

LONG BEACH TOWNSHIP
6805 LONG BEACH BOULEVARD
BRANT BEACH, NEW JERSEY 08008
(609) 361-1000

LAND USE DEVELOPMENT APPLICATION
(TO BE COMPLETED BY TOWNSHIP STAFF ONLY)

Date Filed 11-26-19 Docket No. LUB-1-20
Application Fees \$ 1,125.00 Escrow Deposit \$ 1,425.00
Scheduled for: Review for Completeness 11-26-19 Hearing 1-8-20

(carried to 6/10/20 mtg.)
** Public Copy **

1. SUBJECT PROPERTY (TO BE COMPLETED BY APPLICANT)

Location: 119 E. Pennsylvania Ave., Beach Haven Terrace

Tax Map: Page 11 Block 7.17 Lot(s) 7

Dimensions: Frontage: 45 feet (Pennsylvania Ave). Width: 45 feet Total Area: 6,750 square feet

Zoning District **R-50 General Residential Zone**

2. APPLICANT

Name: Gerald M. Balerno & Karen M. Balerno

Address: 78 Shady Brook Drive, Langhorne, PA 19047

Telephone Number: 609-306-7910 Home: Local:

Work: FAX:

Applicant is: Corporation Partnership Individual X

Other (Please Specify):
Social Security Number / Federal ID Number:

3. DISCLOSURE STATEMENT

Pursuant to N.J.S. 40:55D-48.1, the names and addresses of all persons owning 10% of the stock in a corporate applicant or 10% interest in any partnership applicant must be disclosed. In accordance with N.J.S. 40:55D-48.2, that disclosure requirement applies to any corporation or partnership which owns more than 10% interest in the applicant followed up the chain of ownership until the names and addresses of the non-corporate stockholders and partners exceeding the 10% ownership criterion have been disclosed (attach pages as necessary to fully comply.)

Name N/A Interest

Address:

Name Interest

Address:

4. If the Owner (s) is other than the applicant, provide the following information on the Owner (s):

Owner's Name: N/A - Same as applicant

Address

Telephone Number:

Home:

Work:

Local:

Relationship of the applicant to the property in question:

Owner: X Lessee Purchaser Under Contract Other

5. PROPERTY INFORMATION:

Deed restrictions, covenants, easements, rights of way, association by-laws or other dedications existing and proposed must be submitted for review.

Site plan and / or conditional use applicants: N/A

Proposed for: Expanded Area Alteration

Expansion of Structure Change of Use Sign

Other (please specify)

Has this property been the subject of any prior application (s) to the Planning Board or Zoning Board of Adjustment: Yes No X . If so, please attach the date (s), the relief sought, the disposition of the case and a copy of the resolution (s). Prior site plan applications have been required for restaurants, which would not be relevant to this application.

Not to Applicant's knowledge

Is the subject property located on:

A County Road: Yes No X ; A State Road: Yes No X
within 200 feet of a municipal boundary: Yes No X

Present use of the premises:

6. Applicant's Attorney James S. Raban, Esq.

Address 11710 Long Beach Boulevard, Haven Beach, New Jersey

Telephone Number (609) 492-0533 Fax Number (609) 492 – 0464

7. Applicant's Engineer/Surveyor **East Coast Engineering, Inc.**

Address **506 Main Street, Toms River, NJ 08753**

Telephone Number **732-244-3030**

Fax Number **732-244-3044**

8. Applicant's Planning Consultant – Same as Engineer/Surveyor

Address

Telephone Number

Fax Number

9. Applicant's Architect: **Robert B. Roth, Jr., AIA**

Address **4300 Long Beach Blvd., Brant Beach, NJ 08008**

Telephone Number **609-494-7104**

Fax Number

10. List any other Expert who will submit a report or who will testify for the Applicant: (Attach additional sheets as may be necessary)

Name N/A

Field of Expertise

Address

Telephone Number

Fax Number

11. **APPLICATION REPRESENTS A REQUEST FOR THE FOLLOWING:**

SUBDIVISION:

- Minor Subdivision Approval
- Subdivision Approval (Preliminary)
- Subdivision Approval (Final)

Number of lots to be created Two Number of proposed dwelling units Two

Area and dimensions of each proposed lot:

Lot : 7.01	Lot Area:	4,050 square feet
	Lot Frontage:	45 feet
	Lot Width:	45 feet

Lot : 20.01	Lot Area:	2,700 square feet
	Lot Frontage:	30 feet
	Lot Width:	30 feet

SITE PLAN: N/A

Minor Site Plan Approval
Preliminary Site Plan Approval (Phases (if applicable))
Final Site Plan Approval (Phases (if applicable))
Amendment or Revision to an Approved Site Plan
Area to be disturbed (square feet) N/A

Total number of proposed dwelling units

Request for Waiver from Site Plan Review and Approval.

Reason for request:

Informal Review

Appeal decision of an Administrative Officer [N.J.S. 40:55D-70a]

Map or Ordinance Interpretation or Special Question [N.J.S. 40:55D-70b]

Variance Relief (hardship) [N.J.S. 40:55D-70c(1)]

X Variance Relief (substantial benefit) [N.J.S. 40:55Dc(2)]

Variance Relief (use) [N.J.S. 40:55D-70d]

Conditional Use Approval [N.J.S. 40:55D-67]

Direct issuance of a permit for a structure in bed of a mapped street, public drainage way, or flood control basin [N.J.S. 40:55D-34]

Direct issuance of a permit for a lot lacking street frontage [N.J.S. 40:55-35]

12. Section(s) of Ordinance from which a variance is requested:

Proposed Lot 7.01

Under Section 205-55(C)(1), every lot in the R-50 District shall have a minimum width of 50 at the street line and a minimum area of 5,000 square feet.

- Proposed lot 7.01 has a proposed area of 4,050 square feet and frontage of 45 feet where 6,000 square feet and 60 feet of frontage are respectively required for new subdivisions.

Section 205-55(C)(5)(c): No principal building on a lot with a lot depth of more than 80 feet shall be closer than 20 feet to any rear lot line.

- Lot 7.01 has a proposed rear yard setback of 5.1 feet where a minimum of 20 feet is required.

Section 205-55(C)(4): Each principal building shall be provided with two side yards totaling 15 feet in width, the minimum width of one side yard being not less than four feet; and provided, further, that there shall be at least 15 feet between two adjacent houses; and provided, further, the other side yard must have a minimum of nine feet to provide for a driveway.

- Lot 7.01 has a proposed combined side yard setback of 14.7 feet where a minimum of 15 feet is required.

Proposed Lot 20.01

Under Section 205-55(C)(1), every lot in the R-50 District shall have a minimum width of 50 at the street line and a minimum area of 5,000 square feet.

- Proposed lot 20.01 has a proposed area of 2,700 square feet and frontage of 30 feet where 6,000 square feet and 60 feet of frontage are respectively required for new subdivisions.

Section 205-55(C)(4): Each principal building shall be provided with two side yards totaling 15 feet in width, the minimum width of one side yard being not less than four feet; and provided, further, that there shall be at least 15 feet between two adjacent houses; and provided, further, the other side yard must have a minimum of nine feet to provide for a driveway.

- Proposed lot 20.01 has a combined side yard setback of 12 feet where a minimum of 15 feet is required.
- There is a proposed distance of 10.7 feet to the adjacent principal dwelling to the west where a minimum of 15 feet is required.
- There is a proposed distance of 10.54 feet to the adjacent principal dwelling to the east where a minimum of 15 feet is required.
- One side yard must have minimum setback of 9 feet to provide for a driveway; 6.5 feet is proposed.

13. Waivers Requested of Development Standards and / or Submission Requirements:
[attach additional pages as needed] Applicant reserves the right to request waivers as necessary.

Under Section 176-27, lots created by new subdivisions shall have a minimum of 60-foot frontage and a minimum of 6,000 square feet.

- Proposed lot 7.01 has a proposed area of 4,050 square feet and frontage of 45 feet where 6,000 square feet and 60 feet of frontage are respectively required.
- Proposed lot 20.01 has a proposed area of 2,700 square feet and frontage of 30 feet where 6,000 square feet and 60 feet of frontage are respectively required.

14. Attach a copy of the proposed Notice to appear in the official newspaper of the municipality and to be mailed to the owners of all real property, as shown on the current tax duplicate, located within the State and within 200 feet in all directions of the property which is the subject of this application. The Notice must specify the sections of the Ordinance from which relief is sought, if applicable.

The publication and the service on the affected owners must be accomplished at least 10 days prior to the date scheduled by the Administrative Officer for the hearing.

An affidavit of service on all property owners and a proof of publication must be filed before the application will be complete and the hearing can proceed.

15. Explain in detail the exact nature of the application and the changes to be made at the

premises, including the proposed use of the premises: (attach pages as needed)

Existing Lot 7 is an irregular lot, with 30 feet of frontage on New Jersey Ave., 45 feet of frontage on Pennsylvania Ave., and a depth of 180 feet. There is currently a two-family dwelling on Lot 7, which fronts on Pennsylvania Ave. The Applicant seeks to subdivide Lot 7 into two lots, with a new 30-foot by 90-foot lot fronting on New Jersey Ave. (proposed lot 20.01), and a new 45-foot by 90-foot lot fronting on Pennsylvania Ave. (proposed lot 7.01). The existing dwelling would be situated on proposed lot 7.01. The Applicant proposes to convert the existing two-family dwelling to a single-family dwelling and construct a new single-family dwelling on proposed lot 20.01, with the variances requested above.

16. Is public water line available? Yes
17. Is public sanitary sewer available? Yes
18. Does the application propose any lighting? No
19. Have any proposed new lots been reviewed with Tax Assessor to determine appropriate lot and block number? Yes
20. Are any off-tract improvements required or proposed? No
21. Is the subdivision to be filed by Deed or Plat? Plat
22. What form or security does the applicant propose to provide as performance and maintenance guarantees? Cash or Letter of Credit
23. Other approvals which may be required and date plans submitted:

	Yes	No	Date Plans Submitted
Long Beach Township Fire Prevention Bureau		x	
Long Beach Township Water & Sewer Dept.		x	
Long Beach Township Public Works Dept.		x	
Long Beach Island Health Dept.		x	
Ocean County Planning Board	x		
Ocean County Soil Conservation District (LBT)	x		
N.J. Dept. of Environmental Protection		x	
Sanitary Sewer Connection Permit		x	
Sewer Extension Permit		x	
Waterfront Development Permit		x	
Wetlands Permit		x	
Tidal Wetlands Permit		x	
FEMA		x	
N.J. Department of Transportation		x	
Other			

24. Certification from the Tax Collector that all taxes due on the subject property have been paid.
25. List of Maps, Reports and other materials accompanying the application (attach additional pages as required for complete listing).

The documentation must be received by the Board Secretary at least twenty-one (21) days prior to the meeting at which the application is to be considered, or as otherwise required in the Land Development Ordinance. A list of the professional consultants is attached to the application form.

Quantity	Description of Item
19 copies	Land Use Development Application
19 copies	Minor Subdivision Map prepared by East Coast Engineering, Inc.
19 copies	Architectural drawings prepared by Robert B. Roth, Jr., AIA


26. The Applicant hereby requests that copies of the reports of the professional staff reviewing the application be provided to the following of the applicant's professionals:
Specify which reports are requested for each of the applicant's professionals or whether all reports should be submitted to the professional listed.

Applicant's Professional		Reports Requested
Attorney	X	All Reports
Engineer	X	All Reports
Architect	X	All Reports

CERTIFICATIONS

27. I certify that the foregoing statements and the materials submitted are true, and waive all applicable time limits until the first public hearing of this application. I further certify that I am the individual applicant or that I am an Officer of the corporate applicant and that I am authorized to sign the application for the corporation or that I am a general partner of the partnership applicant. (If the applicant is a corporation, this must be signed by an authorized corporate officer. If the applicant is a partnership, this must be signed by a general partner.)

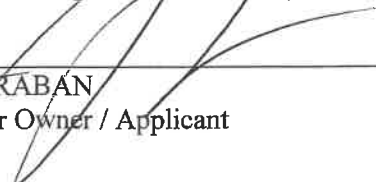
11/20/19
DATE



JAMES S. RABAN
Attorney for Owner / Applicant

28. I, the Developer/Applicant understand that a sum, to be determined by the Administrative Officer, will be deposited in an Escrow Account, in accordance with the Ordinances of the Township of Long Beach. I further understand that the escrow account is established to cover the cost of professional services including engineering, planning, legal and / or other expenses associated with the review of the submitted materials. Sums not utilized in the review process shall be returned. If additional sums are deemed necessary, I understand that I will be notified of the required additional amount and shall add that sum to the escrow account within fifteen (15) days. I, the Developer / Applicant, as signed below, acknowledge familiarity with the procedures set forth in the Township of Long Beach Land Development Ordinance for submittals and required action and agree to be bound by it.

11/20/19
Date



JAMES S. RABAN
Attorney for Owner / Applicant

TOWNSHIP OF LONG BEACH PROFESSIONAL CONSULTANTS

Engineer

Frank J. Little, Jr.
Owen, Little & Associates
443 Atlantic City Blvd.
Beachwood, NJ 08722

(732) 244-1090
FAX (732) 341-3412

Land Use Board Attorney

Carol Katz Sicheri, Esq.
P.O. Box 696
Manahawkin, NJ 08050

(609) 597-9261
FAX: (609) 597-1536

**SCHEDULE II
BULK VARIANCE (N.J.S.A. 40:55D-70(C))
TOWNSHIP OF LONG BEACH LAND USE BOARD**

A. Describe all bulk variances requested and the section of the Zoning Ordinance from which the relief is sought:

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Under Section 205-55(C)(1), every lot in the R-50 District shall have a minimum width of 50 at the street line and a minimum area of 5,000 square feet.

- Proposed lot 20.01 has a proposed area of 2,700 square feet and frontage of 30 feet where 6,000 square feet and 60 feet of frontage are respectively required.

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B. Explain in detail how the strict application of the provisions of the Zoning Ordinance would result in peculiar and exceptional practical difficulties to or exceptional and undue hardship upon the applicant by reason of the exceptional narrowness, shallowness or shape of the property or by reason of exceptional topographic condition and exceptional situation or condition of the property.

Under N.J.S.A. 40:55D-70(c)(2), a purpose of the Municipal Land Use Law will be advanced in that, by converting the existing two-family dwelling to a single-family dwelling, the Applicant will promote the establishment of appropriate population densities and concentrations that will contribute to the well-being of persons, neighborhoods, communities and regions and preservation of the environment.

Additionally, the benefit of developing the vacant land of proposed lot 20.01 outweighs any detriment to the surrounding property owners.

C. Explain in detail why a granting of this variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the neighborhood in which the property is located.

A granting of this variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the neighborhood in which the property is located because the proposed single-family dwelling on proposed lot 20.01 is modest in size at only 18 feet wide and will be an aesthetic improvement over the existing vacant land. The conversion of the existing duplex to a single-family dwelling will also be a benefit to the neighborhood.