

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

**Information on Subject Property:**

1. Property address: 106 Park Place Avenue, Bradley Beach, NJ 07720

Block(s) 14 Lot(s) 26 & 27 Zone: R-B - Residential Beachfront

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):

450-28 - R-B Residential Beachfront Zone Requirements: Minimum Lot Size-5,000 sq.' required & 1,903 sq.' existing and to remain; Minimum Lot Width-50' required and 21.5' existing and to remain; Minimum Lot Depth-100' required & 76.73' on east side existing and to remain; Minimum Side Yard-4' required & 2.42' proposed to east side where 0.53' exists, and 3' proposed to west side; Minimum Rear Yard Setback-14.5' required & 10.17' proposed; Maximum Building Coverage-35% permitted & 49.8% proposed where 51.7% existing; Max Impervious Coverage-60% permitted & 64.7% proposed; Maximum Building Height-27' permitted & 29' proposed; Minimum Side Yard to covered porch on 1st story, and to uncovered porch on 2nd Story-4' required & proposed is 2.75' to east side and 3' to west side for both; Maximum Setback to elevated deck-East Side 5' required & 2.92' proposed and Rear 5' required and 2.83' proposed.

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

Applicant proposes to demolish an existing dwelling that has significant non-conformities to redevelop the lot with a new, energy efficient and code compliant single family dwelling, while providing for off-street parking and other improvements that will create substantial benefits to the neighborhood from existing conditions. The property is a pre-existing, narrow lot with existing non-conformities that cannot be corrected due to the lots surrounding the property already having homes on them, so the site suffers from significant hardships for "C" Variance Criteria. Further, what is proposed is a better zoning alternative than maintaining the existing dwelling, and will enhance the aesthetic and architectural character of the neighborhood.

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 - This proposal is a permitted Use in the R-B Zone, which allows for single family residential dwellings.

**Contact Information:**

6. Name of applicant: Ben D'Aniello and Gaetana D'Aniello

Mailing address: [REDACTED]

Phone # [REDACTED] Fax # N/A Cell # Same as Phone

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):

Applicant and Owner are the same

8. Name of present owner: Same

Mailing address: \_\_\_\_\_

Phone # \_\_\_\_\_

Fax # \_\_\_\_\_

Cell # \_\_\_\_\_

E-mail address: \_\_\_\_\_

9. Contact Person: As above

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): Jeffrey P. Beekman, Esq./The Beekman Law Firm, LLC

Mailing Address: 47 Main Avenue, PO Box 395, Ocean Grove, NJ 07756

Phone # 732-774-8262 x107

Fax # 732-774-6989

Cell # ██████████

E-mail address: Jeffrey.Beekman@Beekmanlaw.com

11. Name of applicant's Engineer (if applicable): Joseph Kociuba, PE, KBA Engineering Services LLC

Mailing Address: 2517 Route 35, Building E, Suite 203, Manasquan, New Jersey 08736

Phone # 732-722-8555

Fax # 732-722-8557

Cell # \_\_\_\_\_

E-mail address: Joe@kbaengineers.com

12. Name of applicant's Planner (if applicable): Joseph Kociuba (as above)

Mailing Address: \_\_\_\_\_

Phone # \_\_\_\_\_

Fax # \_\_\_\_\_

Cell # \_\_\_\_\_

E-mail address: \_\_\_\_\_

13. Name of applicant's Surveyor: Paul K. Lynch, PLS

Mailing Address: P.O. Box 1453, Wall, NJ 07719

Phone # 732-681-4035

Fax # \_\_\_\_\_

Cell # \_\_\_\_\_

E-mail address: PKLYNCHLS@Gmail.com

14. Name of applicant's Architect (if applicable): Michael J. Moss, Moss Architecture LLC

Mailing Address: 429 Monmouth Avenue, Bradley Beach, NJ 07720

Phone # 732-567-8311 Fax # \_\_\_\_\_ Cell # 

E-mail address: mjmossarch@gmail.com

15. Name of applicant's Other Professional (if applicable): TBD

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)*

| <b>PRINCIPAL USE:</b>   | <i>Required and/or Permitted</i> | <i>Existing</i>                            | <i>Proposed</i> |
|---|----------------------------------|--|-----------------|
| <i>Minimum lot area</i>   | 5,000                            | 1,903 sq.'                                 | 1,903 sq.'      |
| <i>Minimum lot width</i>  | 50'                              | 21.5'                                      | 21.5'           |
| <i>Minimum lot depth</i>  | 100'                             | 100' / 76.73'                              | 100' / 76.73'   |
| <i>Minimum lot frontage</i>   | 50'                              | 21.5'                                      | 21.5'           |
| <i>Minimum front yard setback</i>   | 12.82'                           | 13.87'                                     | 15.5'           |
| <i>Minimum rear yard setback</i>  | 19.18'                           | 14.5'                                      | 10.17'          |
| <i>Minimum side yard setback</i>  | 4'                               | 2.42' & 3.0'                               | 2.42' & 3.0'    |
| <i>Maximum percent building coverage</i>  | 35%                              | 51.7%                                      | 49.8%           |
| <i>Maximum percent lot coverage</i>   | 60%                              | 64%  | 64.7%           |
| <i>Maximum number of stories</i>  | 2 stories                        | 2 stories                                  | 2 stories       |
| <i>Maximum building height (in feet)</i>  | 27'                              | 29'  | 29'             |
| <i>Square footage of principal structure</i>                                    |                                  |  |                 |
| <i>Off-street parking spaces</i>  | 2                                | 2  | 3               |
| <i>Prevailing Setback of adjacent buildings within the block/within 200 ft.</i> |                                  | 12.82'                                     |                 |
| <b>ACCESSORY USE/STRUCTURE:</b>   | <i>Required and/or Permitted</i> | <i>Existing</i>                            | <i>Proposed</i> |
| <i>Minimum front yard setback</i>   | Non-conforming Garage            | Shed will be removed with this application |                 |
| <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 &amp; accessory structure</i>                     |                                  |  |                 |
| <i>Existing use or uses on the lot:</i> Single Family Residential Dwelling      |                                  |  |                 |
| <i>Proposed use or uses on the lot:</i> Single Family Residential Dwelling      |                                  |  |                 |
| <i>Is the property located in a special flood hazard area?</i> 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 & 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. Proposal is to fully remove damaged garage with garage apartment and replace with driveway for 2 off-street parking spaces.

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 ~~NOVEMBER~~ Florida:

County of Monmouth : ss

Ben D'Aniello and Gaetano D'Aniello being of full age, being duly sworn according to Law, on oath depose and says that all the above statements are true.

*Ben D'Aniello Gaetano D'Aniello*  
(Original Signature of Applicant to be Notarized)

Ben D'Aniello and Gaetano D'Aniello  
(Print Name of Applicant)

Sworn and subscribed before me this  
7th day of April, 2025

[NOTARY SEAL]

*[Signature]*  
Signature of Notary Public

**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 Ben D'Aniello and Gaetana D'Aniello, WITH MAILING ADDRESS OF  
(Insert Property Owner's Name)

35 Persimmon Road, Ocean, New Jersey 07712 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) 14 LOT(S) 26 & 27

ALSO KNOWN AS 106 Park Place Avenue, Bradley Beach, NJ 07720  
(Insert physical address of the subject property)

I/WE AUTHORIZE Ben D'Aniello and Gaetana D'Aniello and their professionals/witnesses  
(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).

*Ben D'Aniello*

(Original Signature of Owner to be Notarized)

Ben D'Aniello

*Gaetana Daniello*

(Original Signature of Owner to be Notarized)

Gaetana D'Aniello

Sworn and subscribed before me this

7th day of April, 2025

*[Handwritten Signature]*

Signature of Notary Public

[NOTARY SEAL]

**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: April 7, 2025

Ben D'Aniello Gaetana D'Aniello  
Signature of Property Owner

Ben D'Aniello and Gaetana D'Aniello

## 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: Ben D'Aniello and Gaetana D'Aniello  
[please print]

Property Address: 106 Park Place Avenue, Bradley Beach, NJ 07720 Block 14 Lot 26 & 27

Owner/  
Applicant's Name: Ben D'Aniello Ben D'Aniello  
[Print Name] [Signature of Applicant]/ Owner

Applicant/  
Owner's Name: Gaetana D'Aniello Gaetana D'Aniello  
[Print Name] [Signature of Owner]/ Applicant

Date: April 7, 2025