

LUB22/09

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

**Information on Subject Property:**

1. Property address: 506 Brinley Avenue, Bradley Beach, NJ 07720  
Block(s) 43 Lot(s) 17 Zone: R-1 MAY - 9 2022

2. Does the Applicant own adjoining property? ☐ YES ☒ NO

If answer to foregoing is yes, describe location and size of adjoining property: \_\_\_\_\_

3. An application is hereby made for a variance(s) from the terms of Article(s) and Section(s):

The Applicant seeks a variance from the terms of the requirements for the R-1 Residential Single-Family Zone as found in the Borough's Zoning Code in Section 450-26, for the placement of new 30 inch by 30 inch concrete mechanical pads for new A/C condensers for each of the nine cottages on the site.

4. Justification/Reasons why each variance should be granted [attach forms as necessary]

The Site at 506 Brinley does not conform to the standards of the R-1 Zone and should be given special consideration to ensure that needs of the occupants are met.

5. If conditional use is required/requested with this application, detail conformance/deviation from the requirements of the zoning ordinance [attach forms as necessary].

**Contact Information:**

6. Name of applicant: 506 Brinley Avenue, LLC C/O Bret Morgan

Mailing address: PO Box 1295, Summit, NJ 07902

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):

8. Name of present owner: 506 Brinley Avenue, LLC  
Mailing address: PO Box 1295, Summit, NJ 07902  
Phone # [REDACTED] Fax # [REDACTED] Cell # [REDACTED]  
E-mail address: [REDACTED]

9. Contact Person: Bret Morgan  
Mailing address: PO Box 1295, Summit, NJ 07902  
Phone # [REDACTED] Fax # [REDACTED] Cell # [REDACTED]  
E-mail address: [REDACTED]

**Applicant's Professionals' Information:**

10. Name of applicant's Attorney (if applicable)  
(Companies/Corporations must be represented): Paul Fernicola, Esq.  
Mailing Address: 219 Broad St, Red Bank, NJ 07701  
Phone # 732-345-0600 Fax # 732-345-5117 Cell # [REDACTED]  
E-mail address: pvf@fernicolalaw.com

11. Name of applicant's Engineer (if applicable): [REDACTED]  
Mailing Address: [REDACTED]  
Phone # [REDACTED] Fax # [REDACTED] Cell # [REDACTED]  
E-mail address: [REDACTED]

12. Name of applicant's Planner (if applicable): [REDACTED]  
Mailing Address: [REDACTED]  
Phone # [REDACTED] Fax # [REDACTED] Cell # [REDACTED]  
E-mail address: [REDACTED]

13. Name of applicant's Surveyor: Lakeland Surveying c/o Marc J. Cifone  
Mailing Address: 4 West Main Street, Rockaway, NJ  
Phone # 973-625-5670 Fax # [REDACTED] Cell # [REDACTED]  
E-mail address: [REDACTED]

14. Name of applicant's Architect (if applicable): Jonathan Wolfe, AIA

Mailing Address: 518 Laurel Avenue, Allenhurst, NJ 07711

Phone # 917-992-6299 Fax #  Cell #

E-mail address: jon@jonathanwolfearchitect.com

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)***

<b><u>PRINCIPAL USE:</u></b>	<b><u>Required and/or Permitted</u></b>	<b><u>Existing</u></b>	<b><u>Proposed</u></b>
Minimum lot area	5,000 SF	17,950 SF	No Change
Minimum lot width	50 FT	100 FT	No Change
Minimum lot depth	100 FT	175.9 FT	No Change
Minimum lot frontage	50 FT	100 FT	No Change
Minimum front yard setback	25 FT	7.9 FT	No Change
Minimum rear yard setback	25 FT	3.5 FT	No Change
Minimum side yard setback	5 FT & 10 FT	2.7 FT & 6 FT	No Change
Maximum percent building coverage	35 %	39.7 %	No Change
Maximum percent lot coverage	60 %	58.7 %	58.8 %
Maximum number of stories	2.5 Stories	1 Story	No Change
Maximum building height (in feet)	35 FT	17.5 FT	No Change
Square footage of principal structure	-	1,043 SF	No Change
Off-street parking spaces	2 per Unit	None	No Change
Prevailing Setback of adjacent buildings within the block/within 200 ft.		22 FT	
<b><u>ACCESSORY USE/STRUCTURE:</u></b>	<b><u>Required and/or Permitted</u></b>	<b><u>Existing</u></b>	<b><u>Proposed</u></b>
Minimum front yard setback	NO EXISTING ACCESSORY STRUCTURE AND NONE PROPOSED		
Minimum rear yard setback	N/A		
Minimum side yard setback	N/A		
Minimum combined side yard setback	N/A		
Maximum percent building coverage	N/A		
Maximum percent lot coverage	N/A		
Maximum number of stories	N/A		
Maximum building height (in feet)	N/A		
Square footage of accessory structure	N/A		
Distance between principal & accessory structure	N/A		
Existing use or uses on the lot:	RESIDENTIAL		
Proposed use or uses on the lot:	NO CHANGE		
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:

The are nine existing units. No changes are proposed to the number of units.

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 :

: ss

County of Monmouth :

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

[Signature]  
(Original Signature of Applicant to be Notarized)

Bret Monger  
(Print Name of Applicant)

Sworn and subscribed before me this

21<sup>st</sup> day of April, 2022

[Signature]  
Signature of Notary Public

[NOTARY SEAL]

JULIEN A COPELAND  
Notary Public - State of New Jersey  
My Commission Expires Jan 22, 2023

**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 \_\_\_\_\_  
(Insert Planning Board or Zoning Board of Adjustment)

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

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

\_\_\_\_\_ 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) \_\_\_\_\_ LOT(S) \_\_\_\_\_

ALSO KNOWN AS \_\_\_\_\_  
(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).

\_\_\_\_\_  
(Original Signature of Owner to be Notarized)

\_\_\_\_\_  
(Original Signature of Owner to be Notarized)

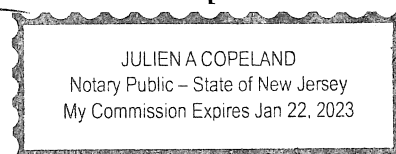
Sworn and subscribed before me this

21<sup>st</sup> day of April, 2022

\_\_\_\_\_  
(Signature of Notary Public)

Signature of Notary Public

**[NOTARY SEAL]**



## **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:** 4/21/22

  
**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: 506 Brinley Avenue, LLC  
[please print]

Property Address: 516 Brinley Avenue, Bradley Beach, NJ Block 43 Lot 17

Applicant's Name: 506 Brinley Avenue, LLC  
[Print Name] [Signature of Applicant]

Owner's Name: 506 Brinley Avenue, LLC  
[Print Name] Donet Morgan [Signature of Owner]

Date: \_\_\_\_\_