

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

November 4, 2022

Via Hand Delivery and Jfife@longbeachtownship.com

Jackie Fife

Long Beach Township Land Use Board

6805 Long Beach Boulevard

Brant Beach, NJ 08008

Re: Nikias Bulk Variance Proposal
Block 18.36, Lot 1,
1036A Long Beach Blvd., Long Beach Township, N.J. 08008

Dear Jackie:

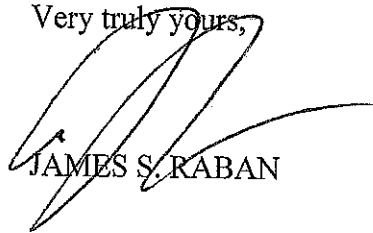
Enclosed please find the following with regard to the above referenced matter:

- (x) Original and 14 copies of Land Use Development Application;
- (x) 14 copies of Floor Plans and Elevations prepared by Phillip D. Kunz, of PDK Architects, Inc.
- (x) 14 copies of Variance Plans prepared by Leon Tyszka of Nelke-Tyszka Land Surveyors;
- (x) 14 copies of Tax Map with Property Lot and Block highlighted;
- (x) 14 color copies of Eight Property Photos;
- (x) 1 copy of Affidavit of Ownership;
- (x) 1 copy of Signed Checklist;
- (x) 1 copy of Technical Checklist;
- (x) 1 Proposed Public Notice;
- (x) Application Fee check 2783 Amount \$500.00
- (x) Attorney Escrow check 2784 Amount \$1,000.00
- (x) Please consent and/or approve for public hearing on December 14, 2022 at 6:30 p.m.

Jackie Fife
November 4, 2022
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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: Mata and George Nikias (via email)
Martino Lasalandra (via email)
Leon Tyszka (via email)
Frank Little, Jr., P.E., P.P. (via email)
Kevin Quinlan, Esq. (via email)

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

Do not write below - for official use only

Project Name: Nikias Variance
Block: 18.36 Lot(s): 1
Property Address: 1036A 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: George Nikias & Mata Nikias
Address: Street: 105 Crest Rd. City: Ridgewood Zip: 07450
Phone: (201) 563-9853 e-mail: ganik64@gmail.com

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: _____

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

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

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

5. Architect: PDK Architects
 Address: Street: 700 Collings Ave. City: Collingswood Zip: 08107
 Phone: (856) 833-1111 e-mail: pdkmail@pdkarchitects.com

Attache additional sheets if necessary.

6. Location of property:
 Zone: R-10E Lot Area: 10,000 sq. ft. Lot Dimensions: 100' x 100'

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

8. Current Use: Single-Family
 No. of Dwelling Units: 11 No. of Commercial Units: 1

9. Proposed Use: Single-Family +

10. When was the property purchased? 12/4/86

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: <u>22.00</u>	<input type="checkbox"/>	Building Height: <u>24.36</u>	<input type="checkbox"/>
Front Yard Set Back <u>20.00</u>	<input type="checkbox"/>	Front Yard Set Back <u>20.00</u>	<input type="checkbox"/>
Side Yard Set Back <u>10.70</u>	<input type="checkbox"/>	Side Yard Set Back <u>10.22</u>	<input type="checkbox"/>
Side Yard Set Back <u>12.40</u>	<input type="checkbox"/>	Side Yard Set Back <u>12.40</u>	<input type="checkbox"/>
Rear Yard Set Back <u>36.10</u>	<input type="checkbox"/>	Rear Yard Set Back <u>30.22</u>	<input type="checkbox"/>
Dist. to Adj. Struct. <u>31.80</u>	<input type="checkbox"/>	Dist. to Adj. Struct. <u>31.32</u>	<input type="checkbox"/>
Lot Coverage (sq.ft.) <u>2,250.00</u>	<input type="checkbox"/>	Lot Coverage (sq.ft.) <u>2,460.00</u>	<input type="checkbox"/>
% Lot Coverage <u>22.50</u>	<input type="checkbox"/>	% Lot Coverage <u>24.60</u>	<input type="checkbox"/>
% Impervious Coverage <u>45.30</u>	<input type="checkbox"/>	% Impervious Coverage <u>46.10</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>100.00</u>	<input type="checkbox"/>		

14. Existing Restrictions:
 (A) Deed Restrictions: _____ (Attach Copies) None
 (B) Easements: 16.5' Access Easement on plan (Attach Copies) None
 (C) Condominium: _____ (Attach Copies) None

15. Proposed Restriction: _____ None

16. Variances and Waivers:

(A) List Required Variances: (Include Ordinance Number)

None

See attached Application Supplement.

On a separate paper provide legal theory supporting variance relief.

(B) List of Requested Waivers:

None


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

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


14 copies of Variance Plan prepared by Nelke/Tyszka Land Surveyors, LLC
14 copies of Floor Plans and Elevations prepared by PDK Architects
14 copies of 2 sets of 4 photographs of the property

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

Dates: 6/24/2022


GEORGE NIKIAS, Owner
(Print name under signature)

Dates: 6/24/2022


MARIA K NIKIAS, 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

George Nikias and Mata Nikias (collectively, the "Applicant") have made application to the Long Beach Township Land Use Board for bulk variances relative to development at the property designated as Lot 1 in Block 18.36 on the Tax Map of the Township of Long Beach, located at 1036A Long Beach Boulevard in the North Beach Section of Long Beach Township. Currently, the property is developed with a single-family dwelling. The Applicant is seeking to renovate the existing dwelling to construct a second-story addition over a portion of the home, a separate two-story addition on the southerly side of the home, and a first-floor addition on the northerly side of the home. A new roof deck is also proposed. The existing height of the building is 22 feet and a height of 24.36 feet is proposed. The following variances are requested:

1. Pursuant to Section 205-52(C)(3) of the Long Beach Township Zoning Ordinance, every principal building shall be provided with two side yards totaling 30 feet in width, the minimum width of one side yard being not less than 10 feet; provided, further, that there shall be at least 30 feet between two adjacent houses. Here the existing combined side yard setback is 23.1 feet; 22.62 feet is proposed.
2. While the Long Beach Township Zoning Ordinance does not specifically list an off-street parking requirement for the R-10E Single-Family Residential Zone, there are 2 off-street parking spaces required for a single-family dwelling. Here, there are 3 parking spaces that the Applicant utilizes at the property. However, each of the 3 spaces encroaches into an access easement that encumbers the property. As a result, the Applicant requests a variance for parking where zero parking spaces entirely on site exist and zero parking spaces entirely on site are proposed.

Regarding the parking variance, the parking configuration at the property is not changing as a result of the proposed development. While the parking spaces currently utilized by the Applicant technically encroach into the access easement encumbering the property, the parking spaces in reality do not interfere with the way that the easement is currently utilized by all property owners on the tract. Based upon the fact that the parking configuration is not being altered, there will be no impact on the surrounding properties. Additionally, as part of the proposed renovation, the existing first floor is going to be elevated to become closer to being in compliance with the base flood elevation. The proposed reduction in the combined side yard setback is *de minimis*.



**LONG BEACH TOWNSHIP LAND USE BOARD
CHECKLIST FOR INITIAL SUBMISSION
INCOMPLETE SUBMISSIONS WILL NOT BE ACCEPTED**

PLEASE READ

INSTRUCTIONS:

1. A completed, signed checklist must be received by the Land Use Board Secretary & Attorney prior to application being deemed complete.
2. All required documents must be submitted at least forty-five (45) days prior to the regularly scheduled Land Use Board Meeting at which consideration is sought.
3. All documents must be submitted at the same time - Incomplete submissions will NOT be accepted!
4. Applicant MUST deliver Completed Application and supporting documents in the following arrangement:

Kevin Quinlan, Esq.:

- 1 Copy of Complete Application
- 1 Copy Variance Plan, Site Plan, or Subdivision Map
- 1 Copy of Architectural Plans
- 1 Copy of Zoning Denial Letter (if applicable)
- 1 Copy of Color Photos
- 1 Copy of Tax Map with Property Block & Lot highlighted
- 1 Copy of Affidavit of Ownership, Consent, Authorization and Non-Collusion
- 1 Copy of this Checklist
- 1 Copy of Proposed Notice to Property Owners and for Publication
- Mailed to Kevin Quinlan 207 W. Main Street, Tuckerton, NJ 08087

Frank Little, P.E., P.P.:

- 1 Copy of Complete Application
- 1 Copy Variance Plan, Site Plan, or Subdivision Map
- 1 Copy of Architectural Plans
- 1 Copy of Zoning Denial Letter (if applicable)
- 1 Copy of Color Photos
- 1 Copy of Tax Map with Property Block & Lot highlighted
- 1 Copy of COMPLETED Technical Check List
- Mailed to Frank Little: Owen, Little & Associates Inc. 443 Atlantic City Boulevard, Beachwood, NJ 08722

Board Secretary: Jackie Fife 6805 Long Beach Boulevard, Brant Beach, NJ 08008:

1 ORIGINAL of each of the following:

- Application Variance Plan Site Plan Subdivision Plan Architectural Plan(s)
- Tax Map Color Photos 1-W-9 Zoning Denial Signed Checklist
- Technical Checklist Affidavit of Ownership, Consent, Authorization and Non-Collusion
- 1 Copy of Proposed Notice to Property Owners and for Publication
- Electronic copy PDF format of all the above emailed to jfife@longbeachtownship.com
- Check for Application Fee \$ 500.00 Check # 2783
- Check for Escrow Fee \$ 1,000.00 Check # 2784

Board Member Packets (COLLATED):

- 14 Copies of Complete Application including:
- 14 Copies Variance Plan, Site Plan, or Subdivision Map
- 14 Copies of Architectural Plans
- 14 Copies of Zoning Denial Letter (if applicable)
- 14 Copies of Color Photos
- 14 Copies of Tax Map with Property Block & Lot highlighted

Applicant Signature

Date

James S Rabam,
Print Name

10/4/22

Attorney for Applicant

Approved _____ Denied _____
(FOR LAND USE BOARD SECRETARY ONLY)

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

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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

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	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

PLEASE TAKE NOTICE that George Nikias and Mata Nikias (collectively, the “Applicant”) have made application to the Long Beach Township Land Use Board for bulk variances relative to development at the property designated as Lot 1 in Block 18.36 on the Tax Map of the Township of Long Beach, located at 1036A Long Beach Boulevard in the North Beach Section of Long Beach Township. Currently, the property is developed with a single-family dwelling. The Applicant is seeking to renovate the existing dwelling to construct a second-story addition over a portion of the home, a separate two-story addition on the southerly side of the home, and a first-floor addition on the northerly side of the home. A new roof deck is also proposed. The existing height of the building is 22 feet and a height of 24.36 feet is proposed. The following variances are requested:

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This matter is on the Clerk's Docket and a hearing has been ordered for December 14, 2022 at 6:30 PM in the Administration Building, First Floor Court 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 the meeting format change, the Township website will be updated with necessary information up to and including the date of the meeting. You will not receive notice of a meeting format change. It is up to you to check the Township website or call the Township (609-361-6653) during normal business hours on the day of the hearing for any change from in person to virtual meeting.

Documents are available for inspection at the Land Use Board Office, 6805 Long Beach Boulevard, Brant Beach, New Jersey during normal business hours Monday through Friday 9:00 a.m. to 3:00 p.m.

File #3528

James S. Raban
Attorney for the Applicant