



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

TIM W. GILLEN, PE, PP, CME (1991-2019)
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
JOHN J. HESS, PE, PP, CME

June 30, 2022

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

Attn: Erin Uriarte – Planning Board Secretary

Re: Inzalaco (PB22-14)
Bulk Variance Review #1
Location: 38 Asbury Avenue
Zone: R-1 (Residential District)
Block 87, Lot 1
Borough of Atlantic Highlands, Monmouth County, NJ
Our File: HAFP0087.04

Dear Planning Board Members:

Our office received the following information in support of the above-referenced application for bulk variance relief approval:

- Additions & Alterations for: The Inzalaco Residence, 38 Asbury Avenue, Block 87, Lot 1, Atlantic Highlands, Monmouth County, New Jersey 07716, consisting of one (1) sheet, prepared by Minkler Architecture & Design, dated March 22, 2022, unrevised;
- Zoning Officers denial, prepared by Michelle Clark, dated March 30, 2022;
- Variance Application dated April 5, 2022; and
- Development Checklist.

In accordance with your authorization, we have reviewed this application for bulk variance relief approval and offer the following comments:

1. Property Description

The subject property is a corner lot located within an R-1 Zone District and provides 100 feet of lot frontage along Asbury Avenue and 100 feet of lot frontage along Seventh Avenue. The property currently contains a 1-story building with ancillary improvements including but not limited to a driveway extending from Asbury Avenue and Seventh Avenue, an attached garage, two (2) sheds, an in-ground swimming pool, concrete patio, block walls, and walkways.

The Applicant is seeking bulk variance relief relating to the construction of a new covered front porch along the southerly portion of the existing single-family residential dwelling, as well as removing and replacing the existing driveway extending from Asbury Avenue with a



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new concrete walkway. In addition, the attached garage space is proposed to be modified into additional living space.

2. Surrounding Uses

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	10,000	10,000
Minimum Lot Frontage, Corner Lot (ft.) *	75	100	100
Minimum Lot Width, Corner Lot (ft.) **	75	100	100
Minimum Lot Shape Diameter, Corner Lot (ft.)	45	60	60
Principal Building Setbacks			
Front Yard (ft.)	20	±24	±24
Side Yard (ft.)	10	±35	±35
Combined Side Yards (ft.)	20	N / A	N / A
Rear Yard (ft.)	20	±28	±28
Accessory Building/ Struct. Setbacks			
Side Yard (ft.)	5	±20	±2.5 (EC)
Rear Yard (ft.)	5	±1	±1 (EC)
Building Coverage	25%	±18.6%	±20.2%
Lot (Impervious Surface) Coverage	50%	±61.1%	±58.7% (EC)
Building Height (stories.)	2 ½	1	1
Maximum Building Height (ft.)	35	< 35	< 35
Maximum Acc. Building Height (stories.)	1	(TBP)	(TBP)
Maximum Acc. Building Height (ft.)	16	(TBP)	(TBP)
Maximum Useable Floor Area Ratio	0.40	0.16	0.16
Minimum Gross Floor Area, 1-Story Building			
Total Floor (sq-ft)	1,040	1,366	1,366

(EC): Existing Condition

(V): Variance Required

(TBP): To Be Provided

* - Measured at Street Line

** - Measured at Front Yard Setback Line



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4. Per the Zoning Officer's determination, relief from the following is required:
 - a) **Section 150-29.A(2)(Exhibit 5-2)** – The minimum accessory building/structure rear yard setback required is 5 feet, whereas an accessory building / structure rear yard setback of 1 foot is proposed to remain.
 - b) **Section 150-29.A(2)(Exhibit 5-2)** – The maximum lot (impervious surface) coverage permitted is 50%, whereas a lot coverage of approximately 61.1% exists and a lot coverage of approximately 58.7% is proposed.
5. It appears that the Applicant will require the following additional variance relief:
 - a) **Section 150-72.C** – An attached garage may be converted for use for residential purposes if the same number of off-street parking spaces 12 feet by 22 feet are available and delineated on the property for each garage space so converted. The existing driveway along Seventh Avenue does not appear to have sufficient dimensions to comply with the above.
6. It appears the following existing nonconformities would remain with respect to this application:
 - a) **Section 150-54.A(2)** – Detached accessory buildings shall not be located in a front yard, whereas an existing shed is situated within the front yard area along Seventh Avenue and is proposed to remain.
 - b) **Section 150-54.E** – No more than one shed per lot, whereas the two existing sheds are proposed to remain on the subject property.
 - c) **Section 150-54.H** – A patio or similar structures designed to adjoin or as part of the principal building shall in all cases conform to the yard requirements for the principal building; except where the structure has no roof and is constructed not more than six inches above grade, it shall adhere to the yard requirements for an accessory structure. A minimum side yard setback of 5 feet, to the patio, is required, whereas a side yard setback of approximately 2.5 feet is proposed to remain.
7. The Applicant has requested several submission waivers at this time; however, the following additional waivers appear necessary:
 - a) Section B. Administrative Data Item #7 – North Arrow



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- b) Section B Administrative Data Item #8 – Key map, not smaller than 1" = 2,000' showing location in the Borough.
- c) Section B Administrative Data Item #11 – All property line dimensions, directions, calculated areas, setback lines and lot numbers.

Based upon our review, our office recommends that the application be deemed **INCOMPLETE**. Once the items noted below have been submitted, our office will review for completeness, prepare any additional review comments, and indicate when the Applicant may be scheduled for a public hearing.

8. The following information is required to be submitted prior to the application being deemed complete for review and public hearing:

- a) Certification by the Tax Collector that all taxes and water/sewer bills are paid – including current taxes and assessments for local improvements.
- b) Survey prepared by New Jersey Licensed surveyor not more than five (5) years old depicting all existing improvements on site.
- c) The architectural plan should be revised to properly reference the survey used in preparation of the plan.

9. 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.)
Total		\$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.

10. The Applicant should be prepared to discuss the following issues with the Board:

- a) Reasons supporting the granting of the requested bulk variance relief, and/or design waivers and continuance of the existing condition nonconformities.
- b) Per Borough definition (§150-6) "Floor Area Ratio, Usable", 50% of the floor area of basements having a ceiling height of seven feet or greater shall be included in the useable floor area ratio. No basement floor elevation was provided on the plan, but a



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basement appears to be present per available imagery. Testimony relating to same should be provided, noting presence of a basement may affect the usable floor area ratio calculation.

- c) The Applicant should discuss the proposed demolition work. No demolition work was depicted on the submitted plan.
- d) The Applicant should provide site photos depicting existing conditions.
- e) No existing or proposed surface drainage patterns have been identified. The Applicant should discuss stormwater discharge resulting from the proposed development and the need for mitigation or drywell installation. Applicant should discuss runoff from proposed roof, roof leader location, yard drainage, and address concentration of flows and effects on adjacent properties and municipal infrastructure.
- f) Any landscaping work including buffers, proposed plantings, and tree removal, including effects on adjacent properties.
- g) The architectural plan does not depict the total number of bedrooms provided, therefore our office is unable to determine the parking space requirements for the dwelling (which is based on the number of bedrooms). In accordance with RSIS, a minimum of 2.5 parking spaces shall be provided for each dwelling when the number of bedrooms is not specified. If the minimum required off-street parking spaces cannot be provided, the Applicant should confirm same during testimony and identify any additional variance relief required relative to off-street parking requirements.
- h) The height of the existing sheds should be provided, and any additional variance relief required relating to same should be identified.
- i) The Applicant should clarify the presence of any existing sight triangle easements in connection with the existing corner lot and the need / feasibility of providing a sight triangle easement if same is required. If applicable, deeds and legal descriptions for same will be required as a condition of approval, if granted.
- j) The Applicant should discuss compliance with all applicable requirements outlined in §150-89 (Improvement Standards) of the Borough of Atlantic Highlands municipal code.
- k) In accordance with §150-92 (Performance Guarantees), the Applicant shall post a performance guarantee for improvements within the Borough right-of-way.

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



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

Very truly yours,

CME Associates

Drew Paulick for:
Douglas M. Rohmeyer, PE, CME, CFM
Planning Board Engineer

DMR/DEP/dol

cc: Robert Ferragina – Borough Administrator
Michael B. Steib, Esq. – Board Attorney
Michelle Clark – Zoning Officer
James Inzalaco – Applicant
Minkler Architecture & Design– Applicant's Architect