

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

Information on Subject Property:

1. Property address: 127 Cliff Avenue

Block(s) 13 Lot(s) 4.02 Zone: R-B

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):

Please see attached.

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

Please see attached.

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

N/A

Contact Information:

6. Name of applicant: Eric Feuerlicht and William Kinser

Mailing address: 127 Cliff Avenue, Bradley Beach, NJ 07720

Phone # [REDACTED] Fax # _____ Cell # _____

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: Same as applicant.

Mailing address: _____

Phone # _____

Fax # _____

Cell # _____

E-mail address: _____

9. Contact Person: Thomas J. Hirsch, Esq.

Mailing address: 3350 Route 138, Bldg. 1, Suite 214

Phone # 732-280-2100

Fax # 732-280-2104

Cell # _____

E-mail address: thomasjhirsch@aol.com

Applicant's Professionals' Information:

10. Name of applicant's Attorney (if applicable)

(Companies/Corporations must be represented): Thomas J. Hirsch, Esq.

Mailing Address: 3350 Rt. 138, Bldg. 1, Suite 214, Wall, NJ 07719

Phone # 732-280-2100

Fax # 732-280-2104

Cell # _____

E-mail address: thomasjhirsch@aol.com

11. Name of applicant's Engineer (if applicable): Donna M. Bullock, Morgan Engineering & Surveying

Mailing Address: P.O. Box 5232, Toms River, NJ 08754

Phone # 732-270-9690

Fax # 732-270-9691

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: David J. Von Steenburg, Morgan Engineering & Surveying

Mailing Address: P.O. Box 5232, Toms River, NJ 08754

Phone # 732-270-9690

Fax # 732-270-9691

Cell # _____

E-mail address: _____

127 Cliff Avenue/Kinser-Feuerlicht

R-B Zone – Section 450-13, 27

3. VariANCES Requested

1. Expansion of a nonconforming structure
2. Rear yard setback: 18.5 feet required, 6.9 feet existing and proposed (75' depth reduces 25' requirement to 18.5')
3. Side yard setback: 6 feet required, 4.4 feet proposed
4. The existing 3 stories which are being renovated where 2 stories are permitted
5. Height variance where 30 feet allowed, 33.3 feet existing and proposed
6. Proposed balcony extends more than 2 feet from the wall that is attached.
- *7. Pre-existing front yard setback is 22', where 25' is required. Application does not change or exacerbate the setback (no variance).

127 Cliff Avenue/Kinser-Feuerlicht

4. Justification

The applicant is utilizing the existing structure to change the floor plan of the home by enclosing an existing second floor deck, adding a third floor deck of 60.5' and doing internal renovations to the rooms on the first floor and performing the improvements in such a way that building coverage and impervious coverage are not increased and both meet the ordinance requirements and all setbacks remain the same as currently existing. Applicant has a hardship related to the size of the lot including the lack of depth of the lot as required by the ordinance concerning the rear yard setback violation. Additionally, in performing these improvements, applicant is confined to work within the confines of the existing structure that is lawfully existing on the lot. Therefore, under the Municipal Land Use Law, applicants have a practical difficulty and hardship in meeting the ordinance requirements based on the structures lawfully existing on the lot.

14. Name of applicant's Architect (if applicable): Edward Gorleski, Creative Minds Group Architecture, LLC

Mailing Address: 703 Mill Creek Ave., Suite G, Manahawkin, NJ 08050

Phone # 609-879-3005 Fax # _____ Cell # _____

E-mail address: edgorleski@gmail.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) PLEASE SEE ATTACHED.

PRINCIPAL USE:	Required and/or Permitted	Existing	Proposed
<i>Minimum lot area</i>			
<i>Minimum lot width</i>			
<i>Minimum lot depth</i>			
<i>Minimum lot frontage</i>			
<i>Minimum front yard setback</i>			
<i>Minimum rear yard setback</i>			
<i>Minimum side yard setback</i>			
<i>Maximum percent building coverage</i>			
<i>Maximum percent lot coverage</i>			
<i>Maximum number of stories</i>			
<i>Maximum building height (in feet)</i>			
<i>Square footage of principal structure</i>			
<i>Off-street parking spaces</i>			
<i>Prevailing Setback of adjacent buildings within the block/within 200 ft.</i>			
ACCESSORY USE/STRUCTURE:	Required and/or Permitted	Existing	Proposed
<i>Minimum front yard setback</i>			
<i>Minimum rear yard setback</i>			
<i>Minimum side yard setback</i>			
<i>Minimum combined side yard setback</i>			
<i>Maximum percent building coverage</i>			
<i>Maximum percent lot coverage</i>			
<i>Maximum number of stories</i>			
<i>Maximum building height (in feet)</i>			
<i>Square footage of accessory structure</i>			
<i>Distance between principal & accessory structure</i>			
Existing use or uses on the lot:			
Proposed use or uses on the lot:			
Is the property located in a special flood hazard area?			

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: _____

ZONE R-B REQUIREMENTS

	REQUIRED	EXISTING	PROPOSED
MIN. LOT AREA	5,000 S.F.	2,250 S.F.*	N.C.*
MIN. LOT DEPTH	100 FT.	75 FT.*	N.C.*
MIN. LOT WIDTH	50 FT.	30 FT.	N.C.
MIN. FRONT SETBACK	25 FT.	22 FT.*	N.C.*
MIN. SIDE SETBACK	3 FT.	4.4 FT.	N.C.
MIN. REAR SETBACK	18.8 FT.	6.9 FT.*	N.C.*
MAX. BUILDING COVERAGE	35%	43.7%*	N.C.*
MAX. IMPERVIOUS COVERAGE	60%	58%	N.C.
MAX. BUILDING HEIGHT	35 FT.	33.3 FT.	N.C.

* - EXISTING NON-CONFORMING

N.C. - NO CHANGE

BUILDING COVERAGE

DESCRIPTION	EXISTING	PROPOSED
DWELLING	693 S.F.	940 S.F.
ENCL. PORCH & BALCONY	247 S.F.	-
FRONT BALCONY	44 S.F.	44 S.F.
BUILDING LOT COVERAGE	984 S.F.	984 S.F.
LOT AREA	2,250 S.F.	
TOTAL BUILDING LOT COVERAGE	43.7%	43.7%

IMPERVIOUS COVERAGE

DESCRIPTION	EXISTING	PROPOSED
BUILDING COVERAGE	984 S.F.	984 S.F.
DRIVEWAY	154 S.F.	N.C.
PAVERS	166 S.F.	N.C.
IMPERVIOUS LOT COVERAGE	1,304 S.F.	1,304 S.F.
LOT AREA	2,250 S.F.	
TOTAL IMPERVIOUS LOT COVERAGE	58%	58%

Kinser-Feurlicht
127 Cliff Avenue

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: _____

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 :

Eric Feuerlicht and William Kinser being of full age, being duly sworn according to Law, on oath depose and says that all the above statements are true.

William Kinser
(Original Signature of Applicant to be Notarized)

Eric Feuerlicht
(Original Signature of Applicant to be Notarized)

William Kinser
(Print Name of Applicant)

Eric Feuerlicht
(Print Name of Applicant)

Sworn and subscribed before me this
19th day of July, 2023

Barbara D. McArthur
Signature of Notary Public

[NOTARY SEAL]
BARBARA D. McARTHUR
Notary Public, State of New Jersey
Comm. # 50072671
My Commission Expires 11/28/2027

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: 07/19/2023 _____
Eric Feuerlicht
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: Eric Feuerlicht and William Kinser
[please print]

Property Address: 127 Cliff Avenue Block 13 Lot 4.02

Applicant's Name: Eric Feuerlicht and William Kinser William Kinser
[Print Name] [Signature of Applicant] William Kinser

Owner's Name: Eric Feuerlicht and William Kinser Eric Feuerlicht
[Print Name] [Signature of Owner] Eric Feuerlicht

Date: 07/19/2023