

LEON S. AVAKIAN, INC. *Consulting Engineers*

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February 5, 2026

Borough of Bradley Beach
Land Use Board
701 Main Street
Bradley Beach, NJ 07720

**Re: Falvo Residence
Block 18, Lot 18
510 Park Place Avenue
Borough of Bradley Beach
Bulk Variances
Our File BBPB 24-05**

Dear Chairman and Board Members:

Our office has received an application submitted for Board review in connection with the above-referenced project. Submitted with the application are the following:

- Prevailing Setback Map consisting of one (1) sheet prepared by Charles Surmonte, P.E. & P.L.S., dated September 9, 2024, with no revision date.
- Topographic Survey consisting of one (1) sheet prepared by Charles Surmonte, P.E. & P.L.S., dated September 9, 2024, with no revision date.
- Variance / Architectural Plans consisting of three (3) sheets prepared by Alec P. Shissias, RA, RLA, of Shissias Design + Development, dated April 23, 2024, last revised November 21, 2025.

The application has been deemed COMPLETE. Our office has reviewed the plans to determine if they conform with the requirements of the Borough Ordinance and report as follows:

1. **Submission Waivers**

The Applicant is not requesting any waivers from the land development ordinance checklist as outlined below:

Appendix A - Application Checklist and Documents Required To Be Submitted [Amended 7-23-2019 by Ord. No. 2019-18]

2. **Project Description**

- A. The existing lot contains a 2 - story single-family dwelling with a covered front porch, rear shed, and exterior ADA Ramp access.
- B. The property is located on the east side of Hammond Avenue and north side of Park Place Avenue (Lot 18, Block 18) with a total area of 5,000 square feet.
- C. The Applicant is proposing to demolish the existing dwelling and construct a 2 ½ - story single-family dwelling (partially utilizing the existing foundation) with a front walkway and covered porch, rear patio and asphalt driveway.

3. **Zoning and Land Use**

- A. The property is located in the R-1 Residential Zone and a single-family dwelling is permitted as a principal use in this zone.
- B. The Applicant is requesting Board approval for variances with building coverage and others as described in this letter.

4. **Variances and Design Waivers**

- A. The proposed improvements conform with the following requirements in the table below:

Lot	Required	Existing	Proposed
Minimum Lot Area	5,000 sf.	5,000 sf.	No Change
Lot Density	-	8.712 DU / AC	No Change
Minimum Lot Width	50 ft.	50 ft.	No Change
Minimum Lot Depth	100 ft.	100 ft.	No Change
Principal Building	Required	Existing	Proposed
Minimum Front Yard Setback, <u>Building</u>	25 ft. or Average *(Average is 14.2 ft)	14.6 ft.	14.6 ft.
Minimum Front Yard Setback, <u>Porch</u>	25 ft. or Average *(Average is 8.9 ft.)	7.8 ft. (NC)	7.7 ft. (V)
Minimum Rear Yard Setback	25 ft.	50 ft.	39.4 ft.
Minimum Side Yard Setback	5 ft. / 10 ft.	2.2 ft. (NC) / 21 ft.	2.2 ft. (V) / 12 ft.
Maximum Building Height	35 ft.	±24 ft.	35 ft.
Maximum Number of Stories	2 ½ Stories	2 Story	2 ½ Stories
Lot Coverage	Required	Existing	Proposed
Maximum Building Coverage	35%	19.9%	36.3% (V)
Maximum Impervious Coverage	60%	24%	59.8%
Parking and Driveway	Required	Existing	Proposed

Minimum Off-Street Parking Per Dwelling Unit	2	0 (0 Units) (NC)	3 (3 Units)
Maximum Driveway Curb Cut	12 ft.	12.5 ft. (NC)	15 ft. (V)
Existing Shed	Required	Existing	Proposed
Minimum Rear Yard Setback	3 ft.	< 3 ft. (V)	No Change
Minimum Side Yard Setback	3 ft.	< 3 ft. (V)	No Change
Maximum Building Height	10 ft.	Not Provided	No Change
Maximum Area	100 sf.	< 100 sf.	No Change

(V) Variance

(N.G.)-Not Given

(NC) Existing Non-Conformity

Existing non-conformities -Four (4)

Removing one (1)

Proposed Variances – Five (5)

- * The Applicant has provided mapping and calculations of the average of the front yard setback of the front porches and dwellings on all developed properties on adjacent lots for Park Place Avenue within 200 feet of the property as documented by a map prepared by a licensed land surveyor. The Applicant calculates the average front yard porch setback of 8.9 feet and average front yard dwelling setback of 14.2 feet. The Applicant should provide testimony.
- B. In accordance with Section 450-26.D.(1)(d), the existing front yard porch setback along Park Place Avenue is 7.8 feet, which is an existing non-conformity. The Applicant is proposing a front yard porch setback of 7.7 feet along Park Place Avenue. **A Variance is required.**
- C. In accordance with Section 450-26.D.(1)(e) states *the minimum side yard setback is 5 feet.* The existing side yard setback is 2.2 feet, which is an existing non-conformity. The Applicant is proposing a side yard setback of 2.2 feet. **A Variance is required.**
- D. In accordance with Section 450-26.D.(1)(g) states that *the maximum building coverage is 35% of the lot area.* The Applicant is proposing a building coverage of 36.3%. **A Variance is required.**
- E. In accordance with Section 450-26.D.(1)(i) states that *the minimum off-street parking requirement is (2) spaces per dwelling unit.* The existing off-street parking contains (0) spaces, which is an existing non-conformity (no existing driveway). The Applicant is proposing a driveway with (3) spaces. An existing non-conformity is removed.
- F. In accordance with Section 450-41.A.(2) (Residential Parking and Driveway Requirements) states *curb cuts shall be a maximum of 12 feet in width.* The existing curb cut at the driveway is 12.5 feet, which is an existing non-conformity. The Applicant is proposing a curb cut of 15 feet. **A Variance is required.**

- G. In accordance with Section 450-13.G. states *Air Conditioners, HVAC and other mechanicals shall not be permitted in the required area setbacks.* The proposed air conditioners are located within a setback. **A Variance is required.**
- H. In accordance with Section 450-13.J.(2) sheds must have a minimum side yard setback of 3 feet. The shed has a side yard setback that is less than 3 feet. **A Variance is required.**
- I. In accordance with Section 450-13.J.(2) sheds must have a minimum rear yard setback of 3 feet. The shed has a rear yard setback that is less than 3 feet. **A Variance is required.**

5. **Required Proofs for Variance Relief**

- A. ***C Variances: A number of “c” variances are required. There are two types of c variances with different required proofs.***
 - 1) Boards may grant a c(1) variance upon proof that a particular property faces hardship due to the shape, topography, or extraordinary and exceptional situation uniquely affecting the specific property.
 - 2) Boards may grant a c(2) variance based upon findings that the purposes of zoning enumerated in the MLUL are advanced by the deviation from the ordinance, with the benefits of departing from the standards in the ordinance substantially outweighing any detriment to the public good. The Supreme Court’s ruling in Kaufmann v. Planning Board for Warren Township provides additional guidance on c(2) variances, stating that “the grant of approval must actually benefit the community in that it represents a better zoning alternative for the property. The focus of the c(2) case, then, will be...the characteristics of the land that present an opportunity for improved zoning and planning that will benefit the community.”
 - 3) C variances must also show consistency with the negative criteria as well.

6. **General Comments**

- A. The Applicant should provide testimony on all required variances and clarify all points where additional information is needed.
- B. Testimony should be provided regarding the condition of the portions of the existing foundation that is intended to be utilized. Should the Board choose

to act favorably on this application, we recommend any variance relief given be conditioned on utilizing the existing foundation. If the applicant is unable to utilize portions of the existing foundation, they would need to return to this Board for any variances sought.

- C. The applicant constructed a shed sometime after March 2021 that does not comply with the required side and rear yard setbacks and did not receive prior Board approval; therefore, the required setback variances have been included in this report. The applicant shall provide the shed height, area, and setbacks to confirm compliance and to determine whether any additional variances are required.
- D. General Note should be added to the plan indicating the existing curb and sidewalk along the frontage will be replaced if found in poor condition.
- E. General Note should be added to the plan indicating the planting area between the sidewalk and curb must remain natural grass.
- F. The Applicant should provide testimony regarding ordinance requirements for the habitable floor area within the proposed half story, which shall not exceed 50% of the floor area below it.
- G. The zoning regulations table should be revised to indicate the existing building as two (2) stories and to include the required, existing, and proposed setbacks for the proposed mechanical equipment. The table shall also clearly identify and label all proposed variances and existing nonconformities.
- H. The plans indicate that the roof drains discharge at the corners of the dwelling, with the two front leaders draining toward Park Place Avenue and the two rear leaders discharging to the rear of the property. It is recommended that all roof drains be connected to an underground piping system incorporating on-site infiltration measures, such as a perforated pipe and stone trench or a drywell system, to promote groundwater recharge within the limits of the property. An overflow, such as a pop-up emitter or equivalent, should be provided to safely convey excess runoff toward Park Place Avenue during larger storm events.
- I. The plans do not identify the material or type of the proposed rear patio. The applicant shall revise the plans accordingly and provide testimony regarding the proposed patio surface.
- J. The Applicant should provide information that taxes are currently paid.
- K. The Applicant shall secure any and all construction permits needed for the project.

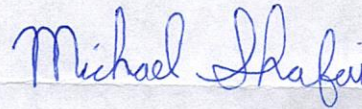
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Our office reserves the right to provide additional comments upon receipt of revised plans.

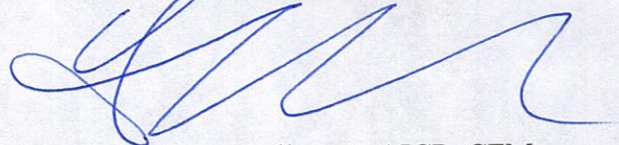
If you have any questions, or require additional information on this matter, please do not hesitate to contact our office.

Very truly yours,

LEON S. AVAKIAN, INC.



Michael Shafai, P.E.
Board Engineer



Christine Bell, P.P., AICP, CFM
Board Planner

JOG

cc: Kristie Dickert, Board Administrator
Anne Marie Rizzuto, Esq., Board Attorney
Charles Surmonte, P.E., Applicants Engineer
Alec P. Shissias, RA, Applicants Architect
Michael and Kavitha Falvo, Applicant
BB/PB/26/24-05