

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

Information on Subject Property:

1. Property address: 401 Newark Avenue

Block(s) 17 Lot(s) 10 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):

Lot area: 5,000 req., 2,996 existing; Min. Lot Depth: 100' req., 59.92 existing; Front yard setback (Newark) 15.94',

13.50' proposed; Front yard setback (Madison): 12.98', 6.5' proposed; Side yard setback: 5' required,

4.5' proposed; Rear yard setback: 10' required, 9.5' proposed; Lot coverage: 35% required, 53.42% proposed;

Driveway on short side of lot.

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].

No

Contact Information:

6. Name of applicant: Jinn Fong

Mailing address: 401 Newark Avenue, Bradley Beach, NJ 07720

Phone # [REDACTED] Fax # _____ Cell # Same

E-mail address: [REDACTED]

4. Applicant shall supply expert and fact testimony at the time of the hearing to justify the variances. However, essentially, the applicant has a hardship related to the undersized nature the lot and the substantial lack of depth of the lot compared to ordinance requirement. It's a corner lot, and applicant will demonstrate how they have mitigated any potential substantial detriments as some of the variances are minimal being less than 6 inches in some cases, specifically for the rear and side yard setbacks. Despite the undersized nature of the lot, applicant meets the impervious coverage requirement for the lot. Additionally, one of the variances is simply because the driveway is being proposed on the short side of the lot instead of the long side of the lot. Applicant will also be providing the required on-site parking. Therefore, applicant will establish that there is no substantial detrimental impact to the neighboring properties understanding there are only homes on two sides because of the lot being a corner lot with two frontages. The existing small house is outdated. While not creating any substantial detriments to surrounding properties and enhancing the aesthetics of the neighborhood by doing substantial landscape planning and a unique design.

The proposed home is a reasonable size home for the neighborhood and the lot, and it is also proposed to be a passive home. This essentially means it takes into account any environmental design criteria employed to protect the environment, and the architect will explain in detail the nature of those environmental enhancements as part of the unique nature of this proposed development.

14. Name of applicant's Architect (if applicable): Niall Carroll, Ryall Sheridan Carroll Architects

Mailing Address: 174 Fifth Avenue, 300, New York, NY 10010

Phone # 646-809-4343 Fax # _____ Cell # _____

E-mail address: niall@ryallsheridancarroll.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 SF	2,996 SF	2,996 SF
Minimum lot width	50 Ft.	50 Ft.	50 Ft.
Minimum lot depth	100 Ft.	59.92 Ft.	59.92 Ft.
Minimum lot frontage	50 Ft.	50 Ft.	50 Ft.
Minimum front yard setback	15.94' (Newark); 12.98' (Madison)	12.93' (Newark)	13.50' (Newark); 6.5' (Madison)
Minimum rear yard setback	10 Ft.	6.25 Ft.	9.5 Ft.
Minimum side yard setback	5 Ft.	6.19 Ft.	4.50 Ft.
Maximum percent building coverage	35%	32.21%	53.42%
Maximum percent lot coverage	60%	48.97%	59.66%
Maximum number of stories	2	1	2
Maximum building height (in feet)	30 Ft.	Less than 30 Ft.	28.75 Ft.
Square footage of principal structure		965 SF	2,395 SF
Off-street parking spaces	2	0	2
Prevailing Setback of adjacent buildings within the block within 200 ft.		See average setback	table on plot plan
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 Home		
Proposed use or uses on the lot:	Single Family Home		
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

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 :

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

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

Jinn Feng
(Original Signature of Applicant to be Notarized)

Jinn Feng
(Print Name of Applicant)

Sworn and subscribed before me this
23rd day of May, 2024

[NOTARY SEAL]

Barbara McArthur
Signature of Notary Public

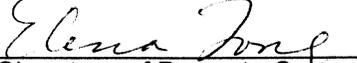
SITE VISIT AUTHORIZATION OF PROPERTY OWNER

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: 5/23/24



Signature of Property Owner


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.

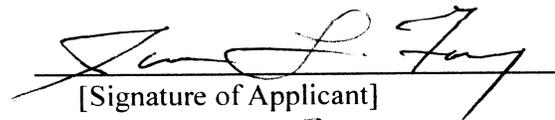
Also in accordance with N.J.S.A. 40:55D-53.1, all unused portion of the escrow account will be refunded upon written request from the applicant, and verification of completion by the board's professionals who reviewed the application.

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.

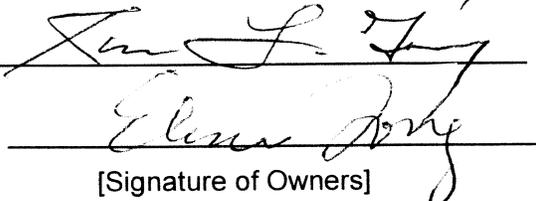
Name of Applicant: Jinn Fong
[please print]

Property Address: 401 Newark Avenue Block 17 Lot 18

Applicant's Name: Jinn Fong
[Print Name]


[Signature of Applicant]

Owner's Name: Jinn Fong
[Print Name]


[Signature of Owners]

Elena Fong

Date: 5-23-24