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April 27, 2022

Revised June 14, 2022

Borough of Bradley Beach
Land Use Board
701 Main Street
Bradley Beach, NJ 07720

**Re: Morrison Residence
Block 23, Lot 14
905 Central Avenue
Borough of Bradley Beach
Our File BBPB 22-05**

Dear Chairman and Board Members:

Our office has received an application submitted for Board review in connection with the above referenced project. Submitted with the application are the following:

- A plot plan consisting of two (2) sheets prepared by Daniel W. Caruso, P.E. of Landmark Surveying and Engineering, Inc., dated January 26, 2022, with no revisions.
- An architectural plan consisting of three (3) sheets prepared by Michael J. Moss, R.A. of Moss Architecture, LLC, dated June 20, 2021, with the latest revisions dated ***June 6, 2022***. ~~March 28, 2022~~. This plan was not signed or sealed.
- A boundary & topographic survey consisting of one (1) sheet prepared by Rodolfo Pierri, P.L.S. of Landmark Surveying and Engineering, Inc., dated September 20, 2021, with no revisions.

This 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:~~

Additional comments with regard to the revised plans are noted in ***bold italic type***. Our original review comments remain as noted in the letter dated April 27, 2022. The revised plans have been reviewed and we report as follows:

1. **Property Description**

- A. The property is located at house number 905 Central Avenue (Lot 14, Block 23) with a total area of 2,500 square feet.

- B. The existing lot contains a two-story single-family dwelling with rear deck.
- C. The Applicant is proposing to remove the dwelling in its entirety and proposing a 2 ½-story single-family dwelling with driveway and rear patio.

2. **Zoning and Land Use**

- A. The property is located in the R-1 Residential Single-Family Zone. The proposed single-family dwelling is a permitted use in this zone.
- B. The proposed improvements require Board Approval for variances with ~~side setback to patio~~, rear yard setback to at grade deck, side setback to entry platform, side setback platform stairs, building coverage, ~~impervious coverage~~, off-street parking, ~~building height~~, number of stories, ~~driveway apron width~~, driveway length and others as described in this report. Also, the lot has existing non-conformities in width and area.

3. **Variances and Waivers**

- A. In accordance with Section 450-13, Permitted Yard Encroachments, the following variances or non-conformities are noted below:
 - 1) ***The Applicant has removed the rear patio and is proposing an at grade deck in the rear yard.***

~~In accordance with Section 450-13.F.(2), (Patio Setbacks) for residential dwellings, patios are not allowed to encroach into any principal dwelling's setback requirements and shall never be closer than 5 feet of any side property line, nor closer than 5 feet to any rear yard property line. No patio shall extend beyond the side building line. The proposed south side yard setback for the patio is 4 feet. A variance is required.~~

~~The proposed north side yard setback for the patio is 1 foot. A variance is required.~~

~~The proposed patio on the north side is extended beyond the proposed building line. A variance is required.~~

~~The proposed rear yard setback for the patio is 11 feet, whereas the principal dwelling setback is 25 feet. A variance is required.~~

In accordance with Section 450-13.E.(2) (At Grade Deck Setbacks) for residential dwellings, decks are not allowed to encroach into any principal dwelling's setback requirements and

shall never be closer than five feet of any side yard property line, nor closer than five feet to any rear yard property line. No deck shall extend beyond the side building line.

*The proposed north and south side yard setbacks for the at grade deck is 5 feet, which complies. The Applicant is proposing a rear yard setback of 10 feet for the at grade deck. The required principal dwelling rear yard setback is 25 feet. **A VARIANCE IS REQUIRED** for the rear yard setback.*

- 2) *In accordance with Section 450-13.E.(6), (at grade deck coverage) the deck on grade area up to 5% of the lot size is excluded from impervious coverage. Deck on grade area beyond 5% of the lot size is included in the impervious coverage. The area underneath a deck on grade must be pervious surface. Five percent (5%) of this lot is 125 square feet and the proposed at grade deck is 201 square feet. The Applicant did not provide impervious coverage calculation, but 76 square feet shall be included in the impervious coverage.*

Also, the Applicant should indicate the surface underneath the deck to ensure compliance with this ordinance section.

- 3) In accordance with Section 450-13.H.(2), (Entry Platform), a side or rear entry platform, including steps, may extend into the rear and side yard setbacks as long as a 3-foot setback is maintained. The Applicant is proposing an entry, a platform and stairs on the north side of the dwelling. The proposed side yard setback is 2.0 feet. **A variance is required.**

The Applicant is proposing a platform entry and stairs at the rear of the dwelling. The proposed south side yard setback is ~~2.5 feet~~ **5 feet, which conforms. A variance is required.** The proposed rear yard setback is greater than 3 feet.

- 4) In accordance with Section 450-13.H.(4),(Coverage), an entry platform will not be greater than 4 feet in depth. Entry platforms, excluding stairs, shall be included in the building coverage. The proposed side entry platform is 3 feet in depth and the proposed rear entry platform is 4 feet in depth. Both of the platforms comply. The Applicant should provide the building coverage calculation, which shall include the side and rear entry platforms.
- 5) In accordance with Section 450-13.H.(7), (Stairs), side and rear entry platform stairs may extend into the rear and side yard setbacks

as long as a 3-foot setback is maintained. The proposed north side entry stairs are setback 2.0 feet from the side lot line. **A variance is required.**

The proposed rear entry stairs are setback more than 3 feet from the rear property line, which conforms. The proposed rear entry stairs are setback ~~4.0 feet~~ **5 feet** from the south side property line, which conform.

B. In accordance with Section 450-26.D., Area, Yard and Building Requirements, 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 2,500 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 25 feet, which represents an existing non-conformity.
- 3) In accordance with Section 450-26.D.(1)(h), the maximum building coverage permitted is 35% of the lot area. ~~The Applicant is proposing a~~ ***The Applicant did not provide the building coverage calculation, but indicates a proposed*** building coverage of 40.5%. **A variance is required.** ~~Our office calculated the building coverage of 41.6%, which includes the entry platform. A variance is required.~~ The Applicant should provide building coverage calculation.
- 4) In accordance with Section 450-26.D.(1)(i), the maximum impervious coverage permitted is 60% of the lot area. ~~The Applicant is proposing an impervious coverage of 67.6%. A variance is required.~~

~~Our office calculates an impervious coverage of 80.0%. A variance is required.~~ ***The Applicant did not provide the impervious coverage calculation but indicates a proposed impervious coverage of 59.5%. This coverage complies.*** The Applicant should provide impervious coverage calculations.

- 5) In accordance with Section 450-26.D.(1)(j), the minimum off-street parking permitted is two spaces per dwelling. The Applicant indicates one (1) proposed off-street parking space. **A variance is required.** The proposed off-street parking space has a depth of **18**

~~17 feet. The definition of parking space is the area required for the parking of one automobile which has an area of 9 feet in width and 18 feet in length.~~ The Applicant should provide testimony on the off-street parking proposed.

- C. In accordance with Section 450-26.E.(2), the living space of single-family dwelling on lots that are either less than 4,000 square feet or less than 40 feet of frontage shall not exceed two-stories and 30 feet in height. The Applicant is proposing a building height of ~~30.00~~ 32.75 feet. ***The Applicant has removed this variance. A variance is required.*** The Applicant is proposing a 2 ½-story dwelling. **A variance is required.**

- D. In accordance with Section 450-41, Residential Parking and Driveway Requirements, the following variances or existing non-conformities are noted below:

- 1) In accordance with Section 450-41.A.(1), driveways and parking area shall be a minimum of 8 feet in width inside the property line and shall be located a minimum of 3 feet from the side property line. The Applicant is proposing a driveway width of ~~10~~ 11 feet, which conforms. The Applicant is proposing a driveway 5 feet from the north side property line and ~~10~~ 9 feet from the south property line. Both driveway setbacks conform.
- 2) In accordance with Section 450-41.A(2), curb cuts shall be a maximum of 12 feet in width. The Applicant is proposing a curb cut of 12 feet, which conforms.

A driveway apron shall be a maximum of 10 feet in width at the property line and 12 feet in width at the curb line. The Applicant is proposing a driveway apron of ~~10~~ 11 feet in width at the property line and 12 feet in width at the curb line. ~~The driveway apron width at the property lines requires a variance.~~ ***The Applicant has removed the variance for driveway apron width at the property line.***

- 3) In accordance with Section 450-41.A(4), no driveway less than 20 feet in length shall be permitted as measured from the property line to end of the driveway. The Applicant is proposing a driveway length of ~~18~~ 17 feet. **A variance is required.**

4. General Comments

- A. The proposed grading should direct stormwater runoff towards Central Avenue. Stormwater flow arrows should be shown on the plot plan.

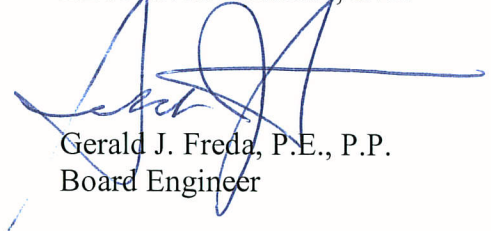
- B. The roof leader discharge shall be shown on the plan and testimony should be provided.
- C. A General Note should be added to the plan indicating the planting area between the sidewalk and curb must remain natural grass.
- D. General Note should be added to the plan indicating the existing curb and sidewalk along the frontage will be replaced if found in poor condition.
- E. The Applicant should provide information that taxes are currently paid.
- F. The Applicant shall secure any, and all construction permits needed for the project.
- G. ***The Applicant should provide testimony regarding the variances associated with the lot area. Absent buy/sell letters, as requested at the last meeting, the Applicant shall be prepared to address the variances requested under the C/2 criteria as set forth in the N.J.S.A. 40:55D-70.c(2).***
- H. ***Given the number of variances proposed, the Applicant should provide testimony as to the appropriateness of the development on the site and the impact it will have on the neighborhood.***

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/mcs

cc: Kristie Dickert, Board Secretary
Mark Kitrick, Esq. Board Attorney
Michael J. Wenning, Esq., Applicant's Attorney
Daniel W. Caruso, P.E., Applicant's Engineer
Michael J. Moss, R.A., Applicant's Architect

BB/PB/22/22-05b