


Brian Smith, Sharon Price
505 Central Ave.
Bradley Beach, NJ 07720


September 1, 2022

Borough of Bradley Beach
Zoning Board of Adjustments
701 Main St.
Bradley Beach, NJ 07720

Dear Zoning Board Members,

This letter serves as a request to extend the time on our resolution of approval adopted on May 21, 2020 and memorialized at the June 18, 2020 public hearing. A copy of this resolution, #2020-10 is included. Due to various reasons, including lack of construction materials and medical emergencies, we were unable to begin our construction by the original June 18, 2022 deadline.

Upon approval of this extension, we would now be ready to begin the construction.

Sincerely,
Brian Smith and Sharon Price

**RESOLUTION OF THE ZONING BOARD OF ADJUSTMENT
OF THE BOROUGH OF BRADLEY BEACH**

RESOLUTION NO. 2020-10

WHEREAS, Brian Smith and Sharon Price (hereinafter referred to as the “Applicants”) are the owners of property known as Block 49, Lot 13, as shown on the Borough of Bradley Beach Municipal Tax Map, more commonly known as 505 Central Avenue, Bradley Beach, New Jersey; and

WHEREAS, the Applicant appeared before the Borough of Bradley Beach Zoning Board of Adjustment (hereinafter referred to as the “Board”) for bulk variance approval; and

1. The property in question has a total area of 2,000 square feet located at 505 Central Avenue. This location is within the Residential Single Family (R-1) Zone. The existing lot contains a two-story single family dwelling with a covered front porch, driveway and paver patio. The existing single family dwelling is a permitted principal use in this zone.
2. The applicant is proposing to remove a one-story portion of the dwelling on the south side of the dwelling and proposing a two-story addition on the south side.
3. The following non-conformities exist on the subject property:
 - a. In accordance with Section 450-26.D(1)(a), the minimum lot area is 5,000 square feet. The existing lot area is 2,000.4 square feet, which represents an existing non-conformity.
 - b. In accordance with Section 450-26.D(1)(b), the minimum lot width is 50 feet. The existing lot width 40 feet, which represents an existing non-conformity.

c. In accordance with Section 450-26.D(1)(c), the minimum lot depth is 100 feet. The existing lot depth is 50.0 feet, which represents an existing non-conformity.

d. In accordance with Section 450-26.D(1)(j), the minimum off-street parking is two (2) spaces per dwelling unit. The property has one off-street parking space, which represents an existing non-conformity.

e. In accordance with Section 450-41.A(2), curb cuts shall be a maximum of 12 feet in width. The existing curb cut is 13 feet, which represents an existing non-conformity.

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 existing driveway apron is 11 feet in width at the property line and 13 feet in width at the curb line. Both of these widths represent an existing non-conformity.

f. 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 driveway length is 18 feet, which represents an existing non-conformity.

4. The following variances are required:

a. 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 requirements that exist, the side yard setback should be 10% (4.0 feet) and 20% (8.0 feet) of the lot width. The existing north side yard setback is 1.8 feet, which represents an existing nonconformity. The applicant is proposing a

south side yard setback of 5.9 feet to the two-story addition. A variance is required.

- b. In accordance with Section 450.26.D(1)(f), the minimum rear yard setback 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 12.5 feet. The existing rear yard setback is 1.7 feet, which represents an existing non-conformity. The applicant is proposing a rear yard setback of 3.1 feet of the two-story addition. A variance is required.
 - c. In accordance with Section 406.26.D(1)(h), the maximum building coverage permitted is 35%. The existing building coverage of 43.5% which represents an existing non-conformity. The applicant is proposing a building coverage of 46.6%. A variance is required.
 - d. In accordance with Section 406.26.D(1)(i), the maximum impervious coverage permitted is 60%. The existing impervious coverage is 65.9%, which represents an existing non-conformity. The applicant is proposing an impervious coverage of 67.6%. A variance is required.
5. The applicant, Sharon Price, testified on behalf of her application. Ms. Price stated they purchased the home ten years ago; they have been renting in Bradley Beach most of their adult lives and wanted something of their own. They purchased the property initially as a summer and weekend home, with the intention of making it a permanent home in their retirement years. The house is very adequate as a weekend home, but in

order for it to become permanent, it needs changes; there are currently three very small bedrooms with small closets. There is a small, one-story portion of the home which is unsound with an added bathroom; it may have been an enclosed porch at one time. The floors are slanted and spongy. They would like to take the one-story portion down and add a bedroom on the second floor, have a bottom entry way with a mudroom, laundry and a useable bathroom, as well as remove the wall upstairs to make a larger bedroom. The house would remain a three-bedroom dwelling.

Ms. Price further stated they have no objections to remove the pavers or to put in grass or lawn areas if needed.

6. Richard Villano, AIA, testified in support of the application as an expert in the field of architecture. Mr. Villano stated there is currently 1,350 square feet in impervious coverage; the applicant will lose 150 square feet to get the percentage down to 60%. The strips in the driveway and sidewalk from the fence to the house equal approximately 60%. The rear yard is 1.7 feet, the proposed will make it 3.1 feet.
7. The meeting was then opened to the public. No members of the public appeared to testify.
8. Public portion was then closed.

WHEREAS, notifications as required by the Statutes of the State of New Jersey as well as the Borough of Bradley Beach pertaining to the public hearings on this matter have been satisfactorily perfected; and

WHEREAS, the Board did conduct a public hearing on May 21, 2020 to evaluate and consider the application as set forth above; and

WHEREAS, the Board considered the various exhibits, thereafter marked into evidence and introduced as follows:

SMITH, Brian & PRICE, Sharon – 505 Central Avenue – Block 49, Lot 13

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WHEREAS, based upon the testimony presented, the exhibits offered by the Applicant, the following findings of fact have been made by the Board, to wit:

1. The Board has jurisdiction to herein consider the application pursuant to N.J.S.A. 40-55D-1, et seq.
2. The Applicant has satisfied the notice requirements of the State and Municipal Ordinances, and, therefore, the Board has authority and jurisdiction to consider the application.
3. The Applicant is the owner of premises known as 505 Central Avenue, Bradley Beach, New Jersey and further known as Block 49, Lot 13, as shown on the Tax Map of the Borough of Bradley Beach.
4. The applicant is proposing to remove a one-story portion of the dwelling on the south side of the dwelling and is proposing a two-story addition on the south side.
5. The proposed improvements require Board Approval for the development of a non-conforming lot and variances on side and rear yard setbacks, building coverage and impervious coverage.
6. The Board notes the history of the application as follows. The applicant made an application with the Zoning Board of Adjustment for variances. On May 21, 2020, the Applicants appeared before the Zoning Board on the application as submitted.

NOW, THEREFORE, be it hereby resolved by the Board that it adopts the aforesaid findings of fact, and specifically makes the following conclusions:

1. Based upon the aforesaid findings of fact, the Board concludes that the Applicant has demonstrated that the purposes of the Municipal Land Use Law and the Land Use Ordinances of the Borough of Bradley Beach, would be advanced by a deviation from the zoning ordinance requirements at issue, and further that the benefits of any such deviation would substantially outweigh any detriment resulting from approval of the application.
2. Based upon the aforesaid findings of fact, the Board further concludes that granting the approvals set forth herein will not cause substantial detriment to the public good, will not substantially impair the intent and purpose of the zoning ordinance and master plan of the Borough of Bradley Beach, does promote the safety and welfare of the residents of the municipality and that the positive and negative criteria have been satisfied and accordingly the Applicant satisfied the requirements of obtaining the said Variance(s).
3. The Board is further satisfied that the information and evidence submitted by the Applicant is sufficient to permit the Board to make a decision in this case, as such, waives any additional formal requirements as contained in the Borough Ordinance.
4. The Board has concluded that the proposed application would not adversely impact upon the master plan of the Borough of Bradley Beach and does promote the safety and welfare of the residents of the municipality and accordingly has satisfied the requirements of obtaining the said Variance(s).

IT IS FURTHER RESOLVED, by the Borough of Bradley Beach Zoning Board of Adjustment that the bulk variances requested are hereby *granted* subject to the following:

1. The Applicant shall cause notice of the decision to be published on one occasion in the official newspaper of the Borough of Bradley Beach and return proof of publication to the administrative office of the Board of Adjustment.
2. The Applicant shall pay any application fees and taxes, which may be due to the Board or the municipality.
3. The approval is subject to the posting of any and all required guaranties or other escrows, which may be required by the appropriate Borough officers or professionals to secure performance of this approval.
4. The approval is subject to compliance with all federal, state, and local rules, regulations, laws and/or ordinances and the procurement of any required governmental approval or permits required in connection with this application.
5. Construction shall commence within two (2) years of the adoption of the Resolution or the Applicant shall appear before the Zoning Board of Adjustment within two (2) years of the Adoption of the Resolution and request an extension.
6. The applicant shall comply with all the provisions of the engineering review letter of Gerald J. Freda, P.E., P.P., dated March 6, 2020 unless modified herein.
7. The concrete driveway shall be removed and replaced with a ribbon driveway to reduce impervious coverage to 60%.
8. The applicant shall remove portions of the paver patio to reduce impervious coverage to 60%.

IT IS FURTHER RESOLVED that a copy of this Resolution certified by the secretary of the Borough of Bradley Beach Zoning Board of Adjustment to be true shall be forwarded to the Construction Code Officer, Borough Clerk, Board Engineer, Borough Assessor and within ten (10) days of the date hereof to the Applicant herein.

BE IT FURTHER RESOLVED that the notification of this Resolution shall be published in the Asbury Park Press within ten (10) days of its passage.

MOTION TO ADOPT & MEMORIALIZE:

Offered by: Harvey Rosenberg

Seconded by: Dennis Mayer


AYES: David Critelli, Michael Affuso, Deidre Phillips, Raymond Wade, Dennis Mayer, and Harvey Rosenberg

NAYES: None.

ABSENT: Dominic Carrea and Deborah Bruynell (no sound on Zoom Meeting)

CERTIFICATION

I hereby certify that I, the undersigned, am the Secretary of the Board of Adjustment of the Borough of Bradley Beach, and I hereby certify that the foregoing Resolution was adopted by the Board of Adjustment at a regular meeting held on the 18th day of June 2020.



Kristie Dickert, Secretary
Borough of Bradley Beach Board of Adjustment