradley Beach Zoning Map.
4. Name of applicant: ODETE Rodeigres Mendes
Mailing address: 14 Pearl ST, Summit, N.J.
Phone # [REDACTED] Fax # Cell #
E-mail address:
5. Name of owner: SAME
Mailing address:
Phone # Fax # Cell #
E-mail address:
6. Name of contact person: SAME
Mailing address:
Phone # Fax # Cell #
E-mail address:
7. Interest of applicant, if other than owner: N/A.

Detailed Information:

- Existing use of property: 3 family use
- Proposed use of property: 2 family use
- Special Flood Hazard Area: N/A
8. Has there been any previous Planning Board and/or Board of Adjustment applications involving these premises?
Yes ☐ No ☒
If so, when
Result of decision
(If yes, include copy of prior resolution)

9. Justification/Reason for appeal of decision [be as specific as possible attach additional sheets as necessary]

No expansion of pre-existing, non-conforming use.
Converting 3 family use to 2 family use.
STRUCTURE NOT ENLARGED, EXTENDED; RE CONSTRUCTED;
SUBSTITUTED OR STRUCTURALLY ALTERED. (J 450-12(B)).

ZONING BOARD OF ADJUSTMENT
APPLICATION FOR USE VARIANCE AND/OR BULK VARIANCE(S)

Information on Subject Property:

1. Property address: 609 Fifth Avenue
Block(s) 57 Lot(s) 9 Zone: R-1
2. Does the Applicant own adjoining property? ☐ YES ☒ NO
If answer to foregoing is yes, describe location and size of adjoining property: N/A.
3. An application is hereby made for a variance(s) from the terms of Article(s) and Section(s):
Convert 3 family structure to two (2) Family STRUCTURE, both of
which are not a permitted USE.
Interior alteration and renovation not effecting EXTERIOR
Footprint.
4. Justification/Reasons why each variance should be granted [attach forms as necessary]
Promotion of DESIRABLE visual environment. Promotion of
Appropriate population density by converting STRUCTURE
from 3 family to 2 family structure. WILL not impair the
intent and purpose of the zone plan and zoning
ORDINANCE
5. If conditional use is required/requested with this application, detail conformance/deviation from the requirements of the zoning ordinance [attach forms as necessary].
N/A

Contact Information:

6. Name of applicant: Odete Rodrigues MENDES
Mailing address: 14 PEARL ST, Summit, N.J 07901
Phone # [REDACTED] Fax # [REDACTED] Cell # [REDACTED]
E-mail address: [REDACTED]

7. Interest of Applicant if other than owner (i.e. tenant, contract purchaser)(If applicant is not the owner, Owner(s)' Affidavit of Authorization and Consent must be completed & submitted with this application):

N/A

8. Name of present owner: Applicant/owner

Mailing address: _____

Phone # _____ Fax # _____ Cell # _____

E-mail address: _____

9. Contact Person: _____

Mailing address: _____

Phone # _____ Fax # _____ Cell # _____

E-mail address: _____

Applicant's Professionals' Information:

10. Name of applicant's Attorney (if applicable)
(Companies/Corporations must be represented): Michael J Wenning, Esq.

Mailing Address: Main St & LARINE Ave, P.O. Box 188, BRADLEY BEACH 07720

Phone # 732-774-1212 Fax # 732-774-6183 Cell # _____

E-mail address: MWENNING@KWVLAWFIRM.COM

11. Name of applicant's Engineer (if applicable): _____

Mailing Address: _____

Phone # _____ Fax # _____ Cell # _____

E-mail address: _____

12. Name of applicant's Planner (if applicable): _____

Mailing Address: _____

Phone # _____ Fax # _____ Cell # _____

E-mail address: _____

13. Name of applicant's Surveyor: LANDMARK Surveying And Engineering

Mailing Address: 813 MAIN STREET, Avon, N.J.

Phone # 732-775-0558 Fax # 732-775-7848 Cell # _____

E-mail address: _____

14. Name of applicant's Architect (if applicable): MARTHA BRAZOBAN

Mailing Address: 570 N BROAD STREET, ELIZABETH, N.J

Phone # 908-316-5337 Fax # _____ Cell # _____

E-mail address: _____

15. Name of applicant's Other Professional (if applicable): _____

Mailing Address: _____

Phone # _____ Fax # _____ Cell # _____

E-mail address: _____

Detail Property Information:

(PLEASE INCLUDE INFORMATION FOR EACH ZONE/BLOCK/LOT INVOLVED BELOW – ATTACH ADDITIONAL SHEETS AS NECESSARY)

<u>PRINCIPAL USE:</u>	<u>Required and/or Permitted</u>	<u>Existing</u>	<u>Proposed</u>
Minimum lot area	5000 sq ft	5849.9	5849.9
Minimum lot width	50'	50'	50'
Minimum lot depth	100'	117'	117'
Minimum lot frontage	50'	50'	50'
Minimum front yard setback	15'	14.5'	14.5'
Minimum rear yard setback	25'	46.38	46.38
Minimum side yard setback	5' / 10'	3.8' / 11.81	3.8' / 11.81
Maximum percent building coverage	35%	27.83%	27.83%
Maximum percent lot coverage			
Maximum number of stories	2 1/2	2	2
Maximum building height (in feet)	35'	30'	30'
Square footage of principal structure			
Off-street parking spaces	4	0	0
Prevailing Setback of adjacent buildings within the block/within 200 ft.			
<u>ACCESSORY USE/STRUCTURE:</u> N/A	<u>Required and/or Permitted</u>	<u>Existing</u>	<u>Proposed</u>
Minimum front yard setback	N/A.		
Minimum rear yard setback			
Minimum side yard setback			
Minimum combined side yard setback			
Maximum percent building coverage			
Maximum percent lot coverage			
Maximum number of stories			
Maximum building height (in feet)			
Square footage of accessory structure			
Distance between principal & accessory structure	✓		
Existing use or uses on the lot: 3 family MULTIFAMILY			
Proposed use or uses on the lot: 2 Family principal structure			
Is the property located in a special flood hazard area? No			

NOTE: Any items that are not applicable to a particular application shall be marked with an "N/A".

Detail Proposed Information:

16. Existing and proposed number of units, if applicable: 3 family existing / 2 proposed

17. Are any extensions of municipal facilities or utilities involved with this application? Y ☐ N ☒

If answer is YES, describe: _____

18. Are drainage ditches, streams, or other water courses involved with this application? Y ☐ N ☒

If answer is YES, describe: _____

19. Has there been any previous applications before the Planning Board/Board of Adjustment involving these premises? Yes ☐ No ☐ Unknown ☒

If so, when: _____

Result of decision: _____ (attach copy of prior Resolution)

20. Has a Zoning denial been received as part of this application? YES ☒ NO ☐ If yes, please attach.

21. Tax and Assessment payment report indication of all taxes and/or assessment required to be paid attached to this application: ☐ YES ☒ NO

22. Are any easements or special covenants by deed involved with this application?
☐ YES (If yes, attach copy) ☒ NO

AFFIDAVIT OF APPLICATION

State of New Jersey :
County of Monmouth : ss

ODETE Mendes being of full age, being duly sworn according to Law, on oath depose and says that all the above statements are true.

ODETE Mendes
(Original Signature of Applicant to be Notarized)

(Print Name of Applicant)
ODETE Rodrigues Mendes

Sworn and subscribed before me this

11th day of March, 20 22

[NOTARY SEAL]

[Signature]
Signature of Notary Public
Michael J. Warming, Esq.
ATTY AT LAW NJ

OWNER(S)' AFFIDAVIT OF AUTHORIZATION AND CONSENT
STATEMENT OF LANDOWNER WHERE APPLICANT IS NOT LANDOWNER

[Original signatures only – copies will not be accepted]

IN THE MATTER BEFORE THE LAND USE BOARD
(Insert Planning Board or Zoning Board of Adjustment)

IN THE BOROUGH OF BRADLEY BEACH, STATE OF NEW JERSEY, COUNTY OF MONMOUTH.

I/WE, ODETE MENDES, WITH MAILING ADDRESS OF
(Insert Property Owner's Name)

14 Pearl St, Summit, N.J. OF FULL AGE BEING DULY
(Insert Property Owner's Mailing Address)

SWORN ACCORDING TO LAW AND OATH DEPOSES AND SAYS:

"I/WE ARE THE OWNER(S) OF THE SUBJECT PROPERTY IN CONNECTION WITH

THIS APPLICATION DESIGNATED AS BLOCK(S) 57 LOT(S) 9

ALSO KNOWN AS 609 Fifth Avenue.
(Insert physical address of the subject property)

I/WE AUTHORIZE _____
(Insert name of Owner(s)' representative appearing before the Board)

TO APPEAL TO THE PLANNING/ZONING BOARD OF ADJUSTMENT OF THE BOROUGH OF BRADLEY BEACH FOR SUCH RELIEF AS MAY BE REQUIRED RELATING TO THE PROPERTY LISTED ABOVE, CONSENT TO SUCH APPEAL AND APPLICATION, AND AGREE THAT ANY DECISION OF THE PLANNING/ZONING BOARD OF ADJUSTMENT ON SUCH APPEAL SHALL BE BINDING UPON ME/US AS IF SAID APPLICATION/APPEAL HAS BEEN BROUGHT AND PROSECUTED DIRECTLY BY ME/US AS THE OWNER(S).

Odete Mendes ✓
(Original Signature of Owner to be Notarized)

ODETE RODRIGUES MENDES
(Original Signature of Owner to be Notarized)

Sworn and subscribed before me this

11th day of March, 2022

[NOTARY SEAL]

[Signature]

Signature of Notary Public

Michael J. Werning, Esq. Atty General NJ

SITE VISIT AUTHORIZATION OF PROPERTY OWNER

I hereby authorize any member of the Borough of Bradley Beach Planning Board/Zoning Board of Adjustment, any of said of Board's professionals or reviewing agencies of the Board to enter upon the property which is the subject matter of this application, during daylight hours, for limited purpose of viewing same to report and comment to the Board as to the pending application.

Date: 11 Mar 2022

Odele Rodrigues ✓
Signature of Property Owner

Escrow Agreement

I/we fully understand an "Escrow Account" will be established to cover the costs of the professional services which will include engineering, legal, planning, architectural, and any other expenses incurred in connection with the review of this application before the Board.

The amount of the Escrow Deposit will be determined by the Borough of Bradley Beach Ordinance Chapter 60. Land Use Procedures Section 60-29. Application fees and escrow requirements. Please see attached for details.

Any request for replenishment of escrow funds shall be due within fifteen [15] days of receipt of the request. If payment is not received within that time, applicant will be considered to be in default, and such default may jeopardize appearance before the Board and/or hold up of any and all pending approvals and building permits. Continued refusal will result in legal action against the property.

Also in accordance with N.J.S.A. 40:55D-53.1, all unused portion of the escrow account will be refunded upon written request from the applicant, and verification of completion by the board's professionals who reviewed the application.

By signature below, I/we acknowledge receipt of the Borough of Bradley Beach's Chapter 60. Land Use Procedures Section 60-29. Application fees and escrow requirements and agree to all conditions listed.

Name of Applicant: Odele Rodrigues Mendes
[please print]

Property Address: 609 Fifth Ave Block 57 Lot 9

Applicant's Name: Odele Rodrigues Mendes / *Odele Rodrigues*
[Print Name] [Signature of Applicant]

Owner's Name: ODELE RODRIGUES MENDES / *Odele Rodrigues*
[Print Name] [Signature of Owner]

Date: 11 Mar 2022