



March 6, 2020

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Atlantic Highlands Borough Planning Board
100 First Avenue
Atlantic Highlands, NJ 07716

Attn: Christine Burke – Planning Board Secretary

Re: Kett (PB20-04)
Bulk Variance Application – Review #1
Location: 24 Belvidere Road
Zone: R-3 (Residential District)
Block 8, Lot 36
Borough of Atlantic Highlands, Monmouth County, NJ
Our File: HAHP0008.05

Dear Planning Board Members:

Our office received the following information in support of the above-referenced application for Bulk Variance approval:

- Location Survey for Atilla Kett, Lot 36, Block 8, Atlantic Highlands, Monmouth County, N.J., prepared by Richard Stockton, LLS, dated September 30, 2019;
- Steep Slope Analysis for Atilla Kett, Lot 36, Block 8, Atlantic Highlands, Monmouth County, N.J., prepared by Richard Stockton, LLS, dated September 30, 2019;
- Steep Slope Analysis for Atilla Kett, Lot 36, Block 8, Atlantic Highlands, Monmouth County, N.J., prepared by Richard Stockton, LLS, dated September 30, 2019, last revised February 26, 2020;
- Architectural drawings, entitled "Proposed Reconstruction, Kett Residence, 24 Belvidere Road, Atlantic Highlands, New Jersey, prepared by Kurt J. Ludwig, AIA, RA, last revised September 17, 2019;
- Marked-up survey showing proposed improvements;
- Zoning Officers denial, prepared by Michelle Clark, dated January 16, 2020;
- Correspondence from Kevin E. Kennedy, Esq., dated January 28, 2020;
- Narrative of Intent, prepared by Kevin Kennedy, Esq.;
- Development Application and Development Checklist.

We have reviewed this application for Bulk Variance approval and offer the following comments:

1. Property Description

The subject property is located on the outside of a curve along Belvidere Road containing 22,939.75 SF within an R-3 Zone District and provides 238.91 feet of road frontage along the



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Atlantic Highlands Borough Planning Board
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north side of Belvidere Avenue. The property currently contains a 1-story dwelling, paver driveway, rear concrete patio, and block retaining walls.

The Applicant proposes to demolish the existing home and construct a new two-story residential structure within the footprint of the existing structure. The Applicant is requesting Bulk Variance relief relating to existing lot area, front yard setback, and lot coverage for the proposed improvements.

2. Surrounding Uses

Properties surrounding the subject site are similarly zoned R-3 and contain primarily single-family residential uses.

3. Zoning Compliance

The subject property is situated within an R-3 Zone District and the table below summarizes the bulk measures and zone requirements for the property:

Table 1: Bulk Standards, R-3 Zone (§150-29(A)(2) Exhibit 5-2)			
Standard	Required	Existing	Proposed
Minimum Lot Area (sq. ft.)	30,000	22,939.75	22,939.75 (EC)
Minimum Lot Frontage & Width (ft.)	100	238.91	238.91
Minimum Lot Shape Diameter Interior Lot (ft.)	65	43.5	43.5 (EC)
Principal Building Setbacks			
Front Yard (ft.)	25	9.0	9.0 (V)
Side Yard (ft.)	15	50.3	50.3
Side Yard Combined (ft.)	30	106.5	106.5
Rear Yard (ft.)	30	50.8	50.8
Accessory Building/ Struct. Setbacks			
Side Yard (ft.)	10	N/A	N/A
Rear Yard (ft.)	5	N/A	N/A
Building Coverage	12%	9.09% (2,085 SF)	9.09% (2,085 SF)
Lot (Impervious Surface) Coverage	30%	22.8% (5,249 SF)	22.6% (5,198 SF)
Building Height (Stories)	2 ½	1	2
Maximum Building Height (ft.)	35	20	25.5
Maximum Acc. Building Height (ft.)	16	N/A	N/A
Maximum Useable Floor Area Ratio	0.175	0.090 (2,060 SF)	0.134 (3,076 SF)
Minimum Gross Floor Area (sq-ft)	900 sf / 1,800 sf	2,060	1,940 / 3,076

(EC): Existing Condition

(V): Variance Required

(TBP): To Be Provided



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4. The subject property exists within the steep slope area. The table below summarizes the steep slope requirements for the property:

Table 1: Allowable Steep Slope Areas, §150-78(E)			
Standard	Required	Existing	Proposed
Maximum Lot Coverage	1,814 SF	3,384 SF	3,384 SF (V)
Maximum Impervious Area	5,309 SF	5,249 SF	5,198 SF
Maximum Lot Disturbance	6,902 SF	N/A	996 SF

(EC): Existing Condition

(V): Variance Required

(TBP): To Be Provided

5. It appears that the Applicant will require relief from the following variances with respect to this development application:
- a) **Section 150-29(A)(2)(Exhibit 5-2)** – The minimum required front yard setback is 25 feet, whereas a 9 feet is to remain for the reconstructed structure.
 - b) **Section 150-78(E)** – The maximum required lot coverage is 1,814 square feet, whereas a 3,384 square feet is to remain for the reconstructed structure.
6. It appears that the following existing non-conformities would remain with respect to this Application.
- a) **Section 150-29(A)(2)(Exhibit 5-2)** – The minimum required lot area is 30,000 square feet, whereas a 22,939 square feet is to remain. This is an existing non-conformity.
 - b) **Section 150-29(A)(2)(Exhibit 5-2)** – The minimum required lot shape diameter is 65 feet, whereas a 63.5 feet is to remain. This is an existing non-conformity.
7. The Applicant has requested any submission waivers from addition site plan submission requirements at this time.

Based upon the above, our office recommends that the application be deemed **CONDITIONALLY COMPLETE**, conditioned upon the Board's approval of the submission waivers outlined above. The Applicant can be scheduled for the next available public hearing.

8. Based upon our review of the subject application, we estimate that the following fees are required:

<u>Ordinance Section</u>	<u>Description</u>	<u>Application Fee</u>	<u>Escrow Fee</u>
168-2.H.(4)	Hardship Variance	\$150.00	\$350.00 (min)



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We recommend the Borough collect \$150.00 in nonrefundable application fees and \$350.00 in professional services escrow fees from the Applicant prior to deeming the application complete.

9. The Applicant should be prepared to discuss the following issues with the Board:
- a) Reasons supporting the granting of the requested bulk variances and/or design waivers and continuance of the existing condition nonconformities.
 - b) The proposed sequence of construction for improvements.
 - c) Mitigation methods to reduce impacts to lot coverage.

The right is reserved to present additional comments pending the receipt of revised Plans and/or testimony of the Applicant before the Board.

If you have any questions with regard to the above matter, please do not hesitate to call.

Very truly yours,

CME Associates

Douglas Rohmeyer

Douglas Rohmeyer, PE, CME, CFM
Planning Board Engineer

DMR/DEP

cc: Adam Hubeny - Borough Administrator
Michael B. Steib, Esq. – Board Attorney
Michelle Clark – Zoning Officer
Dr. Attila Kett – Applicant
Kevin Kennedy, Esq. – Applicant's Attorney

Kevin E. Kennedy, Esq.

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Admitted to Practice
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165 Highway 35
Red Bank, NJ 07701

January 28, 2020

VIA FEDERAL EXPRESS

Christine Burke, Planning Board Secretary
Borough of Atlantic Highlands
100 First Ave.
Atlantic Highlands, NJ 07716

**Re: Attila Kett
24 Belvidere Road
Atlantic Highlands, NJ
Block 8, Lot 36**

Dear Ms. Burke:

Please be advised that I am writing to you on behalf of Dr. Attila Kett. In that regard, I would ask that you please note the following:

1. Dr. Kett is the owner of the above-referenced property, which contains a single-family home.
2. Dr. Kett is respectfully requesting permission to reconstruct the existing single-family dwelling (over the existing foundation). In conjunction with the construction process, it is anticipated that the existing structure will be taken down to the foundation.
3. Per the Zoning Officer's Denial Letter, such a proposal requires Bulk Variance Relief.

4. In furtherance thereof, enclosed herein please find the following:
- A. 18 copies of a Variance Application;
 - B. 18 copies of a Narrative of Intent;
 - C. 18 copies of the Location Survey, prepared by Richard E. Stockton & Associates, Inc., dated September 30, 2019;
 - D. 18 copies of the Architectural Plans and Elevations, prepared by Kurt J. Ludwig, AIA, last dated September 17, 2019, consisting of 10 pages;
 - E. 18 copies of the Zoning Officer Denial Letter;
 - F. 3 copies of the Application Checklist; and
 - G. An original and 2 copies of a W-9 form.
5. Given the nature of the proposed relief, I am respectfully requesting a waiver of any other submission requirements.
6. I would ask that you please calculate the appropriate Application / Escrow fees and thereafter, I shall arrange for the Applicant's representatives to submit the same.
7. If acceptable, I would ask that you please arrange for the Application to be deemed complete as quickly as possible and thereafter, scheduled for a public hearing.

Thank you for your attention – and, as always, I look forward to working with you.

Very truly yours,


Kevin E. Kennedy

KEK/cmp
Z:\KevinKennedyLaw\Land Use\Kett (Atlantic Highlands)\012820 Burke submission.docx
Encl.

cc: Dr. Attila Kett (e-mail), w/encl.
Richard Stockton, PLS, PP (rstocktonnj3@gmail.com), w/ encl.
Kim Lester (kiml@kjludwig.com), w/encl.

ATLANTIC HIGHLANDS PLANNING BOARD
APPLICATION FOR VARIANCE

1. (I/We) ATTILA KETT, the applicant(s) herein, whose Post Office address is 24 BELVIDERE RD, ATLANTIC HIGHLANDS whose phone number is 10936-1099 (am/are) the (owner) contract purchaser) of property located at or on 24 Belvidere Rd and designed as Block 8, Lot(s) 36 on the Tax Map of the Borough of Atlantic Highlands.
2. The property is in the R-3 zone, it has a street frontage of Per Plans feet and an average depth of _____ feet and an area of Per Plans square feet.
3. The proposed percentage of lot coverage by both the existing structure and proposed additions will be Per Plans.
4. The following structures, building or uses are located on the property:
SINGLE FAMILY HOME
5. Application is hereby made for a variance to:
SEE NARRATIVE OF INTENT
6. The reasons for this request and the grounds urged for the relief are as follows:
SEE NARRATIVE OF INTENT
7. The section of the Borough Zoning Ordinance upon which this application is bases is _____
§ 5-2 §150-78(E)
8. Property taxes and water bills have been paid through the 1st quarter of 2020
9. Has the property been separated from a larger tract of land? (Yes/No) (No) If so, when? _____
Has the Planning Board approved the subdivision? (Yes/No). When? _____
10. If there has been any previous appeal or application to the Planning Board of its predecessors involving the premises, state:
Date of Filing: NONE KNOWN
Character of Appeal: _____
Disposition: _____

(I/We), the undersigned, certify that all of the statements contained herein are true and correct to the best of (m7/our) knowledge, information and belief.

DATE 1/25/2020 BY Uj, atty for applicant
BY _____

Attila Kett
Atlantic Highlands Planning Board Application
24 Belvidere Road
Atlantic Highlands, NJ
Block 8, Lot 36

NARRATIVE OF INTENT

1. Dr. Attila Kett (the Applicant) is the owner of the property located at 24 Belvidere Road, Atlantic Highlands, NJ.
2. There is an existing single-family home on the property.
3. The Applicant proposes to reconstruct the existing single-family home (over the existing house foundation).
4. In conjunction with the construction process, it is anticipated that the existing structure will be taken down to the foundation.
5. The newly reconstructed home will include the following:

LOWER PLAN

Recreation Area
Vestibule
Laundry Room
Mechanical Room
Bathroom
Bedroom
Bedroom
Garage

FIRST FLOOR

Great Room
Foyer
Vestibule
Powder Room
Kitchen
Dining Room
Bathroom
Master Bathroom
Master Bedroom
Bedroom

ROOF FLOOR PLAN

Roof Patio
Mechanical Room

6. The newly reconstructed home will be in keeping with the character of development in the neighborhood.
7. It is anticipated that the proposal will require approval for the following variances:
 - Lot Area: Minimum 30,000 square feet required; whereas 22,939 square feet exists;
 - Front Yard Setback: 25 feet required; whereas 9 feet exists;
 - Lot Coverage: Maximum 4,505 square feet allowed; whereas 4,682 square feet proposed;
8. The Applicant respectfully requests that the Board approve the Application and associated variances.



**BOROUGH OF
ATLANTIC HIGHLANDS**

100 FIRST AVENUE
ATLANTIC HIGHLANDS, NJ 07716
732-291-1444 FAX 291-9725
WWW.AHNJ.COM CLERK@AHNJ.COM

MICHELLE CLARK, ZONING OFFICER

To: Dr. Attila Kett
24 Belvidere Road
Atlantic Highlands, NJ 07716

From: Michelle Clark
Zoning Officer

Date: January 16, 2020

Re: Block 8, Lot 36, 24 Belvidere Road

I have reviewed your application for construction of a Single-Family Dwelling in the R-3 Zone for compliance with the Borough of Atlantic Highlands Zoning Code.

The following approvals are necessary:

Section 5-2 Minimum Lot Area 30,000 sf required; 22,939 sf exists
Minimum Front Yard Setback 25' required; 9' exists

150-78(E) Maximum Lot Coverage 4,505 sf required; 4,682 sf proposed

To proceed with an application to the Planning Board please contact Christine Burke at 731-291-1444 ext 3108 or by email at planningboard@ahnj.com

Should you have any questions, please feel free to contact me.

cc: Christine Burke, Board Secretary
Kevin E Kennedy, Esq