

RABAN & RABAN

— LLC —

Attorneys at Law

**11710 Long Beach Blvd.
Haven Beach, NJ 08008**

REGINALD J. RABAN (Retired)

JAMES S. RABAN* ▲

MEMBER OF NJ BAR *

MEMBER OF PA BAR ▲

TEL (609) 492-0533

FAX (609) 492-0464

Email: jraban@regraban.com

September 13, 2021

Via Email jfife@longbeachtownship.com & Regular Mail

Jackie Fife

Long Beach Township Land Use Board

6805 Long Beach Boulevard

Brant Beach, NJ 08008

Re: Leinhauser Bulk Variance
Block 15.68, Lot 19
5409 Long Beach Blvd., Long Beach Township

Dear Jackie:

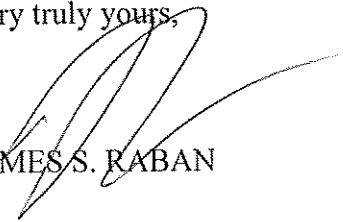
Enclosed please find the following with regard to the above referenced matter:

- (x) 14 copies of Land Use Development Application
- (x) 14 copies of Variance Plans prepared by Leon Tyszka, P.L.S. of Nelke-Tyszka Land Surveyors, LLC
- (x) 14 copies of Site Plans prepared by Robert Musgnug, AIA of Musgnug & Associates Architects
- (x) 14 copies of Tax Map with Property Lot and Block highlighted
- (x) 14 color copies of Property Photos
- (x) 1 Affidavit of Ownership
- (x) 1 copy of Signed Checklist
- (x) 1 Proposed Public Notice
- (x) Application Fee check # 2326 Amount \$500.00
- (x) Attorney Escrow check # 2327 Amount \$1,000.00
- (x) Please consent and/or approve for public hearing on October 13, 2021 at 7:00 P.M.

Jackie Fife
September 13, 2021
Page 2

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
Encl.

Cc: Richard and Elizabeth Leinhauser (via email)
Leon Tyszka, P.L.S. (via email)
Robert Musgnug, AIA (via email)
Frank Little, P.E., P.P. (via email) (w/encl.)
Kevin Quinlan, Esq. (via email) (w/encl.)

**APPLICATION TO THE LONG BEACH
TOWNSHIP LAND USE BOARD**

Do not write below - for official use only

Project Name: Leinhauser
Block: 15.68 Lot(s): 19
Property Address: 5409 Long Beach Blvd.

Date Received: _____
Application Fee: \$ _____
Escrow Fee: \$ _____
Docket Number: _____

CHECK ALL THAT APPLY:

- | | |
|---|--|
| <input checked="" type="checkbox"/> Bulk Variance | <input type="checkbox"/> Minor Subdivision (Exempt) |
| <input type="checkbox"/> Use Variance | <input type="checkbox"/> Major Subdivision/Preliminary |
| <input type="checkbox"/> Interpretation | <input type="checkbox"/> Major Subdivision Final Major |
| <input type="checkbox"/> Informal | <input type="checkbox"/> Site Plan/Preliminary Major |
| <input type="checkbox"/> Conditional Use | <input type="checkbox"/> Site Plan/Final |

**ANSWER ALL QUESTIONS. IF NOT APPLICABLE INDICATE WITH 'N/A' OR 'None'
DO NOT LEAVE BLANKS. INCOMPLETE APPLICATIONS WILL NOT BE
ACCEPTED OR WILL BE DEEMED INCOMPLETE**

1. Applicant Name: A. Richard Leinhauser & Ruth A. Leinhauser
Address: Street: 307 Reservoir Road City: Chester, PA Zip: 19380
Phone: (610) 719-7847 e-mail: roca87@comcast.net

Applicant is: Owner Agent Corporation Partnership LLC

If applicant and/or owner is a corporation, LLC or partnership set forth the names addresses of all stockholders, partners or members having 10% or more interest on a separate paper. Corporations must be represented by a New Jersey licensed attorney and include a Resolution authorizing the Application.

2. Owner's Name: Same as Applicant
Address: Street: _____ City: _____ Zip: _____
Phone: _____ e-mail: jraban@regraban.com

All owners must be identified and sign application. (Use additional pages if necessary)

3. Attorney: James S. Raban, Esq.
Address: Street: 11710 Long Beach Blvd. City: Haven Beach Zip: 08008
Phone: (609) 492-0533 e-mail: jraban@regraban.com

4. Planner/Surveyor: Nelke/Tyszka Land Surveyors, LLC
Address: Street: 382 W. 9th St., Suite 4 City: Ship Bottom Zip: 08008
Phone: (609) 494-3474 e-mail: nelketyszka2@gmail.com

5. Architect: Robert P. Musnug NJ AI
 Address: Street: 1907 Bayview Ave. City: Barneget Light Zip: 08006
 Phone: (609) 361-3456 e-mail: maarch@comcast.net

Attache additional sheets if necessary.

6. Location of property:
 Zone: R-50 Lot Area: 2,812.5 sq ft Lot Dimensions: 37.5' X 75'

7. Is the property located on a county road? Yes

8. Current Use: Two-Family
 No. of Dwelling Units: 2 No. of Commercial Units: 0

9. Proposed Use: Single-Family

10. When was the property purchased? February 14, 1952

11. Date of Last Certificate of Occupancy: _____ Attach Copy

12. Date of last construction, alteration or addition: _____ Attach copies of permits

13. Existing conditions	Pre-Existing non-conformity	Proposed conditions	Variance Needed
Building Height: _____	<input type="checkbox"/>	Building Height: <u>34.00</u>	<input type="checkbox"/>
Front Yard Set Back <u>35.71</u>	<input type="checkbox"/>	Front Yard Set Back <u>20.00</u>	<input type="checkbox"/>
Side Yard Set Back <u>5.93</u>	<input type="checkbox"/>	Side Yard Set Back <u>9.11</u>	<input type="checkbox"/>
Side Yard Set Back <u>5.00</u>	<input type="checkbox"/>	Side Yard Set Back <u>10.00</u>	<input type="checkbox"/>
Rear Yard Set Back <u>2.72</u>	<input checked="" type="checkbox"/>	Rear Yard Set Back <u>14.00</u>	<input type="checkbox"/>
Dist. to Adj. Struct. <u>14.88</u>	<input checked="" type="checkbox"/>	Dist. to Adj. Struct. <u>15.77</u>	<input type="checkbox"/>
Lot Coverage (sq.ft.) <u>489.90</u>	<input type="checkbox"/>	Lot Coverage (sq.ft.) <u>925.31</u>	<input type="checkbox"/>
% Lot Coverage <u>17.40</u>	<input type="checkbox"/>	% Lot Coverage <u>32.90</u>	<input type="checkbox"/>
% Impervious Coverage <u>36.90</u>	<input type="checkbox"/>	% Impervious Coverage <u>33.32</u>	<input type="checkbox"/>
No. Principal Structures <u>1.00</u>	<input type="checkbox"/>	No. Principal Structures <u>1.00</u>	<input type="checkbox"/>
No. Accessory Structures <u>0.00</u>	<input type="checkbox"/>	No. Accessory Structures <u>0.00</u>	<input type="checkbox"/>
Lot Width <u>37.50</u>	<input checked="" type="checkbox"/>		

14. Existing Restrictions:
 (A) Deed Restrictions: _____ (Attach Copies) None
 (B) Easements: _____ (Attach Copies) None
 (C) Condominium: _____ (Attach Copies) None

15. Proposed Restriction: _____ None

16. Variances and Waivers:

(A) List Required Variances: (Include Ordinance Number) None

Under Section 205-55(C)(1) of the Long Beach Township Zoning Ordinance, residential lots shall have a minimum lot area of 5,000 square feet and a minimum width of 50 feet at the street line or on the ocean or bay.

Here, the existing and proposed lot width is 37.5 feet and the existing and proposed lot area is 2,812.5 square feet.

On a separate paper provide legal theory supporting variance relief.

(B) List of Requested Waivers: None

The Applicant requests the right to request and waivers deemed necessary by the Board or the Board Engineer at the hearing.

17. Briefly describe any prior or currently pending proceedings before the Land Use Board or any other Federal, State, County or local Board or Agency involving this property which is the subject of this application and attach copies of any application, supporting documentation, pleadings, decisions and/or orders from the relevant entity including any denials. None

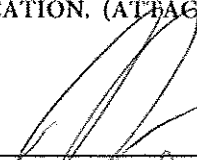
19 copies of Variance Plan prepared by Nelke/Tyszka Land Surveyors, LLC
19 copies of Floor Plans and Elevations prepared by Robert P. Musgnug, NJ AI
19 copies of set of 4 photographs of the property

18. List all material submitted with this application i.e. plans, surveys, drawings, photos, reports etc.

19 copies of Variance Plan prepared by Nelke/Tyszka Land Surveyors, LLC
19 copies of Floor Plans and Elevations prepared by Robert P. Musgnug, NJ AI
19 copies of set of 4 photographs of the property

ALL OWNERS OF RECORD AND APPLICANT MUST SIGN APPLICATION. (ATTACH ADDITIONAL PAGES IF NECESSARY.)

Dates: 9/13/21


James S. Rabem,
Attorney for Applicant, Owner
(Print name under signature)

Dates: _____

_____, Owner
(Print name under signature)

Applicant Signature (if different from owner):

Dates: _____

_____, Applicant
(Print name under signature)

Dates: _____

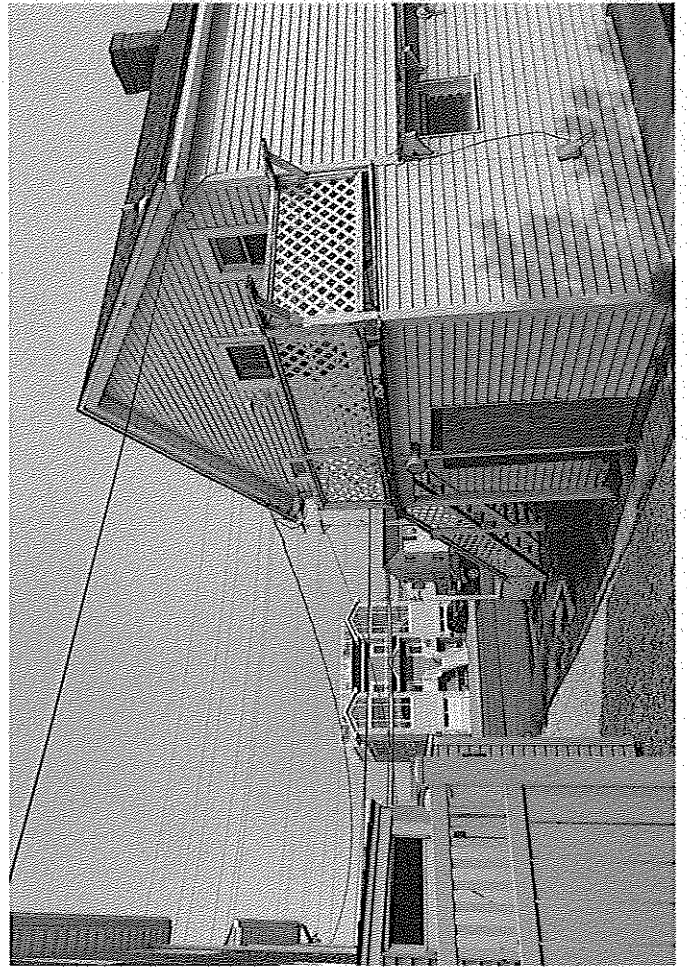
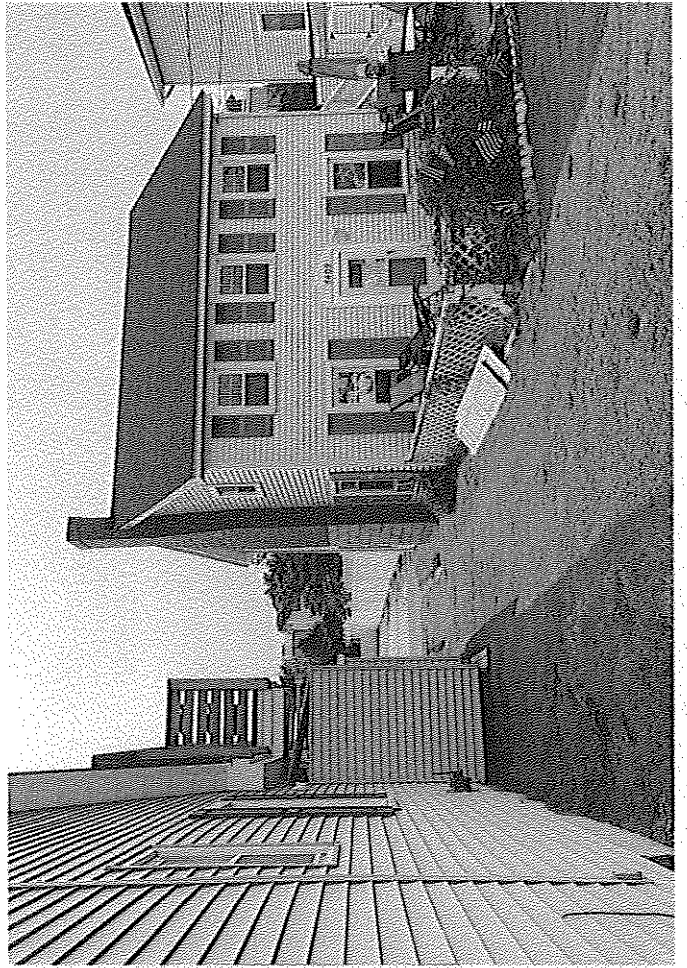
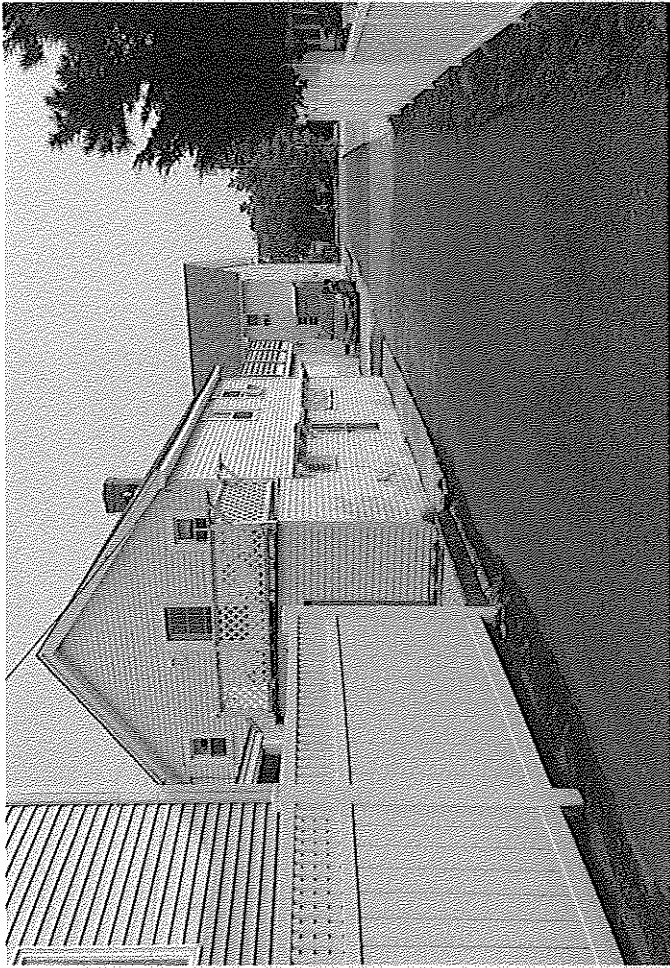
_____, Applicant
(Print name under signature)

MUST BE SIGNED BY OWNER(S) AND/OR APPLICANT NOT ATTORNEY

APPLICATION SUPPLEMENT

A. Richard Leinhauser and Ruth A. Leinhauser (collectively, the “Applicant”) are seeking bulk variances relative to development at the property designated as Lot 19 in Block 15.68 on the Tax Map of the Township of Long Beach, located at 5409 Long Beach Boulevard in the Brant Beach Section of Long Beach Township. The Applicant is proposing to demolish the existing two-family dwelling and construct a new single-family dwelling. Under Section 205-55(C)(1) of the Long Beach Township Zoning Ordinance, residential lots shall have a minimum lot area of 5,000 square feet and a minimum width of 50 feet at the street line or on the ocean or bay. Here, the existing and proposed lot width is 37.5 feet and the existing and proposed lot area is 2,812.5 square feet.

Under the (C)(1) variance criteria, the existing lot area and lot width relative to the property present a hardship to the Applicant in that both are substandard under the Zoning Ordinance. There is no opportunity for the Applicant to acquire additional land, as each of the adjoining properties are fully developed. The proposed single-family dwelling conforms to all bulk zoning requirements; the only variances sought by the Applicant are for the existing lot area and lot width.



Long Beach Township Land Use Board

AFFIDAVIT OF OWNERSHIP, CONSENT, AUTHORIZATION, and NON-COLLUSION

STATE OF NEW JERSEY :

: ss.

COUNTY OF Ocean :

I, A. Richard Leinhauser and Ruth A. Leinhauser being duly sworn according to law, (Print owner(s) name(s)) upon my/our oath depose and say:

1. I/we am/are the only owner(s) of property known as 5409 Long Beach Blvd. (Street Address)

Long Beach Township, Ocean County, New Jersey known as :

Block 15.68 Lot 19
Block _____ Lot _____
Block _____ Lot _____

As shown on the Official Tax Maps of the Township of Long Beach.

2. I/we consent to the making of this application and the approval of the plans submitted herewith. I/we further agree to be bound by all representations and commitments made by myself/ourselves or my/our authorized agent. I/we further consent to the inspection of this property in connection with this application as deemed necessary by the members of the Land Use Board and/or other designated officials or representatives.

3. There has been no collusion between me/us and any member of the Township of Long Beach Land Use Board or any officials of the Township of Long Beach with respect to said application.

4. I/we hereby authorize James S. Raban (Agent), to make application on my/our behalf. I further agree to be bound by all representations, promises and commitments made by my agent.

Dated: 8/17/21

A. Richard Leinhauser
Signature of Owner

A. Richard Leinhauser
Print Name above

Ruth A. Leinhauser
Signature of Owner

Ruth A. Leinhauser
Print name above

Sworn and Subscribed to before me this 17th day of August, 2021.

Sandra L. Messina
Notary Public

SANDRA L MESSINA
NOTARY PUBLIC
OCEAN COUNTY, NEW JERSEY
ID # 2421592
MY COMMISSION EXPIRES JUNE 06, 2022

LONG BEACH TOWNSHIP LAND USE BOARD CHECKLIST FOR INITIAL SUBMISSION

PLEASE NOTE: A signed, completed checklist must be received by the Land Use Board Clerk and attorney prior to deeming your application complete.

All applications and all required documents shall be submitted at least thirty (30) days prior to the regularly scheduled meeting of the Land Use Board at which consideration is sought.
NUMBER OF COPIES REQUIRED -All documents must be submitted at the same time.
INCOMPLETE SUBMISSIONS WILL NOT BE ACCEPTED!!!!

DISTRIBUTION

Please note it is the Applicant's responsibility to distribute completed applications.

Kevin S. Quinlan, Esq., 207 W Main Street, Tuckerton NJ 08087

- 1 Copy of complete Application
- 1 Copy of Variance Map, Site Plan or Sub-division Map
- 1 Copy of Architectural Plan
- 1 Copy of color photos
- 1 Copy of Tax Map with property Lot and Block highlighted.
- 1 Copy of Affidavit of Ownership, Consent, Authorization and Non-Collusion.
- 1 Copy of Proposed Notice to Property Owners and for Publication
- 1 Copy of Checklist

Frank Little, P.E., P.P., Owen Little and Assoc., Inc. 443 Atlantic City Blvd. Beachwood, NJ 08722

- 1 Copy of Completed Application
- 1 Copy of Variance Map, Site Plan or Sub-division Map
- 1 Copy of Architectural Plans
- 1 Copy of color photos
- 1 Copy of Tax Map with property Lot and Block highlighted
- 1 Copy of Technical Check List

Board Clerk

- 1 Original of each - Application Variance Plat, Site Plan or Sub-division Plat, Architectural Plan(s) Tax Map Zoning Denial, Color Photos and items marked with **. (Check all that apply)
- 14 Copies of Application
- 14 Copies of Variance Plat, Site Plan or Subdivision
- 14 Copies of Architectural Plan(s)
- 14 Copies of Tax Map with property Lot and Block highlighted
- 14 Copies of Zoning Denial Letter
- 14 Color copies of Property Photos
- 1 W-9 Form
- 1 copy of Affidavit of Ownership, Consent, Authorization and Non-Collusion.
- 1 copy of Signed Checklist (must be submitted with initial documentation. Application will not be accepted without signed Checklist.
- 1 Copy of Technical Check List
- Electronic copy of all of the above in PDF format.**
- Check for Application Fee \$ 500.00
- Check for Initial Escrow \$ 1,000.00

Board secretary will distribute copies to fire company after deemed complete, as necessary.

Signed: _____

(Print name under signature)

James S. Rabon,
Attorney for Applicant

Date: 9/13/21

TOWNSHIP OF LONG BEACH
LAND USE BOARD
TECHNICAL CHECKLIST

KEY: X= REQUIRED P= PROVIDED W= WAIVER N/R= NOT REQUIRED or APPLICABLE

DESCRIPTION	VARIANCE APPLICATION		MINOR APPLICATION		MAJOR SITE PLAN		MAJOR SUBDIVISION		CIRCLE ONE
	BULK	USE	SITE PLAN	SUBDIVISION	PRELIMINARY	FINAL	PRELIMINARY	FINAL	MUST BE COMPLETED
MAN-MADE FEATURES									
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	(P) (W) (N/R)
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	(P) (W) (N/R)
Building coverage and lot coverage calculations.	X	X	X		X	X			(P) (W) (N/R)
Existing and proposed easements, rights-of-way and their purposes.	X	X	X	X	X	X	X	X	(P) (W) (N/R)
Existing and proposed manholes, sewer lines, stormwater management facilities, waterlines, fire hydrants and utility poles within 200 FT.			X	X	X	X	X	X	(P) (W) (N/R)
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	(P) (W) (N/R)
All monumentation as required as per the "Map Filing Law" including all monuments found, set or to be set.				X			X	X	(P) (W) (N/R)

TOWNSHIP OF LONG BEACH
LAND USE BOARD
TECHNICAL CHECKLIST

KEY: X= REQUIRED P= PROVIDED W= WAIVER N/R= NOT REQUIRED or APPLICABLE

DESCRIPTION	VARIANCE APPLICATION		MINOR APPLICATION		MAJOR SITE PLAN		MAJOR SUBDIVISION		CIRCLE ONE
	BULK	USE	SITE PLAN	SUBDIVISION	PRELIMINARY	FINAL	PRELIMINARY	FINAL	MUST BE COMPLETED
Offstreet parking and loading spaces required and proposed, and location and dimensions of access drives, aisles and parking stalls		X	X		X	X			(P) (W) (N/R)
STREET									
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	(P) (W) (N/R)
Plans, profiles and cross-sections of paved areas, curbs and sidewalks.			X	X	X	X	X	X	(P) (W) (N/R)
MISCELLANEOUS									
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	(P) (W) (N/R)
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	(P) (W) (N/R)
Storm drainage calculations.					X		X		(P) (W) (N/R)
Stormwater management facilities shown on the grading plan showing all aspects of the stormwater system.			X		X	X	X	X	(P) (W) (N/R)

TOWNSHIP OF LONG BEACH
 LAND USE BOARD
 TECHNICAL CHECKLIST

KEY: X= REQUIRED P= PROVIDED W= WAIVER N/R= NOT REQUIRED or APPLICABLE

DESCRIPTION	VARIANCE APPLICATION		MINOR APPLICATION		MAJOR SITE PLAN		MAJOR SUBDIVISION		CIRCLE ONE
	BULK	USE	SITE PLAN	SUBDIVISION	PRELIMINARY	FINAL	PRELIMINARY	FINAL	MUST BE COMPLETED
Applications for new construction or additions to buildings: See Initial Checklist for number of copies to distribute 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							(P) (W) (N/R)
Location of all signs and drawn details showing the size, construction type, height and content of all signs.			X		X	X			(P) (W) (N/R)
Drawn details of the type of screening to be used for the refuse storage areas, outdoor equipment and bulk storage.			X		X	X			(P) (W) (N/R)

PUBLIC NOTICE

LONG BEACH TOWNSHIP

Public notice is hereby given that A. Richard Leinhauser and Ruth A. Leinhauser (collectively, the “Applicant”) have applied for bulk variances relative to development at the property designated as Lot 19 in Block 15.68 on the Tax Map of the Township of Long Beach, located at 5409 Long Beach Boulevard in the Brant Beach Section of Long Beach Township. The Applicant is proposing to demolish the existing two-family dwelling and construct a new single-family dwelling. Under Section 205-55(C)(1) of the Long Beach Township Zoning Ordinance, residential lots shall have a minimum lot area of 5,000 square feet and a minimum width of 50 feet at the street line or on the ocean or bay. Here, the existing and proposed lot width is 37.5 feet and the existing and proposed lot area is 2,812.5 square feet. If the Land Use Board determines that any other variances, exceptions or waivers are necessary or appropriate at the hearing, then such variances, waivers or exceptions will be requested.

This matter is on the Clerk’s Docket and a hearing has been ordered for October 13, 2021 at 7:00 PM in the Administration Building, Second Floor Multi-Purpose Room, 6805 Long Beach Boulevard, Brant Beach, NJ, at which time persons interested may appear personally or by agent or attorney with a properly authorized power of attorney. Please note that this is an in person meeting only. There will be no virtual component.

Should government-imposed restrictions change prior to the meeting that would prevent an in-person meeting, this meeting will proceed virtually under the following circumstances:

To Join Zoom Meeting:

<https://zoom.us/j/99253901298?pwd=L2pRaDYrakhaOWw2M3NjMXgrYVR1dz09>

Use Meeting ID: 992 5390 1298, Use Passcode: 188919; One tap mobile

+13017158592,99253901298#,,,,,0#,188919# US (Washington D.C)

+13126266799,99253901298#,,,,,0#,188919# US (Chicago) **Dial by your location** +1 301 715

8592 US (Washington D.C) +1 312 626 6799 US (Chicago) +1 929 205 6099 US (New York) +1
253 215 8782 US (Tacoma) +1 346 248 7799 US (Houston) +1 669 900 6833 US (San Jose) **Use**
Meeting ID: 992 5390 1298 Passcode: 188919 Find your local number:
<https://zoom.us/j/aiOwUw1tv>

Documents are available for inspection at the Land Use Board Office, 6805 Long Beach
Boulevard, Brant Beach, New Jersey during normal business hours currently Monday through
Friday 9:00 a.m. to 4:00 p.m.

File #3464

James S. Raban
Attorney for the Applicant