

LAND USE BOARD
APPLICATION FOR USE VARIANCE AND/OR BULK VARIANCE(S)

Information on Subject Property:

1. Property address: 316 1/2 McCabe Ave, Bradley Beach NJ

Block(s) 28 Lot(s) 30 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: _____

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

Bulk "c" variances for the expansion of a nonconforming structure.
Maximum impervious coverage (60% maximum, 74.8% proposed)
section: 450-13.B
450-13.3

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

Our home itself is none conforming and does not fit into the look of the neighborhood. With almost all homes having front porches. Our Living room and Kitchen are all on the second floor. We are looking to conform with the rest of the town. Currently the home has a small balcony off the third floor. If it is left "as is" it will not look good, we are trying to center it so it looks like the home was designed correctly.

After buying this home we started doing our homework and assessed many other homes in the town with front porches on the second level due to garages on the first level just as our home has. Along with the level above. We also noticed that our home has such a far setback where others have front porches that almost extend to the sidewalk. We would not be extending beyond the neighbors home (where they even extend further forward with their porches.

After we purchased the home we met other buyers that had actually viewed the home to purchase and told us they decided to because the home does not have a front porch in a "front porch town."

Because our home has such a far setback and there are many other homes similar to ours we hoped we could make this home fit into the town. This too would have been a reason that we would not have been interested in buying it if we thought there was no way for it to be done. Keeping the home "as is" decreases the property value.

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: Tamblyn & Vito Abrusci

Mailing address: [REDACTED]

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: **Tamblyn & Vito Abrusci**

Mailing address:

Phone #

Fax #

Cell #

E-mail address:

9. Contact Person: **Tamblyn & Vito Abrusci**

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):

Mailing Address:

Phone #

Fax #

Cell #

E-mail address:

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: **Lakeland Surveying**

Mailing Address:

4 West Main St, Rockaway NJ

Phone #

973-625-5670

Fax #

Cell #

E-mail address:

dwirth1059@aol.com

14. Name of applicant's Architect (if applicable): Andrea Fitzpatrick

Mailing Address: 108 South Main St, Ocean Grove NJ 07756

Phone # 732.774.6900 Fax # _____ Cell # _____

E-mail address: a.fitzpatrick@shorepointarch.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)***

PRINCIPAL USE:	Required and/or Permitted	Existing	Proposed
Minimum lot area	5,000 sq. ft.	2,500 sq. ft.	2,500 sq. ft.
Minimum lot width	50 ft.	25 ft.	25 ft.
Minimum lot depth	100 ft.	100 ft.	100 ft.
Minimum lot frontage	50 ft.	25 ft.	25 ft.
Minimum front yard setback	18 ft. (BLDG), 9.06 ft. (PORCH)	25.3 ft. (BLDG), 21.3 ft. (PORCH)	25.3 ft. (BLDG), 15.3 ft. (PORCH)
Minimum rear yard setback	25 ft.	34.3 ft.	34.3 ft.
Minimum side yard setback	2.5 ft. and 5 ft.	2.9 ft. and 2.3 ft.	2.9 ft. and 2.3 ft.
Maximum percent building coverage	35% (875 sq. ft.)	37.9% (947 sq. ft.)	43.0% (1,076 sq. ft.)
Maximum percent lot coverage	60% (1,500 sq. ft.)	74% (1,849 sq. ft.)	74.8% (1,871 sq. ft.)
Maximum number of stories	2 1/2 sty.	3 sty.	3 sty.
Maximum building height (in feet)	35 ft.	32.9 ft.	32.9 ft.
Square footage of principal structure	2,005 sq. ft.	2,005 sq. ft.	2,005 sq. ft.
Off-street parking spaces	2 spaces	2 spaces	2 spaces
Prevailing Setback of adjacent buildings within the block/within 200 ft.		18 ft. (BLDG), 9.06 ft. (PORCH)	25.3 ft. (BLDG), 21.3 ft. (PORCH)
ACCESSORY USE/STRUCTURE:	Required and/or Permitted	Existing	Proposed
Minimum front yard setback	N/A		
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:	SINGLE-FAMILY RESIDENTIAL		
Proposed use or uses on the lot:	SINGLE-FAMILY RESIDENTIAL		
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: 1

SITE VISIT AUTHORIZATION OF PROPERTY OWNER

I hereby authorize any member of the Borough of Bradley Beach Land Use Board, 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: 1/25/23


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: Tamblyn & Vito Abrusci

[please print]

Property Address: 316 1/2 McCabe Ave, Bradley Beach

Block 30

Lot 28

Tamblyn Abrusci

Applicant's Name: Vito Abrusci

[Print Name]

[Signature of Applicant]

Owner's Name: Tamblyn Abrusci
Vito Abrusci

[Print Name]

[Signature of Owner]

Date: 1/26/23

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

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

I/WE, Tamblyn & Vito Abrusci, WITH MAILING ADDRESS OF
(Insert Property Owner's Name)

[REDACTED] 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) 30 LOT(S) 28

ALSO KNOWN AS 316 1/2 McCabe Ave, Bradley Beach NJ
(Insert physical address of the subject property)

I/WE AUTHORIZE Tamblyn & Vito Abrusci
(Insert name of Owner(s)' representative appearing before the Board)

TO APPEAL TO THE LAND USE BOARD 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 LAND USE BOARD 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).

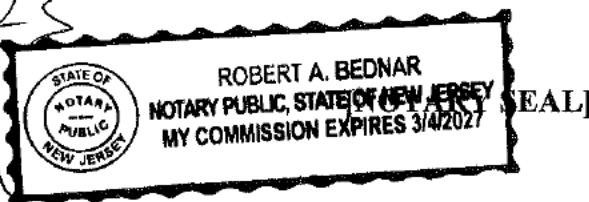
[Signature]
(Original Signature of Owner to be Notarized)

Tamblyn Abrusci Vito Abrusci
(Original Signature of Owner to be Notarized)

Sworn and subscribed before me this

25th day of JANUARY, 2023

[Signature]
Signature of Notary Public



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/Zoning Board/Land Use Board involving these premises? Yes ☒ No ☐ Unknown ☐

If so, when: 12/29/2022

Result of decision: denied (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 MORRIS : ss

ROBERT A. BEDNAR 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)

Jambly Abruscio/vito Abruscio
(Print Name of Applicant)

Sworn and subscribed before me this

25th day of JANUARY, 2023

[Signature]

Signature of Notary Public

