

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

Information on Subject Property:

1. Property address: 301A Park Place Avenue
Block(s) 23 Lot(s) 12 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):
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: Christopher Pettine and Laura Agrusti Pettine
- Mailing address: 301A Park Place Avenue, Bradley Beach, NJ 07720
- Phone # [REDACTED] Fax # Cell # [REDACTED]
- E-mail address: [REDACTED]

301A Park Place Avenue/Pettine

R-1 Zone – Section 450-26

3. Variances Requested

1. Lot coverage
2. Lot width
3. Lot depth
4. Front yard setback
5. Building height
6. Building coverage
7. No on-site parking

301A Park Place Avenue/Pettine

4. Justifications

The justifications for the variances will be fully developed at the public hearing. However, applicant's existing house, which is identical to some adjoining homes and similar to the homes in the neighborhood, was constructed sometime in the 1950s. After purchasing the property, a structural engineer performed an inspection of the property and issued a report which will be provided at the hearing indicating all the structural defects to the property, essentially making a determination that the cost to remedy those issues would be such that it makes more sense to construct a new modern home. The lot is obviously undersized in area, width and depth. The house being proposed is not intended to increase the number of bedrooms, and the front, rear and side yard setbacks will essentially meet the setbacks of the existing home.

The proposed architecture is in keeping with the character the neighborhood and the existing architectural styles in the neighborhood.

The proposed home certainly provides a better zoning alternative than doing a complete renovation to make the structure more structurally sound to otherwise update it by providing a new modern home which will be built based on the new construction code and will be more aesthetically pleasing and safer. The proposed square footage of the house is under 2,000 SF and, therefore, fits appropriately on the lot consistent with the coverages not only of the existing home, of the other homes in the neighborhood. Therefore, applicant has a hardship to justify the variance for the new construction as a hardship variance and also is providing a better zoning alternative.

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: Christopher Pettine and Laura Agrusti Pettine

Mailing address: 301A Park Place Avenue, Bradley Beach, NJ 07720

Phone # [REDACTED] Fax # [REDACTED] Cell # [REDACTED]

E-mail address: [REDACTED]

9. Contact Person: Christopher Pettine

Mailing address: Same as above.

Phone # [REDACTED] Fax # [REDACTED] Cell # [REDACTED]

E-mail address: [REDACTED]

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 # [REDACTED]

E-mail address: thomasjhirsch@aol.com

11. Name of applicant's Engineer (if applicable): Douglas McClelland, InSite Engineering, LLC

Mailing Address: 1955 Route 34, Suite 1A, Wall, NJ 07719

Phone # 732-531-7100 Fax # 732-531-7344 Cell # [REDACTED]

E-mail address: Doug@insiteeng.net

12. Name of applicant's Planner (if applicable): [REDACTED]

Mailing Address: [REDACTED]

Phone # [REDACTED] Fax # [REDACTED] Cell # [REDACTED]

E-mail address: [REDACTED]

13. Name of applicant's Surveyor: Justin J. Hedges, InSite Engineering, LLC

Mailing Address: 1955 Route 34, Suite 1A, Wall, NJ 07719

Phone # 732-531-7100 Fax # 732-531-7344 Cell # [REDACTED]

E-mail address: justin.hedges@insitesurveying.net

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
Minimum lot area			
Minimum lot width			
Minimum lot depth			
Minimum lot frontage			
Minimum front yard setback			
Minimum rear yard setback			
Minimum side yard setback			
Maximum percent building coverage			
Maximum percent lot coverage			
Maximum number of stories			
Maximum building height (in feet)			
Square footage of principal structure			
Off-street parking spaces			
Prevailing Setback of adjacent buildings within the block/within 200 ft.			
ACCESSORY USE/STRUCTURE:	Required and/or Permitted	Existing	Proposed
Minimum front yard setback			
Minimum rear yard setback			
Minimum side yard setback			
Minimum combined side yard setback			
Maximum percent building coverage			
Maximum percent lot coverage			
Maximum number of stories			
Maximum building height (in feet)			
Square footage of accessory structure			
Distance between principal & accessory structure			
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: N/A

ZONING COMPLIANCE CHART

R-1 (RESIDENTIAL SINGLE-FAMILY ZONE) ZONE (§ 450-26)

SINGLE-FAMILY DWELLING : IS PERMITTED

ORD. SECTION	STANDARD	REQUIRED	EXISTING	PROPOSED	COMPLIES
450-26D.(1)(a)	MIN. LOT AREA (SF)	5,000	1,875 (0.04 AC)	NO CHANGE	(N) NO
450-26D.(1)(b)	MIN. LOT WIDTH (FT)	50	25.0	NO CHANGE	(N) NO
450-26D.(1)(c)	MIN. LOT DEPTH (FT)	100	75.0	NO CHANGE	(N) NO
450-26D.(1)(d)	PRINCIPAL BUILDING				
450-26D.(1)(e)	MIN. FRONT YARD SETBACK (FT)	15.19 (1)(2)(3)	2.7	9.83	(I)(V) NO
	MIN. SIDE YARD SETBACK				
	ONE SIDE (FT)	2.5 (5)	3.1	3	YES
	OTHER SIDE (FT)	5 (5)	5.2	5	YES
450-26D.(1)(f)	MIN. REAR YARD SETBACK (FT)	18.75 (6)	20.8	19.00	YES
450-26E.(2)	MAX. BUILDING HEIGHT (FT)	30	24.3	30.00	YES
450-26E.(2)	MAX. BUILDING HEIGHT (STORIES)	2	2	2.5	(V) NO
450-26D.(1)(h)	MAX. BUILDING COVERAGE (%)	35	44.6	50.0	(V) NO
	ACCESSORY STRUCTURE				
450-131.(2)	MAX. AREA (SF)	100	42.3	N/A	YES
450-131.(3)	MIN. SIDE YARD SETBACK (FT)	3	0.2	N/A	(X) YES
450-131.(3)	MIN. REAR YARD SETBACK (FT)	3	0.1	N/A	(X) YES
450-131.(4)	ALLOWABLE LOCATION	SIDE/REAR	REAR	N/A	YES
450-131.(5)	MAX. HEIGHT (FT)	10	(a)	N/A	YES
	COVERAGE				
450-26D.(1)(i)	MAX. IMPERVIOUS COVERAGE (%)	60	76.6	53.0	(X) YES
	PARKING SPACES				
450-26.D(1)(j)	MIN. OFF-STREET PARKING SPACES - DWELLING	2	0	NO CHANGE	(N) NO

N/A - NOT APPLICABLE

N/S - NOT SPECIFIED

(I) IMPROVED CONDITION

(X) VARIANCE / NON-CONFORMITY ELIMINATED

(W) PROPOSED WAIVER

(E) EXISTING NON-CONFORMITY

(V) PROPOSED VARIANCE

(I) THIS PERTAINS TO AN EXISTING STRUCTURE WHICH WAS NOT MADE AVAILABLE TO THIS OFFICE

(1) THE FRONT YARD DEPTH SHALL BE A MINIMUM OF 15 FEET ON NORTH-SOUTH STREETS AND 25 FEET ON EAST-WEST STREETS OR THE MINIMUM DEPTH OF ANY FRONT YARD WITHIN THE BLOCK AND FRONTING ON THE SAME STREET ON WHICH THE STRUCTURE FRONTS. WHEN THE PREVAILING SETBACK OF THE EXISTING BUILDINGS ALONG A BLOCK FRONT IS LESS THEN THE SETBACK REQUIREMENTS, THE FRONT YARD SET BACK 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 THEN 10 FEET.

(2) PORCH MAY EXTEND EIGHT 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

(3) UPPER PORCH MAY EXTEND EIGHT 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

(4) SHEDS SHALL NOT BE COUNTED IN BUILDING OR LOT COVERAGES, PROVIDED SUCH STORAGE SHED IS BUILT UPON A FOUNDATION OF LUMBER, WOOD OR TIMBER. IF SUCH STORAGE SHED IS BUILT UPON A FOUNDATION OF COMPACTED GRAVEL OR CEMENT, IT SHALL BE CONSIDERED IMPERVIOUS COVERAGE AND THE STORAGE SHED WILL BE COUNTED IN LOT COVERAGE.

(5) PER NOTE #3 OF 450 ATTACHMENT 1, THE MINIMUM SIDE YARDS FOR LOTS NOT MEETING THE MINIMUM LOT WIDTH REQUIREMENT THAT EXIST SHALL BE 10% AND 20% OF THE LOT WIDTH.

25' X 0.10 = 2.5' (ONE SIDE)

25' X 0.20 = 5' (BOTH SIDES)

(6) NOTE #2 OF 450 ATTACHMENT 1, THE REAR YARD FOR LOTS NOT MEETING THE MINIMUM LOT DEPTH REQUIREMENT, MAY BE REDUCED PROPORTIONATELY TO THE EXISTING LOT DEPTH AS A PERCENTAGE OF REQUIRED LOT DEPTH, BUT IN NO CASE SHALL THEY BE LESS THAN 10 FEET.

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 :
County of Monmouth : ss

Christopher Pettine being of full age, being duly sworn according to Law, on oath depose and says that all the above statements are true.


(Original Signature of Applicant to be Notarized)

Christopher Pettine
(Print Name of Applicant)

Sworn and subscribed before me this

16th day of August, 2023

[NOTARY SEAL]


Signature of Notary Public

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: 8/16/23



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: Christopher and Laura Pettine
[please print]

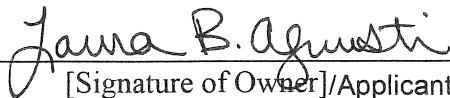
Property Address: 301A Park Place Avenue Block 23 Lot 12

Applicant's Name: Christopher and Laura Pettine
[Print Name]



[Signature of Applicant] /Owner

Owner's Name: Christopher and Laura Pettine
[Print Name]



[Signature of Owner]/Applicant

Date: 8/16/23