



**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: Michael Hrbek
95 Bay Avenue
Atlantic Highlands, NJ 07716

From: Michelle Clark
Zoning Officer

Date: March 11, 2020

Re: Block 133, Lot 9, 95 Bay Avenue

I have reviewed your application for construction of an addition in the R-1 Zone for compliance with the Borough of Atlantic Highlands Zoning Code.

The following approvals are necessary:

Section 150-49 I. Lots and structures, (3) Principle or accessory buildings or structures may not be constructed on nonconforming lots and/or on lots which contain a nonconforming principle building or structure unless: (b) the lot conforms to the minimum lot area requirements of this chapter.

Section 5-2 Minimum Lot Area 7,500 sf required; 6,500 sf exists
Minimum Frontage/Width 75' required; 50' exists
Minimum Front Yard Setback 20' required; 14.1' exists
Minimum Side Yard Setback 10' required; 2' exists
Minimum Two Side Yards 20' required; 16.8' exists

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, Planning Board Secretary

ATLANTIC HIGHLANDS PLANNING BOARD

APPLICATION FOR VARIANCE

1. I/we Michael Hrbek, Erica Manganelli, the applicant(s) herein, whose mailing address is 95 Bay Avenue, Atlantic Highlands, NJ 07716 and whose phone number is 908 287 7206 am/are the owner of property located at 95 Bay Avenue, Atlantic Highlands, NJ 07716 also designated as Block 133, Lot(s) 9 on the Tax Map of the Borough of Atlantic Highlands.

2. The Property is in the R-1 Zone, it has street frontage of 50 feet and an average depth of 130 feet and an area of 6,500 square feet.

3. The proposed percentage of lot coverage by both the existing structure and proposed additions will be total lot: existing: 27%; proposed addition: 35%

4. The following structures, buildings and/or uses are located on the property: Existing house, shed, wooden deck

5. Application is hereby made for a variance to: overall lot size, lot width, front yard setback, single side yard setback, both side yard setback

6. The reason for this request and the grounds urged for the relief are as follows: because the lot is undersized, the existing conditions are non conforming

7. The section(s) of the Borough Zoning Ordinance upon which this application is based is: Section 150-491. Section 5-2

8. Property Tax & Water Bills have been paid through the _____ quarter of 20____.

9. Has the property been separated from a larger tract of land? Yes _____ No ✓ If yes, when? _____
Has the Planning Board approved the subdivision Yes _____ No ✓ If yes, when? _____

10. If there has been any previous appeal or application to the Planning Board involving the premises, state:

Date of Filing: _____

Character of Appeal: _____

Disposition: _____

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

MU HLL
Applicant Signature

3/21/2020
Date

Elin Manganelli
Applicant Signature

3/21/2020
Date

Location sketch shall include the exact location of the property in question, giving the tax map lot and block numbers, the name of the street, the approximate distance to the nearest cross street and the direction of North. For a variance from the required minimum area or setbacks, the sketch should locate the buildings on the property. Show any other particulars that you would consider important for the Board to render its decision.



JOHN H. ALLGAIR, PE, PP, LS (1983-2001)
DAVID J. SAMUEL, PE, PP, CME
JOHN J. STEFANI, PE, LS, PP, CME
JAY B. CORNELL, PE, PP, CME
MICHAEL J. McCLELLAND, PE, PP, CME
GREGORY R. VALES, PE, PP, CME

TIMOTHY W. GILLEN, PE, PP, CME
BRUCE M. KOCH, PE, PP, CME
LOUIS J. PLOSKONKA, PE, CME
TREVOR J. TAYLOR, PE, PP, CME
BEHRAM TURAN, PE, LSRP
LAURA J. NEUMANN, PE, PP
DOUGLAS ROHMEYER, PE, CFM, CME
ROBERT J. RUSSO, PE, PP, CME

May 19, 2020

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

Attn: Planning Board

Re: Hrbek (PB20-10)
Bulk Variance Application – Review #1
Location: 95 Bay Avenue
Zone: R-1 (Residential District)
Blocks 133, Lot 9
Borough of Atlantic Highlands, Monmouth County, NJ
Our File: HAHP0133.02

Dear Planning Board Members:

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

- "Location Land Survey of Lot 9 on Block 133 on the Official Tax Map of the Borough of Atlantic Highlands, Monmouth County, New Jersey", prepared by Thomas Craig Finnegan, PLS, dated October 25, 2019;
- Architectural Plans entitled "Hrbek Residence, Mike & Erica Hrbek, 95 Bay Ave, Atlantic Highlands, NJ", prepared by EP Architectural Designs, LLC, dated March 21, 2020;
- Zoning Officers denial, prepared by Michelle Clark, dated March 11, 2020; and
- Application for Variance.

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

1. Property Description

The subject property is a rectangular lot containing 6,500 SF within the R-1 Zone District and provides 50.0 feet of road frontage along the south side of Bay Avenue between Avenue C and Avenue B. The property currently contains a two-story dwelling, rear wooden deck, covered front porch, asphalt driveway, service walk, shed, and paver patio.

The Applicant proposes to construct a 461 SF addition to the existing home on the eastern side of the existing home with associated covered porch. The Applicant is requesting Bulk Variance relief relating to existing lot size and setback non-conformities.

2. Surrounding Uses

S:\Atlantic Highlands\Project Files\HAHP0133.02 - Hrbek\20-05-19 Bulk Var. Rvw. #1- Hrbek.docx

CONSULTING AND MUNICIPAL ENGINEERS

1460 ROUTE 9 SOUTH • HOWELL, NEW JERSEY 07731 • (732) 462-7400 • FAX: (732) 409-0756



Atlantic Highlands Borough Planning Board
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Properties surrounding the subject site are similarly zoned R-1 and contain primarily single-family residential uses.

3. Zoning Compliance

The subject property is situated within an R-1 Zone District and the table below summarizes the bulk measures and zone requirements for the property:

Table 1: Bulk Standards, R-1 Zone (§150-29(A)(2) Exhibit 5-2)			
Standard	Required	Existing	Proposed
Minimum Lot Area (sq. ft.)	7,500	6,500	6,500 (EC)
Minimum Lot Frontage & Width (ft.)	75	50	50 (EC)
Minimum Lot Shape Diameter (ft.)	50	30	30 (EC)
Principal Building Setbacks			
Front Yard (ft.) Bay Avenue	20	14.1	14.1 (V)
Side Yard (ft.)	10	2	2 (EC)
Combined Side Yard (ft.)	20	31.2	16.7 (V)
Rear Yard (ft.)	20	72.5	73.5
Accessory Building/ Struct. Setbacks			
Side Yard (ft.)	5	5.7	5.7
Rear Yard (ft.)	5	7	7
Building Coverage	25%	12.5	22
Lot (Impervious Surface) Coverage	50%	27	34
Building Height (Stories)	2 ½	2	2
Maximum Building Height (ft.)	35	TBP	24.52
Maximum Acc. Building Height (ft.)	16	TBP	TBP
Maximum Useable Floor Area Ratio	0.40	0.158	0.28
Minimum Gross Floor Area (sq-ft)	900 sf / 1,500 sf (Total)	1,047	2,127

(EC): Existing Condition (V): Variance Required (TBP): To Be provided

4. It appears that the Applicant will require relief from the following variance with respect to this development application:

- Section 150-29(A)(2)(Exhibit 5-2)** – The minimum required front yard setback is 20 feet, whereas a 14.1 feet is to remain with expansion.
- Section 150-29(A)(2)(Exhibit 5-2)** – The minimum required side yard setback is 10 feet, whereas a 2 feet is to remain with expansion.



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- c) **Section 150-29(A)(2)(Exhibit 5-2)** – The minimum required combined side yard setback is 20 feet, whereas a 16.7 feet is proposed.
5. 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 7,500 square feet, whereas a 6,500 square feet is to remain. This is an existing non-conformity.
- b) **Section 150-29(A)(2)(Exhibit 5-2)** – The minimum required lot frontage and width is 75 feet, whereas a 50 feet is to remain. These are existing non-conformities.
- c) **Section 150-29(A)(2)(Exhibit 5-2)** – The minimum required lot shape diameter is 50 feet, whereas a 30 feet is to remain. This is an existing non-conformity.
6. The Applicant has not requested any submission waivers at this time and none appear necessary.

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.

7. 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(4)	Hardship Variance	\$150.00	\$350.00 (min)

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.

8. 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) Stormwater runoff including how additional impervious coverage and improvements will be mitigated. Applicant should discuss runoff from proposed roof, roof leader location, yard drainage, and address concentration of flows and effects on adjacent properties.
- c) Any landscaping work including buffers, proposed plantings, and tree removal, including effects on adjacent properties.
- d) Applicant should demonstrate conformance with parking requirements.



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- e) Applicant should provide testimony on the existing covered front porch, including its habitability, heating, and any proposed improvements. **Please note the front yard setback is violated in the existing condition and expansion will require variance relief.**
- f) Applicant should provide site photos depicting existing conditions.

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.

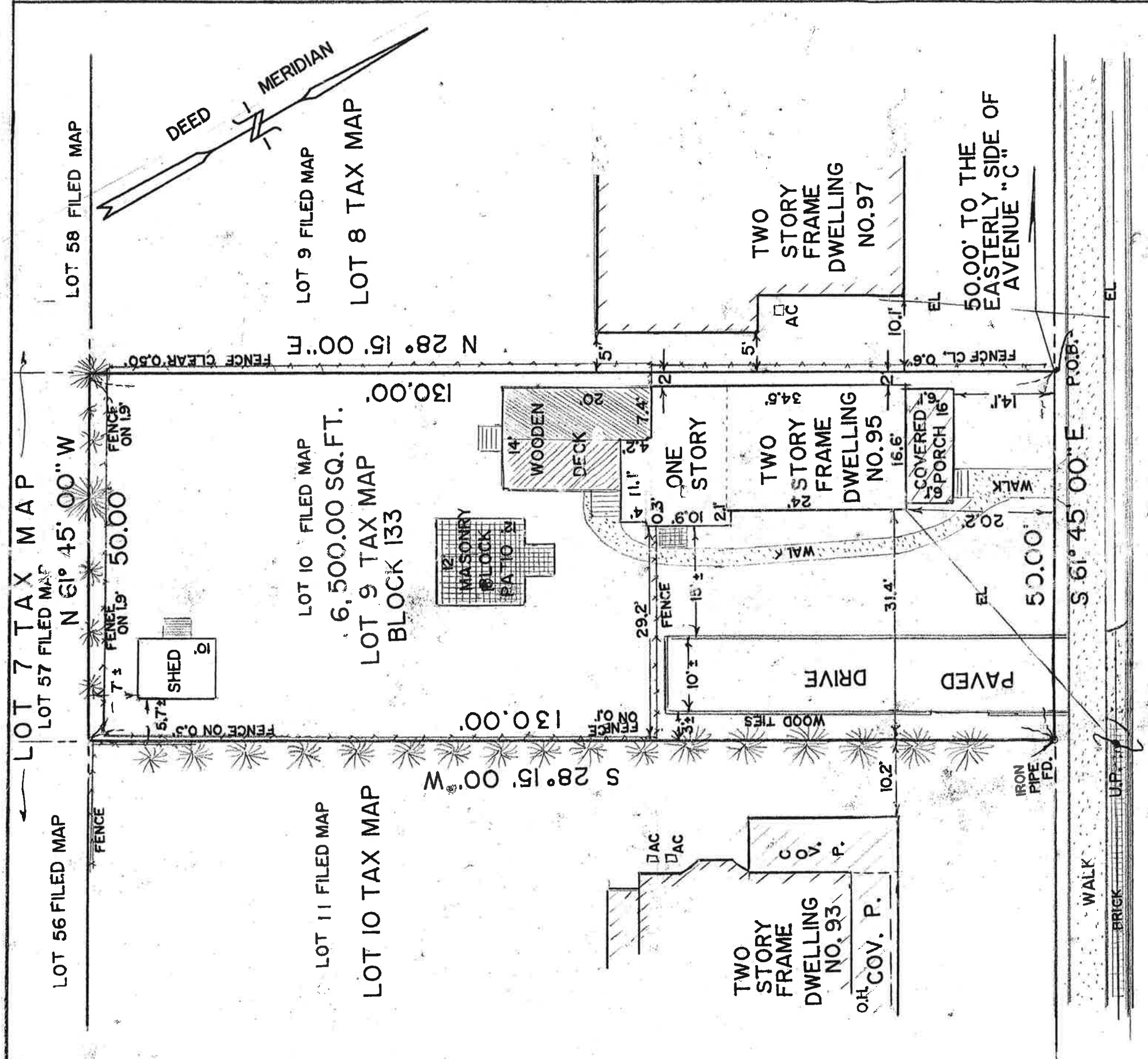
Very truly yours,

CME Associates

Douglas Rohmeyer, PE, CME, CFM
Planning Board Engineer

DMR/DEP

cc: Adam Hubeny - Borough Administrator
Michael B. Steib, Esq. – Board Attorney
Michelle Clark – Zoning Officer
Mike & Erica Hrbek – Applicants



BAY AVENUE

FILED MAP REFERENCE: Known as Lot 10 or Map Entitled:

Map of Building Lots for Sale at Atlantic Highlands, N.J

By John S. Hubbard, Dated 1882 By Geo. Cooper

Civil Engineer and Surveyor said Map is Filed in

the Monmouth County Clerk's Office on

September 19, 1882 in Case 22-5.

CERTIFIED TO:

MICHAEL GREGORY HRBEK

NO. 95 BAY AVENUE
LOCATION LAND SURVEY OF LOT 9 IN BLOCK 133 ON THE OFFICIAL TAX MAP OF THE BOROUGH OF ATLANTIC HIGHLANDS, MONMOUTH COUNTY, NEW JERSEY
THOMAS FINNEGAN LAND SURVEYING <i>Thomas Finnegan</i> THOMAS CRAIG FINNEGAN, P.L.S. PROFESSIONAL LAND SURVEYOR LIC. # 38601 245 EAST END AVE, BELFORD, N.J. 07718 Phone #732-787-0318, Fax #732-495-6217 Cell # 732-856-2821, TFINN58810@AOL.COM
TAX MAP PAGE 26
SCALE 1" = 15'
October 25, 2019

Note: a written waiver and direction not to be
Set corner markers had been obtained from the
Ultimate user pursuant to P.L. 2003, c. 14
(C45:34-2) and N.J.A.C. 13-40-5.1 (d) & 5.2
Subject to any easement of record
Note: building offsets are not to be used in
Re-establishing property lines
Note: utilities not shown