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May 17, 2023

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

**Re: Palmerin and Reynolds Residence
Block 25, Lots 14 & 15
100 Ocean Park Avenue
Our File BBPB 23-12**

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:

- An architectural plan consisting of five (5) sheets prepared by Michael J. Moss, AIA of Moss Architecture, LLC, dated September 7, 2021, with the latest revisions dated February 24, 2023.
- A survey of lands consisting of one (1) sheet prepared by Paul K. Lynch, P.L.S., of Paul K. Lynch Land Surveyor, Boundary Consultant, dated August 5, 2021, with no revisions.
- A front yard setback map consisting of one (1) sheet prepared by Paul K. Lynch, P.L.S., of Paul K. Lynch Land Surveyor, Boundary Consultant, dated April 20, 2023, with no revisions.
- A surveyor's report of the front yard setbacks consisting of one (1) sheet prepared by Paul K. Lynch, P.L.S., of Paul K. Lynch Land Surveyor, Boundary Consultant, dated August 5, 2021, with no revisions.

The 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:

1. **Property Description**

- A. The property is located at house number 100 Ocean Park Avenue (Lots 14 and 15, Block 25) with a total area of 4,014 square feet.
- B. The existing lot contains a two-story dwelling with a driveway.

- C. The Applicant is proposing renovations to the existing dwelling and relocation of the existing dwelling. The Applicant is proposing a two-story addition to the rear of the dwelling and also adding a ½-story. The new foundation will include a garage on the basement level.

2. **Zoning and Land Use**

- A. The property is located in the R-B Residential Beachfront Zone and the existing 2-family dwelling is a permitted use.
- B. The proposed improvements require Board approval for variances on front yard setback to the porch and dwelling, upper porch projection, side yard setback to dwelling, number of stories, driveway apron width, driveway width and length, and others as described in this letter.

3. **Variances and Waivers**

- A. The Applicant is requesting a waiver from (270 Attachment 1) Appendix A, Borough of Bradley Beach Application Checklist and Documents required to be submitted:
- B.5. Key map at specified scale showing location of surrounding properties, streets, easements, municipal boundaries, etc. within 500 feet of the property. **The Applicant is requesting a waiver.**
- B.9. Proof that tax payments are current. **The Applicant is requesting a waiver.**
- B.16. Acreage of tract to the nearest tenth of a square foot and thousandth of an acre. **The Applicant is requesting a waiver.**
- B.23. Property owners within 200 feet of the property. (From the most recent Borough tax records). **The Applicant is requesting a waiver.**
- B.38. Boundary, limit, nature and extent of wooded areas, specimen trees and other significant physical features. **The Applicant is requesting a waiver.**
- D.1. List all federal, state, county, regional and/or municipal approval or permits required. **The Applicant is requesting a waiver.**
- D.2. Copies of any existing or proposed deed restrictions or covenants. **The Applicant is requesting a waiver.**
- D.12. Number of witnesses, if any and their area of expertise. **The Applicant is requesting a waiver.**

- The Applicant is requesting a waiver from providing a grading plan. The Applicant has indicated on the Checklist that if approved a grading plan will be provided as a condition of approval.
- B. In accordance with Section 450-4., the definition of an upper porch is an exterior open and uncovered platform structure without walls, accessed from the second floor. The existing upper porch is covered, which represents an existing non-conformity.
- C. In accordance with Section 450-13, permitted yard encroachments, the following variances or existing non-conformities are noted below:
- 1) In accordance with Section 450-13.A.(2), (porch setbacks), states that for permitted residential structures a porch may extend 8 feet into the required front yard setback area, provided the principal structure conforms to the front yard setback requirement or by submission of the appropriate “Setback Averaging” plan as reflected in Ordinance 450-26.D.(7). A “Wrap-Around” porch may exceed the width of the existing or proposed structure, as long as it is in compliance with side setback requirements for the principal structure. The Applicant has provided the average setback map and indicates an average setback of 8.40 feet. Our office calculates an average of 8.76 feet, which excludes properties 900 Ocean Avenue and 102 Ocean Park Avenue. The Applicant should provide a revised average setback calculation. The permitted average porch setback is 8.76 feet along Ocean Park Avenue. The Applicant is proposing a porch front yard setback of 8.0 feet. **A variance is required.**
 - 2) In accordance with Section 450-13.B.(2), (upper porch setbacks), states that for permitted residential structures may extend 8 feet into the required front yard setback area, provided the principal structure conforms to the front yard setback requirement or by submission of the appropriate “Setback Averaging” plan as reflected in Ordinance 450-26.D.(7). A “Wrap-Around” Upper Porch on corner lots only may exceed the width of the existing or proposed structure, as long as it is in compliance with front yard setback requirements for the principal structure. The permitted average porch setback is 8.76 feet along Ocean Park Avenue. The Applicant is proposing a porch front yard setback of 6.24 feet, which represents an existing non-conformity.

- 3) In accordance with Section 450-13.B.(5), (Upper Porch Location), states that upper porches are permitted in the front yard of the dwelling only, above the footprint of the lower porch. The Applicant is reducing the depth of the porch below. The upper porch will be beyond the footprint of the lower porch. **A variance is required.**
 - 4) In accordance with Section 450-13.E.(2), (Setbacks), states that 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 Applicant is proposing an at grade deck with an east side yard setback of 5.6 feet and a west side yard setback of 6.0 feet. Both of these setbacks conform. The proposed at grade deck will have a rear yard setback of 25.25 feet, which conforms.
 - 5) In accordance with Section 450-13.E.(3), (Height), states that a deck on grade is permitted at or below the first-floor walking surface elevation, not to exceed 12-inches above grade as measured at the perimeter of same. The Applicant has indicated the proposed at grade deck will have a maximum of 1-foot above grade, which conforms.
 - 6) In accordance with Section 450-13.E.(6), (Coverage), states that the deck on grade area up to 5% of lot size is excluded from impervious coverage. Deck on grade area beyond 5% of lot size is included in impervious coverage. The area underneath a deck on grade must be impervious surface. The Applicant has complied with the coverage calculation of the at grade deck. The plan should indicate the surface and type under the at grade deck.
- D. In accordance with Section 450-28.D(1) area, yard, and building requirements for a single-family dwelling and two-family dwelling are subject to the requirements and limitations in Section 450-26.D. The following variances or existing non-conformities are noted below:
- 1) In accordance with Section 450-26.D.(1)(a), states that the minimum lot area permitted per the zoned district is 5,000 square feet. The existing lot area is 4,014 square feet, which represents an existing non-conformity.
 - 2) In accordance with Section 450-26.D.(1)(b), states that the minimum lot width permitted per the zoned district is 50 feet. The existing lot width is 30 feet, which represents an existing non-conformity.

- 3) In accordance with Section 450-26.D(1)(d), states that the minimum front yard setback permitted for a street east to west (Ocean Park Avenue) is 25 feet and for a street running north to south is 15 feet, or the minimum depth of any front yard within the block and fronting on the same street on which the structure fronts, whichever is greater. When the prevailing setback of the existing buildings along a block front is less than the setback requirements, the front yard setback distance may be reduced to the average of front yard setbacks of principal structures on all developed properties on the same side of the street within 200 feet of the property as documented by a map prepared by a licensed land surveyor. The average depth will be from the front wall of the structure, provided that such setback is not less than 10 feet. Front porches shall also be averaged within 200 feet on each side of the lot and within the same block front. The Applicant has provided the average setback map and indicates an average setback of 17.79 feet. Our office calculates an average of 18.43 feet which excludes properties at House Number 900 Ocean Avenue and House Number 102 Ocean Park Avenue. The Applicant should provide the average setback calculation. The permitted average porch setback is 8.76 feet along Ocean Park Avenue. The existing front yard setback is 14.24 feet, which represents an existing non-conformity. The Applicant is realigning/relocating the existing dwelling. The Applicant is proposing a front yard setback of 14.24 feet. **A variance is required.**

- 4) In accordance with Section 450-26.D(1)(e), states that the minimum side yard setback permitted per the zoned district is 5 feet and 10 feet. For lots not meeting the minimum lot width requirement that exists shall be 10% (3.0 feet) and 20% (6.0 feet) of the lot width.

The Applicant is proposing a side yard setback of 2.25 feet on the east side and a setback of 6.0 feet on the west side. One side yard setback conforms, and **the other side yard setback requires a variance.**

- 5) In accordance with Section 450.26.D(1)(h), states that the maximum building coverage permitted is 35% of the lot area. The existing building coverage is 25.1%, which conforms. The Applicant is proposing a building coverage of 34.9%, which conforms.

- 6) In accordance with Section 450.26.D.(1)(i), states that the maximum impervious coverage permitted is 60% of the lot area. The existing impervious coverage is 37.3%, which conforms. The Applicant is proposing an impervious coverage of 54.6%, which conforms.
 - 7) In accordance with Section 450-26.D.(1)(j), states that the minimum off-street parking is two (2) spaces per dwelling unit. The Applicant is proposing four (4) off-street parking spaces, which conforms. The Applicant is proposing two (2) spaces alongside the house and two (2) spaces in the proposed garage. The Applicant complies with off-street parking.
- E. In accordance with Section 450-26.E.(2), the living space of single-family dwellings on lots that are either less than 4,000 square feet or less than 40 feet of frontage shall not exceed 2-stories and 30 feet in height. The Applicant is proposing a building height of 29.75 feet, which conforms. The Applicant is proposing a 2 ½ story dwelling. **A variance is required.**
- F. 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), states that driveways and parking areas installed for one- and two-family dwellings shall be a minimum of eight feet in width inside the property lines and shall be located a minimum of three feet from a side lot line. The Applicant is proposing a driveway width of 19.83 feet, which conforms. The proposed driveway setback is 3 feet, which conforms.
 - 2) In accordance with Section 450-41.A.(2), states that curb cuts shall be a maximum of 12 feet in width. Driveway aprons shall be a maximum of 10 feet in width at the property line and 12 feet in width at the curblines. The portion of a sidewalk forming part of a driveway and the driveway apron shall be constructed of concrete, six inches thick, reinforced with six-by-six 10/10 WWM. Each lot shall have no more than one driveway and curb cut. The Applicant is proposing a curb cut of 22 feet. **A variance is required.**

The Applicant is proposing a driveway apron width of 19.83 feet at the property line and a width of 22 feet at the curblines. **A variance is required.**

- 3) In accordance with Section 450-41.A.(3), states that driveways and parking areas located in the front yard shall not exceed a width of 12 feet, which area shall consist of impervious pavement to be used for off-street parking. The Applicant is proposing a driveway width of 19.83 feet in the front yard. **A variance is required.**
- 4) In accordance with Section 450-41.A.(4), states that no driveway less than 20 feet in length shall be permitted as measured from the property line to the end of the driveway. The Applicant is proposing a driveway length of 14 feet to the garage. **A variance is required.**
- 5) In accordance with Section 450-41.A.(6), states that driveways and parking areas shall be improved with a dust-free durable, all-weather material, said material is deemed to include concrete, asphalt, brick or concrete pavers, but shall exclude gravel, stone or other similar material. The area between the end of the driveway and the street, inclusive of the sidewalk, shall be concrete with a minimum depth of six inches reinforced, with welded wire mesh, designed and constructed in accordance with details and specifications provided by the Borough Engineer. The surface of the apron shall be at the same elevation as the sidewalk sections, which are joined to each side so that the sidewalk continues uninterrupted where it crosses the driveway. The Applicant should provide a detail of the proposed driveway apron.

4. **General Comments**

- A. 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.
- B. A General Note should be added to the plan indicating the planting area between the sidewalk and curb must remain natural grass.
- C. **Our office recommends the proposed roof drains to be piped to a wet well system with a pop-up emitter in the front yard. The design of this system should be provided for review.**
- D. **Since the Applicant is proposing a basement, our office recommends a soil boring. The soil boring should indicate the boring elevation and seasonal high water table elevation.**
- 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.

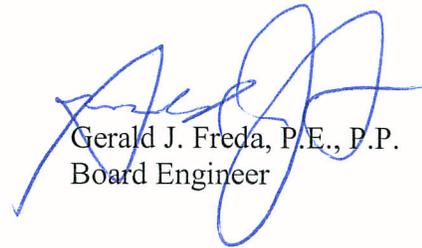
100 Ocean Park Avenue
May 17, 2023
Page 8 of 8

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

cc: Kristie Dickert, Board Secretary
Mark Kitrick, Esq., Board Attorney
Jeffrey P. Beekman, Esq., Applicant's Attorney
Paul K. Lynch, P.L.S., Applicant's Surveyor
Michael J. Moss, AIA, R.A., Applicant's Architect
BB/PB/23/23-12a