

RABAN & RABAN

— LLC —

Attorneys at Law

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REGINALD J. RABAN (Retired)

JAMES S. RABAN*▲

MEMBER OF NJ BAR *

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December 23, 2020

Via Hand Delivery

Jackie Fife

Long Beach Township Land Use Board

6805 Long Beach Boulevard

Brant Beach, NJ 08008

Re: Nolan Variance
12 E. 18th Street
Block 4.30, Lot 13, Township of Long Beach

Dear Jackie:

Enclosed please find the following with regard to the above referenced matter:

- (x) 19 copies of Land Use Development Application
- (x) 19 copies of survey plans prepared by Frank J. Ernst, P.L.S., P.P. of Coastal Surveying Company
- (x) 19 copies of variance plans prepared by Leon Tyszka of Nelke-Tyszka Land Surveying, LLC
- (x) Checklist
- (x) Proposed Public Notice
- (x) Affidavit of Ownership
- (x) Application Fee Variance check # 2109 Amount \$500.00
- (x) Attorney Escrow check # 2110 Amount \$425.00
- (x) Please consent and/or approve for public hearing on January 13, 2021 at

7:00 p.m.

If you have any questions, please do not hesitate to contact me. Thank you for your courtesies and attention to this matter.

Very truly yours,

JAMES S. RABAN

JSR/dh

Jackie Fife
December 23, 2020
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Encl.

Cc: Mr. and Mrs. David Nolan (via email)
Frank J. Ernst, P.L.S. P.P. (via email)
Leon Tyszka, (via email)

2020 HEARING

DOCKET #

An application is hereby made for a variance from the terms of the zoning ordinance so as to permit the Applicant to enclose the first-story porch on the existing single-family dwelling on the property located at 12 E. 18th St. in North Beach Haven. The Applicant is also seeking to expand the enclosed porch area slightly toward 18th Street so that the enclosed porch will be flush with the existing front of the house. Variances are requested for combined side yard setback, easterly side yard setback, and the distance between the Applicant's principal dwelling and the principal dwelling to the east on Lot 12.

Place an (X) before the relief or approvals requested

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

PREMISES AFFECTED BY THIS APPLICATION

Designation of Tax Map Sheet: Page 8 (a) Lot 13 (b) Block 4.30
 Street Address: 12 E. 18th St.
 Location North Beach Haven
 Zone R-50 General Residential Zone

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

- X (a) Existing: Single-Family
- X (b) Proposed: Single-Family

Is the property located on a county road () yes (x) no

Is the property located within 200 feet of a Municipal Boundary () yes (x) no

WHEN was property purchased : November 13, 2015

Date of last construction, alteration or addition: Unknown

Has there been any previous appeal involving these premises? No

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

APPLICANT Name: David Nolan & Teresa Nolan

Address (permanent residence) 98 Cray Terrace

City Fanwood State NJ Zip Code 07023 Telephone: 908-346-4437

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

Name same as applicant

Street

City State Zip Code

Note If applicant is partnership or corporation attach a list of the names and addresses of persons having a ten (10) percent interest or more in the corporation or partnership

Dimensions: 48 feet x 100 feet Area (in square feet): 4,800 sq. ft.

EXISTING IMPROVEMENTS

Number of Principal Structures: 1 Number of Accessory Structures: 1

Building Height (principal): 24.5 feet (accessory): Unknown

<u>Setbacks</u>	<u>Principal</u>	<u>Accessory</u>
Front Yard	19.63 feet	N/A
Side Yard (West)	8.8 feet	5.72 feet
Side Yard (East)	2.7 feet	N/A
Rear Yard	41.57 feet	11.52 feet

Distance from adjacent Principal Structures: 12.48 feet (West); 11.97 feet (East)

Distance between Principal and Accessory Structure: >5 feet

Total Ground Coverage (in square feet) 1,249 square feet

Percentage of Building Coverage: 26% Percentage of Impervious Coverage: 30.8%

AFTER COMPLETION OF PROPOSED IMPROVEMENTS

Number of Principal Structures: 1 Number of Accessory Structures: 1

Building Height (principal): 24.5 feet (accessory): Unknown

<u>Setbacks</u>	<u>Principal</u>	<u>Accessory</u>
Front Yard	19.63 feet	N/A
Side Yard (West)	8.8 feet	5.72 feet
Side Yard (East)	2.7 feet	N/A
Rear Yard	41.57 feet	11.52 feet

Distance from adjacent Principal Structures: 12.48 feet (West); 11.97 feet (East)

Distance between Principal and Accessory Structure: >5 feet

Total Ground Coverage (in square feet) 1,271 square feet

Percentage of Building Coverage: 26.4% Percentage of Impervious Coverage: 31.2%

Prevailing set-back of adjoining buildings within the block: N/A

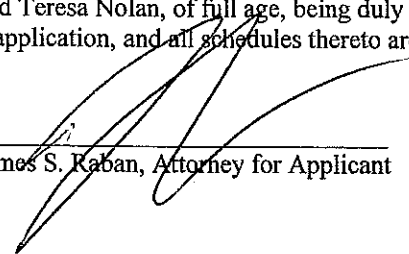
VERIFICATION

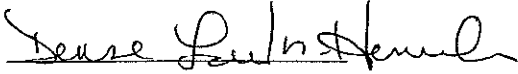
State of New Jersey County of Ocean

JAMES S. RABAN, Attorney for the Applicant, David Nolan and Teresa Nolan, of full age, being duly sworn, upon his oath, 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 23rd
day of December, 2020

APPLICANT


James S. Raban, Attorney for Applicant



DENISE LAWLOR-HAMOUDA
NOTARY PUBLIC OF NEW JERSEY
My Commission Expires 5/18/2023

**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:

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.

Section 205-12(C): A minimum distance of 15 feet shall be maintained between adjoining houses.

- The existing and proposed easterly side yard setback is 2.7 feet where a minimum of 4 feet is required.
- The existing and proposed combined side yard setback is 11.58 feet where a minimum of 15 feet is required.
- 11.97 feet currently exists between the principal structure and the dwelling to the east; 11.97 feet is proposed. 12.48 feet currently exists between the principal structure and the dwelling to the west; 12.48 feet is proposed.

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)(1), a hardship exists to the Applicant due to the location of the Applicant's dwelling on the property, with a nonconforming side yard setback to the east of 2.7 feet. While the existing and proposed easterly side yard setback is 2.7 feet, the side yard setback is being exacerbated based on the enclosure and slight expansion to toward the street.

Under N.J.S.A. 40:55D-70(c)(2), the benefit of enclosing the existing porch, due to the layout of the existing home, outweighs any detriment created by the slight increase in the building footprint.

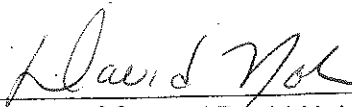
C. Explain in detail why a granting of this variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the neighborhood in which the property is located.

The proposed renovation will not be materially detrimental to the public welfare or injurious to the property or improvement in the neighborhood because the existing building footprint, which is well under the maximum permitted amount of 33.3%, is only increasing slightly, and will comply with the required minimum front yard setback.

AFFIDAVIT OF OWNERSHIP BY AN INDIVIDUAL

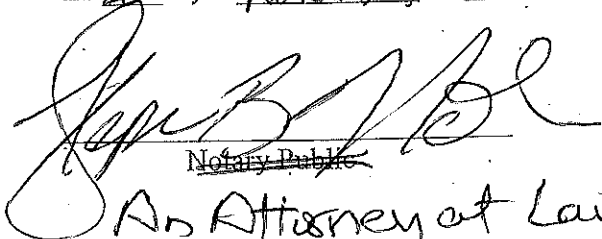
The Owner(s) of the lands and premises known and designated as Lot 13, Block 4.30, in Long Beach Township, Ocean County, NJ, having a street address of 12 E. 18th Street, certify as follows:

1. I/We are the Fee Title Owners(s) of the above referenced lands and premises;
and;
2. I/We
(X) are the applicants(s) in the within application; or
() hereby consent and specifically authorize the applicant(s) to file this application.


Signature of Owner / David Nolan


Signature of Owner / Teresa Nolan

Subscribed and Sworn to before me
this 25 day of November, 2020.


~~Notary Public~~

An Attorney at Law
of the State of New Jersey
Att. ID # 019101991

PUBLIC NOTICE

LONG BEACH TOWNSHIP

Public notice is hereby given that David Noland and Teresa Nolan (hereinafter collectively referred to as the “Applicant”) have applied to the Land Use Board of the Township of Long Beach, Ocean County, New Jersey for variances from the terms of the zoning ordinance so as to permit the Applicant to enclose the first-story porch on the existing single-family dwelling on the property designated as Lot 13 in Block 4.30 on the Tax Map of the Township of Long Beach, located at 12 E. 18th St. in the North Beach Haven section of Long Beach Township. The following variances are requested:

- Under 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. Additionally, under Section 205-12(C), a minimum distance of 15 feet shall be maintained between adjoining houses.
 - Here, the existing and proposed easterly side yard setback is 2.7 feet where a minimum of 4 feet is required.
 - The existing and proposed combined side yard setback is 11.58 feet where a minimum of 15 feet is required.
 - 11.97 feet currently exists between the principal structure and the dwelling to the east; 11.97 feet is proposed.

Any other variances deemed necessary or appropriate by the Board will be requested at the hearing.

A public hearing has been scheduled for January 13, 2021, at 7:00 p.m. in the Long Beach Township Administration Building, multi-purpose room, Second Floor, 6805 Long Beach Boulevard, Brant Beach, New Jersey, at which time any interested persons may appear and have an opportunity to be heard on this application.

Documents pertaining to this application are available for inspection by the public during normal business hours Monday through Friday in the Office of the Land Use Board at the Long Beach Township Administration Building.

File #3428

James S. Raban
Attorney for the Applicant

11/18	<p style="text-align: center;">Township of Long Beach Land Use Board Checklist</p> <p>Application Name: <u>Nolan</u></p> <p>Block: <u>4.30</u> ; Lot(s): <u>13</u></p>	Minor Site Plan	Prelim. Major Site Plan	Final Major Site Plan	Minor Subdivision	Prelim. Major Subdivision	Final Major Subdivision	Bulk Variance	Use Variance	Other Applications (Appeals/Interpretations)	Applicant Submission	Board Receipt	Not Applicable	Waiver (Attach Reason)
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PLAT SPECIFICATIONS

1	For Major and Minor Subdivisions and Site Plan Applications, a scale of not less than 1" = 30' for tracts up to five (5) acres or 1" = 50' for tracts greater than five (5) acres. For Variance Applications, a scale of not less than 1" = 10' for lots 10,000 SF or less and 1" = 20' for lots greater than 10,000 SF.	X	X	X	X	X	X	X	X	X	X			
2	Signature, seal, address, license number of professional preparing plat.	X	X	X	X	X	X	X	X	X	X	X		
3	Plat based on land survey less than 12 months old	X	X	X	X	X	X	X	X	X	X	X		
4	Sheet size up to 30" x 42"	X	X	X	X	X	X	X	X	X	X	X		
5	Each sheet numbered and titled	X	X	X	X	X	X	X	X	X	X	X		

GENERAL INFORMATION

6	Existing and proposed lot lines with dimensions, bearing and curve data.	X	X	X	X	X	X	X	X	X	X	X		
7	Key Map: site location and features within 400 FT, including streets, street names, and zone boundaries	X	X	X	X	X	X	X	X	X	X	X		
8	Title Block: Applicant name, name of development, preparer, lot and block numbers, date prepared, application type, and zoning district.	X	X	X	X	X	X	X	X	X	X	X		
9	Tax map sheet, lot and block numbers	X	X	X	X	X	X	X	X	X	X	X		
10	Zone boundaries, tax map sheet, lot and block numbers and names and addresses of all owners within 200 FT.	X	X	X	X	X	X	X	X	X	X	X		
11	Date of original and all revisions.	X	X	X	X	X	X	X	X	X	X	X		
12	Written and graphic map scale.	X	X	X	X	X	X	X	X	X	X	X		
13	North arrow with reference meridian.	X	X	X	X	X	X	X	X	X	X	X		
14	Data and signature as per the "Map Filing Law"				X	X	X							
15	Table of zoning requirements, showing existing nonconformities and proposed variances.	X	X	X	X	X	X	X	X	X	X	X		
16	Area of the tract and of each lot.	X	X	X	X	X	X	X	X	X	X	X		
17	Approval signature lines for Chairman, Secretary and Board Engineer	X	X	X	X	X	X							X

NATURAL FEATURES

18	Existing and proposed contours at one foot intervals indicating surface drainage and topography within 50 FT	X			X									X
19	Existing and proposed contours at one foot intervals indicating surface drainage and topography within 200 FT		X	X		X	X							X
20	All existing water courses and related areas that are subject to 100 Year floods under FEMA standards.	X	X	X	X	X	X							X
21	The boundaries of wetlands and wetland transition areas.	X	X	X	X	X	X	X	X	X				X

MAN-MADE FEATURES

22	Show existing structures and setbacks from existing and proposed property lines, indicating those to be modified or removed or to remain. Show setback of structures on adjacent properties.	X	X	X	X	X	X	X	X	X	X	X		
23	Location of proposed buildings, finished grade, first floor and basement elevations, setbacks of all buildings from nearest lot lines, building height and other pertinent improvements.	X	X	X	X	X	X	X	X	X	X	X		
24	Building coverage and lot coverage calculations.	X	X	X				X	X	X	X	X		
25	Existing and proposed easements, rights-of-way and their purposes.	X	X	X	X	X	X	X	X	X	X	X		
26	Existing and proposed manholes, sewer lines, stormwater management facilities, waterlines, fire hydrants and utility poles within 200 FT.	X	X	X	X	X	X							X
27	Plans and profiles of proposed utility layouts, such as sewers, storm drains, water, gas, communications and electric, showing feasible connections to existing or proposed utility systems as well as channel section details, pipe sizes, types and inverts, road crowns and slopes.		X	X		X	X							X

Township of Long Beach Land Use Board Checklist		Minor Site Plan	Prelim. Major Site Plan	Final Major Site Plan	Minor Subdivision	Prelim. Major Subdivision	Final Major Subdivision	Bulk Variance	Use Variance	Other Applications (Appeals/Interpretations)	Applicant Submission	Board Receipt	Not Applicable	Waiver (Attach Reason)
28	All monumentation as required as per the "Map Filing Law" including all monuments found, set or to be set.				X	X	X						X	
29	Offstreet parking and loading spaces required and proposed, and location and dimensions of access drives, aisles and parking stalls	X	X	X					X				X	
STREET														
30	Location, names and widths of all existing and proposed streets, sidewalks and street widening within 200 FT of the site.	X	X	X	X	X	X					X		
31	Plans, profiles and cross-sections of paved areas, curbs and sidewalks.	X	X	X	X	X	X					X		
MISCELLANEOUS														
32	Exterior Lighting Plan, including the location, direction of illumination, amount of illumination expressed in horizontal foot candles, wattage and drawn details of all outdoor lighting standards and fixtures.	X	X	X		X	X							X
33	Landscaping and Screening Plan showing the location, type of tree or shrub and the location, type and amount of each type of ground cover.	X	X	X	X	X	X							X
34	Storm drainage calculations.		X			X								X
35	Stormwater management facilities shown on the grading plan showing all aspects of the stormwater system.	X	X	X		X	X							X
36	Applications for new construction or additions to buildings: provide 19 sets of building plans showing elevations and floor areas (including dimensions) for all floors. "Multi-family units and commercial uses require sealed Architectural Plans;" Building elevation to be provided for the full height of the building from grade to roof peak. Plan scale shall be a minimum of 1/4" per foot. Building elevations shall be provided for all sides and shall be labeled North, South, East and West.								X	X	X			X *
37	Location of all signs and drawn details showing the size, construction type, height and content of all signs.	X	X	X										X
38	Drawn details of the type of screening to be used for the refuse storage areas, outdoor equipment and bulk storage.	X	X	X										X

Reviewed By:

James S. Raborn, Attorney for Applicant
 Date: 12/23/20
 Block: 4.30
 Lot: 13

* A rendering is being submitted via email in lieu of the required floor plans and elevations.