

RABAN & RABAN

— LLC —

Attorneys at Law

**11710 Long Beach Blvd.
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REGINALD J. RABAN (Retired)

JAMES S. RABAN*▲

MEMBER OF NJ BAR *

MEMBER OF PA BAR▲

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January 18, 2024

Via Hand Delivery and Jfife@longbeachtownship.com

Jackie Fife

Long Beach Township Land Use Board

6805 Long Beach Boulevard

Brant Beach, NJ 08008

Re: Malinowski Bulk Variance
Block 7.02, Lot 16
W. Maryland Ave., 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) 15 copies of Floor Plans prepared by Edward Gorleski, AIA, of The Creative Minds Group, LLC;
- (x) 15 copies of Variance Plan prepared by Bruce Jacobs of Gravatt Consulting Group;
- (x) 15 copies of Tax Map with Property Lot and Block highlighted;
- (x) 15 color copies of four Property Photos;
- (x) 15 copies of one photo of Block 7.02, Lot 11.01 and 11.02
- (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 3226 Amount \$500.00
- (x) Attorney Escrow check 3227 Amount \$1,000.00
- (x) Please consent and/or approve for public hearing on February 14, 2024 at 6:30 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
Encl.

Cc: Anthony Mailinowski (via email)
Bruce Jacobs (via email)
Ed Gorleski, AIA (via email)
Frank Little, Jr., P.E., P.P. (via email)
Kevin Quinlan, Esq. (via email)

TOWNSHIP LAND USE BOARD

Project Name: Malinowski Variance
Block: 7.02 Lot(s): 16
Property Address: W. Maryland Ave.

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: Anthony Malinowski
Address: Street: 3 Roosevelt Rd. City: Whitehouse Station Zip: 08889
Phone: (908) 229-1359 e-mail: tmalinow@yahoo.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, Esq.
Address: Street: 11710 Long Beach Blvd. City: Haven Beach Zip: 08008
Phone: (609) 492-0533 e-mail: jraban@regraban.com

4. Planner/Surveyor: Gravatt Consulting Group
Address: Street: 414 Lacey Road City: Forked River Zip: 08731
Phone: (609) 693-6127 e-mail: bjacobs@gravattconsulting.com

5. Architect: The Creative Minds Group Architecture, LLC (Ed Gorleski)
 Address: Street: 176 Timberlake Dr. City: Manahawkin Zip: 08050
 Phone: (609) 879-3005 e-mail: info@cmgworkshop.com

Attache additional sheets if necessary.

6. Location of property:
 Zone: R-50 Lot Area: 1,988 sq. ft. Lot Dimensions: 30' x 66.25'

7. Is the property located on a county road? No

8. Current Use: Vacant Land
 No. of Dwelling Units: 0 No. of Commercial Units: 0

9. Proposed Use: single-family

10. When was the property purchased? 7/24/17

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 _____	<input type="checkbox"/>	Front Yard Set Back <u>19.00</u>	<input type="checkbox"/>
Side Yard Set Back _____	<input type="checkbox"/>	Side Yard Set Back <u>4.00</u>	<input type="checkbox"/>
Side Yard Set Back _____	<input type="checkbox"/>	Side Yard Set Back <u>6.00</u>	<input type="checkbox"/>
Rear Yard Set Back _____	<input type="checkbox"/>	Rear Yard Set Back <u>12.25</u>	<input type="checkbox"/>
Dist. to Adj. Struct. _____	<input type="checkbox"/>	Dist. to Adj. Struct. <u>14.50</u>	<input checked="" type="checkbox"/>
Lot Coverage (sq.ft.) _____	<input type="checkbox"/>	Lot Coverage (sq.ft.) <u>699.97</u>	<input checked="" type="checkbox"/>
% Lot Coverage _____	<input type="checkbox"/>	% Lot Coverage <u>35.21</u>	<input type="checkbox"/>
% Impervious Coverage _____	<input type="checkbox"/>	% Impervious Coverage <u>54.33</u>	<input type="checkbox"/>
No. Principal Structures _____	<input type="checkbox"/>	No. Principal Structures <u>1.00</u>	<input type="checkbox"/>
No. Accessory Structures _____	<input type="checkbox"/>	No. Accessory Structures <u>0.00</u>	<input type="checkbox"/>
Lot Width _____	<input 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

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.

- Variance Plan/Plot Plan prepared by Gravatt Consulting Group
- Architectural drawings prepared by the Creative Minds Group Architecture, LLC
- 4 photographs of the subject property

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

Dates: 1/18/24

Anthony Malinowski
Anthony Malinowski, 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

Anthony Malinowski (the "Applicant") has made application to the Long Beach Township Land Use Board for bulk variances relative to proposed development at the property designated as Lot 16 in Block 7.02 on the Tax Map of the Township of Long Beach, located on W. Maryland Avenue in the Beach Haven Terrace Section of Long Beach Township. The Applicant is seeking to construct a single-family dwelling on the property, which is currently vacant. The following variances are requested:

1. Section 205-55(C)(1): The minimum required lot width is 50 feet. The existing and proposed lot width is 30 feet, which is a preexisting nonconformity.
2. Section 205-55(C)(2): The minimum required lot area is 4,500 square feet. The existing and proposed lot area is 1,988 square feet, which is a preexisting nonconformity.
3. 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.
 - a. The proposed combined side yard setback is 10 feet.
 - b. The distance between the proposed dwelling and the existing dwelling to the east is 14.5 feet.
4. Section 205-55(C)(7): All buildings, including single-story accessory buildings, shall not cover more than 33.3% of the lot. The proposed lot coverage is 35.21%.

There is a hardship to the Applicant due to the fact that the lot is significantly undersized.

The Applicant has designed the proposed home in a manner that will not negatively impact the surrounding properties nor the public good.

Long Beach Township Land Use Board

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

STATE OF New Jersey :
 COUNTY OF Hunterdon : ss.

I, Anthony Malinowski 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 W. Maryland Ave.,
 (Street Address)
Long Beach Township, Ocean County, New Jersey known as :

Block	<u>7.02</u>	Lot	<u>16</u>
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 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: 8/2/2023

ALEXANDER T. MALINOWSKI
NOTARY PUBLIC OF NEW JERSEY
 Commission # 50126143
 My Commission Expires 3/20/2025

Anthony Malinowski
 Signature of Owner

Anthony Malinowski
 Print Name above

Sworn and Subscribed to before me
 this 2 day of August, 2023.

Alexander Malinowski
 Notary Public

 Signature of Owner

 Print name above

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
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	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 Anthony Malinowski (the "Applicant") has made application to the Long Beach Township Land Use Board (the "Board") for bulk variances relative to proposed development at the property designated as Lot 16 in Block 7.02 on the Tax Map of the Township of Long Beach, located on W. Maryland Avenue in the Beach Haven Terrace Section of Long Beach Township. The Applicant is seeking to construct a single-family dwelling on the property, which is currently vacant. The following variances are requested:

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Although the Applicant believes that no additional variances, waivers or exceptions are required, any additional variances, waivers or exceptions deemed necessary or appropriate by the Board will be requested at the public hearing.

This matter is on the Clerk's Docket and a hearing has been ordered for February 14, 2024 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 Thursday 9:00 a.m. to 3:00 p.m.

File #3593

James S. Raban
Attorney for the Applicant