

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

**Information on Subject Property:**

1. Property address: 106 Central Avenue

Block(s) 75 Lot(s) 1 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):  
Variance from 450 Attachment 1 - Schedule of Height, Area and Yard Requirements

1. Front yard setback (24'11" where 25' req'd on Second Ave.); 2. Front yard setback (14'5.3" where 15' req'd.); 3. Side yard setback (2'3" where 5' req'd. on East side); 4. Side yard setback (2'8.2" where 5' req'd.); 5. Max building coverage (45.90% where 35% is permitted); 6. Off-street parking (1 provided where 2 required); 7. Driveway width (15' where 12' permitted).

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

The proposed dwelling is consistent with the character of the neighborhood and maintains setbacks substantially in line with existing conditions, including preserving the existing east side yard setback of 2.3 feet. While building coverage is modestly increased to 45.9%, overall impervious coverage is improved from currently not conforming to conforming 58.75%. The front yard setbacks along both Central Avenue and Second Avenue deviate only inches from the ordinance requirements and will not impair sight lines or the streetscape. Parking remains adequate, with capacity for multiple vehicles despite one space being counted, supplemented by a garage. The driveway width and length variances are technical in nature and will not adversely affect circulation or safety. Granting the requested variances will advance the purposes of zoning by promoting appropriate density and housing while balancing environmental and neighborhood concerns under N.J.S.A. 40:55c2.

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

**Contact Information:**

6. Name of applicant: Nan, Pop & Company, LLC c/o Rex Kinney

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

Phone # \_\_\_\_\_ Fax # \_\_\_\_\_ Cell # \_\_\_\_\_

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

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):

Same as applicant

8. Name of present owner: Rex Kinney contact information above

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

Phone # \_\_\_\_\_ Fax # \_\_\_\_\_ Cell # \_\_\_\_\_

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

9. Contact Person: \_\_\_\_\_

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): Kevin I. Asadi, Esq., Zager Fuchs, PC

Mailing Address: 119 Avenue at the Common, Suite 4, Shrewsbury, NJ 07702

Phone # 732-747-3700 Fax # \_\_\_\_\_ Cell # 

E-mail address: kasadi@zagerfuchs.com

11. Name of applicant's Engineer (if applicable): Bob Cunningham, CE

Mailing Address: Cunningham Engineering & Design, LLC

Phone # 973-219-7546 Fax # \_\_\_\_\_ Cell # \_\_\_\_\_

E-mail address: rmcnjpe@yahoo.com

12. Name of applicant's Planner (if applicable): To be advised

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

Phone # \_\_\_\_\_ Fax # \_\_\_\_\_ Cell # \_\_\_\_\_

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

13. Name of applicant's Surveyor: \_\_\_\_\_

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

Phone # \_\_\_\_\_ Fax # \_\_\_\_\_ Cell # \_\_\_\_\_

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

14. Name of applicant's Architect (if applicable): Total Architecture (Cory Fernandez)

Mailing Address: 50 Division Street, Suite 501, Somerville, NJ 08876

Phone # 908-625-6459 Fax # \_\_\_\_\_ Cell # \_\_\_\_\_

E-mail address: Cory@totarch.com

15. Name of applicant's Other Professional (if applicable): Matthew Frederick, Designer

Mailing Address: 9 West Main Street, Menham, NJ 07945

Phone # 917-224-8124 Fax # \_\_\_\_\_ Cell # \_\_\_\_\_

E-mail address: matthew@mfrederick.com

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**Detail Property Information:**

(PLEASE INCLUDE INFORMATION FOR EACH ZONE/BLOCK/LOT INVOLVED BELOW – ATTACH ADDITIONAL SHEETS AS NECESSARY)

<b>PRINCIPAL USE:</b>	<b>Required and/or Permitted</b>	<b>Existing</b>	<b>Proposed</b>
Minimum lot area	5,000 sf	4,706 sf	4,706 sf
Minimum lot width	50	51	51
Minimum lot depth	100	100	100
Minimum lot frontage	100	100	100
Minimum front yard setback	25'/15'	24' 11.2"/17.5'	24' 11.2"/14'5.3"
Minimum rear yard setback	25'	2.3'	2'8.2"
Minimum side yard setback	5'	2.3'	2.3'
Maximum percent building coverage	35%	42.14%	45.90%
Maximum percent lot coverage	60%	63.13%	58.75%
Maximum number of stories	2.5	1.5	2.5
Maximum building height (in feet)	35	18	34'10"
Square footage of principal structure		1450	3,844 sf
Off-street parking spaces	2	1	1
Prevailing Setback of adjacent buildings within the block/within 200 ft.			
<b>ACCESSORY USE/STRUCTURE:</b>	<b>Required and/or Permitted</b>	<b>Existing</b>	<b>Proposed</b>
Minimum front yard setback	N/A		
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:	Single family residential		
Proposed use or uses on the lot:	Single family residential		
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 dwelling unit

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

Rex Kinney, Member of Nan, Pop & Company, LLC being of full age, being duly sworn according to Law, on oath depose and says that all the above statements are true.

*Rex Kinney*  
(Original Signature of Applicant to be Notarized)

Rex Kinney, Member  
(Print Name of Applicant)

Sworn and subscribed before me this  
29 day of October, 2025

[NOTARY SEAL]

*Kevin J. Asad, Esq.*  
Signature of Notary Public  
Kevin J. Asad, Esq.

**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, NAN, POP & COMPANY, LLC, WITH MAILING ADDRESS OF  
(Insert Property Owner's Name)

16 Stoneview Court, Basking Ridge, NJ 07920 OF FULL AGE BEING DULY  
(Insert Property Owner's Mailing Address)

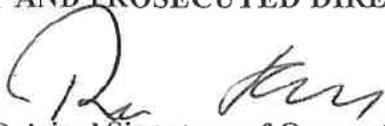
SWORN ACCORDING TO LAW AND OATH DEPOSES AND SAYS:

"I/WE ARE THE OWNER(S) OF THE SUBJECT PROPERTY IN CONNECTION WITH  
THIS APPLICATION DESIGNATED AS BLOCK(S) 75 LOT(S) 1

ALSO KNOWN AS 106 Central Avenue  
(Insert physical address of the subject property)

I/WE AUTHORIZE Kevin I. Asadi, Esq., Zager Fuchs, PC  
(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).

  
(Original Signature of Owner to be Notarized)

\_\_\_\_\_  
(Original Signature of Owner to be Notarized)

Sworn and subscribed before me this  
29 day of October, 2025

[NOTARY SEAL]

  
\_\_\_\_\_  
Signature of Notary Public  
Kevin I. Asadi, Esq.

**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: 10/29/25

  
\_\_\_\_\_  
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.

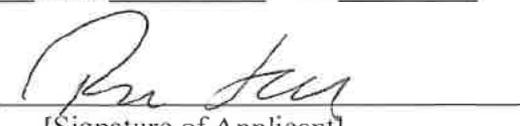
Any request for replenishment of escrow funds shall be due within fifteen [15] days of receipt of the request. If payment is not received within that time, applicant will be considered to be in default, and such default may jeopardize appearance before the Board and/or hold up of any and all pending approvals and building permits. Continued refusal will result in legal action against the property.

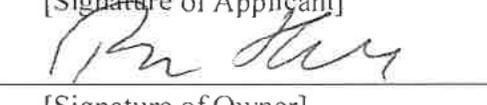
Also in accordance with N.J.S.A. 40:55D-53.1, all unused portion of the escrow account will be refunded upon written request from the applicant, and verification of completion by the board's professionals who reviewed the application.

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: Nan, Pop & Company, LLC  
[please print]

Property Address: 106 Central Avenue Block 75 Lot 1

Applicant's Name: Rex Kinney, Member  
[Print Name]   
[Signature of Applicant]

Owner's Name: N/A  
[Print Name]   
[Signature of Owner]

Date: 10/29/25