

TOWNSHIP OF LONG BEACH LAND USE BOARD

Form Z-2

2020 HEARING 10/14/2020

DOCKET # LUB-20/20

An application is hereby made for a variance from the terms of the Zoning Ordinances so as to permit the enclosure of a first floor deck with dimensions of 8 x 10 feet creating a new room with a deck above at the Unit B of the two family dwelling located at 7706 Bayview Avenue, Lot 4 Block 14.11. A portion of the existing deck is being removed whereupon the building coverage is being reduced from 38.2% to 36.4%. The combined side yard setback is 15 feet where 18 feet is currently required; the front yard setback is 19.5 feet where 20 feet is required.

Place an (X) before the relief or approvals requested

- () Appeal from decision of building administrator, complete Z-2a
- (X) Bulk (hardship) Variance (N.J.S.A 40:D-70(c) complete Z-2c
- (X) Special Reasons Variance (N.J.S.A. 40:55D-70(d) complete Z-2d

PREMISES AFFECTED BY THIS APPLICATION

Designation of Tax Map Sheet # 16 (a) Lot 4 (b) Block 14.11

Street Address: 7706 Bayview Avenue Unit B

Location Beach Haven Crest

Zone R-50 Residential Zone



USE (if residential use, indicate below whether Single Family, Duplex or Other

- X (a) Existing Duplex- Condominium
- X (b) Proposed Duplex- Condominium

IS PROPERTY ON COUNTY ROAD () yes (X) no

Is Property located within 200 feet of a Municipal Boundary () yes (X) no

WHEN was property purchased: May 29, 1998

DATE of Original Construction 1987 est.

Date of last construction, alteration or addition. Unknown

Describe said construction alteration or addition. Unknown

Has there been any previous appeal involving these premises? Unknown to this applicant

If so, state character of appeal and date of disposition. Unknown

APPLICANT Name: Edward Johnson and Deborah Johnson

Address (permanent residence) 684 Pennsdale Drive, Yardley, PA 19067

OWNER (if different from applicant – explain relationship to applicant)

Name

Street

City

State:

Zip Code;

AI

Dimensions 60.00 x 70.00 feet
Area (in square feet) 4,200 square feet

EXISTING IMPROVEMENTS -

Number of Principal Structures:	One	Number of Accessory Structures:	N/A
Building Height (principal)	30.9' feet	Accessory	
Set Backs	Principal	Accessory	
Front Yard	19.5' feet		
Rear Yard	8.5' feet		
Side Yards	4.7 and 10.3 feet'		
Distance between Principal and Accessory Structure: N/A			
Total Ground Coverage (in square feet) 1,604.4 square feet			
Percentage of Ground Coverage: 38.2%			

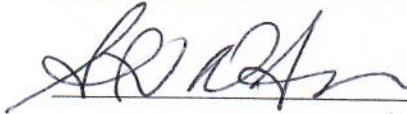
AFTER COMPLETION OF PROPOSED IMPROVEMENTS

Number of Principal Structures:	One	Number of Accessory Structures:	
Building Height (principal)	30.09' feet	Accessory	
Set Backs	Principal	Accessory	
Front Yard	19.5 feet		
Rear Yard	8.5 feet		
Side Yards	4.7 and 10.3 feet		
Distance from adjacent Principal Structures: 19.7 and 15 feet			
Distance between Principal and Accessory Structure: N/A			
Total Ground Coverage (in square feet) 1,528.8 square feet			
Percentage of Ground Coverage: 36.4%			
Prevailing set-back of adjoining buildings within the block: N/A			

VERIFICATION

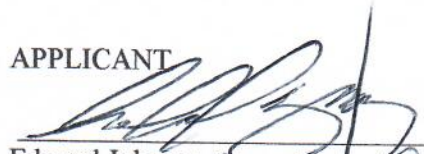
State of New Jersey County of Ocean
Edward Johnson and Deborah Johnson applicants, of full age, being duly sworn, upon their oaths deposes and says: The statements contained in this application, and all schedules thereto are true to the best of my knowledge and belief.


Sworn to and subscribed before me this
7 day of September 2020



Notary at law of
NJ

APPLICANT



Edward Johnson


Deborah Johnson

SCHEDULE II

**BULK (HARDSHIP) 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:

205-55 A. The property is a preexisting nonconforming two (2) family dwelling. It was converted to the Crest Landing Condominium in December 1987. Under current ordinances the two family uses is not a permitted use, as any uses not permitted under this section are prohibited per Section 205-55 B, variance relief is requesting for the existing nonconforming two family uses.

205-55 C (1) The property has dimensions of 60.00 x 70.00 feet containing 4,200 square feet minimum lot area of 5,000 square feet is required, except as provided in 205-55 C (2). Section 205 C (2) (a) allows lot area of 4,500 square feet. Applicants are requesting variance relief from the lot area requirements for their preexisting condition.

205-55C (3) - The front setback is 19.5 feet where 20 feet is required. Applicant is requesting variance relief for this nonconforming condition.

205 12 B- initially adopted in 2017 requires combined side yard setbacks of 30% of the lot width. The subject property has a lot width of 60 feet; which would mandate combined side yard setback of 18 feet. The existing and proposed side yard setbacks of 4.7 feet and 10.3 feet, with combined side yard setback of 15 feet conform to Section 205-55 C (4) which mandates combined side yard setback of 15 feet in the RF-50 Zone with one minimum setback of 9 feet. Applicants request a variance from 205-12 B for the existing nonconforming combined setback.

205-55C (7) The existing building coverage is 38.2%, applicants propose to remove a portion of the rear deck reducing the building coverage to 36.4%. The permitted building coverage in the R-50 Zoned is 33.3%: applicants are requesting variance relief from the building coverage requirements.

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.

The property is completely developed; the since being constructed, the zoning ordinances changed rendering the lot area, use and combined side-yard setbacks nonconforming. The front yard setback is 19.5 feet, where the adjoining property has a 19.3 foot side yard setback. The building coverage exceeds the required 33.3%. Applicants propose to enclose a single story deck which will match the living area of the other unit at the site. The nonconforming building coverage will be reduced. There will not be any impact upon the surrounding properties. applicants proposed to enclose a once story deck, to

C. State in detail, why the granting of the variance will not be materially detrimental to the Public Welfare or injurious to the Neighborhood in which the property is located. The use and building have been in existence since 1987; the proposed addition with within the existing footprint and one story in height; there will not be any impact upon the neighborhood.

SCHEDULE III

SPECIAL REASONS VARIANCE (N.J.S.A. 40:55D-70 (D))

TOWNSHIP OF LONG BEACH LAND USE BOARD

A. State in detail what exceptional circumstances and conditions, applicable to the property involved or to the intended use or development of the property, that do not generally apply to the property in the same zone or neighborhood. The property is completely developed and was lawfully developed in 1987; the use has been continuous, there is adequate parking and the addition is for one story over an existing deck. There effectively will be minimal change to existing development, and the building coverage will be reduced.

B. State the purposes of the MUNICIPAL LAND USE LAW 40:55d-1 et seq. that will be promoted by the proposed development. The nonconforming building coverage is being reduced which will satisfy NJSA 40:55D-2 c.: To provide adequate light, air and open space. The project will improve the appearance of the house, with the upgrades proposed which will satisfy NJSA 40:55D-2 i. to promote a desirable visual environment through creative development techniques and good civic design and arrangement.

C. State in detail, why the granting of the variance will not be materially detrimental to the Public Welfare or injurious to the Neighborhood in which the property is located. See above.