

RABAN & RABAN

— LLC —

Attorneys at Law

**11710 Long Beach Blvd.
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REGINALD J. RABAN (1945-2024)

JAMES S. RABAN* ▲

MEMBER OF NJ BAR *

MEMBER OF PA BAR ▲

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February 27, 2025

Via Hand Delivery and Jfife@longbeachtownship.com

Jackie Fife

Long Beach Township Land Use Board

6805 Long Beach Boulevard

Brant Beach, NJ 08008

Re: Kane Bulk Variance
Block 1.71, Lot 10,
10 W. Webster Ave., Long Beach Township, N.J. 08008

Dear Jackie:

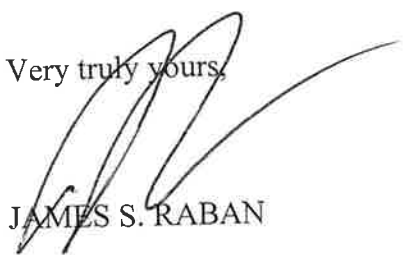
Enclosed please find the following with regard to the above referenced matter:

- (x) Original and 14 copies of Land Use Development Application;
- (x) 15 copies of Site Plans prepared by Robert Roth, Jr., AIA of Rob Roth, Architect, Inc.;
- (x) 15 copies of Tax Map with Property Lot and Block highlighted;
- (x) 15 color copies of (4) 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 3647 Amount \$500.00
- (x) Attorney Escrow check 3648 Amount \$1,000.00
- (x) Please consent and/or approve for public hearing on April 9, 2025 at 6:30 p.m.

Jackie Fife
February 27, 2025
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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: Russell Kane (via email)
Rob Roth, AIA (via email)
Frank Little, Jr., P.E., P.P., (via email and regular mail)
Kevin Quinlan, Esq. (via email and regular mail)



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 # 3647
- ☒ Check for Escrow Fee \$ 1,000.00 Check # 3648

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

James S. Raban

Print Name

Attorney for Applicant

Date

Approved

Denied

(FOR LAND USE BOARD SECRETARY ONLY)

APPLICATION TO THE LONG BEACH TOWNSHIP LAND USE BOARD

Do not write below - for official use only

Project Name: Kane Variance
Block: 1.71 Lot(s): 10
Property Address: 10 W. Webster Ave.

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

CHECK ALL THAT APPLY:

- ☒ Bulk Variance
☐ Use Variance
☐ Interpretation
☐ Informal
☐ Conditional Use

- ☐ Minor Subdivision (Exempt)
☐ Major Subdivision/Preliminary
☐ Major Subdivision Final Major
☐ Site Plan/Preliminary Major
☐ 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: Russell J. Kane
Address: Street: 9849 Milano Dr. City: Trinity, FL Zip: 34655
Phone: (772) 285-8355 e-mail: lubbers53@att.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: _____

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@regreban.com

4. Planner/Surveyor: Robert B, Roth Jr., AIA
Address: Street: 4300 Long Beach Blvd. City: Brant Beach Zip: 08008
Phone: (609) 494-7104 e-mail: robroth@robroth.net

5. Architect: Same as Planner
Address: Street: _____ City: _____ Zip: _____
Phone: _____ e-mail: _____

Attache additional sheets if necessary.

6. Location of property:
Zone: R-35 Lot Area: 2,596.8 sq. ft. Lot Dimensions: 40' x 64.92'

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

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? 1/10/2018

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

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

13. Existing conditions	<u>Vacant</u>	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>20.00</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>11.00</u>	<input type="checkbox"/>
Rear Yard Set Back	_____	<input type="checkbox"/>	Rear Yard Set Back <u>10.00</u>	<input type="checkbox"/>
Dist. to Adj. Struct.	_____	<input type="checkbox"/>	Dist. to Adj. Struct. <u>15.17</u>	<input type="checkbox"/>
Lot Coverage (sq.ft.)	_____	<input type="checkbox"/>	Lot Coverage (sq.ft.) <u>856.00</u>	<input type="checkbox"/>
% Lot Coverage	_____	<input type="checkbox"/>	% Lot Coverage <u>33.10</u>	<input type="checkbox"/>
% Impervious Coverage	_____	<input type="checkbox"/>	% Impervious Coverage <u>75.00</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**

The Applicant reserves the right to request any waivers that may be required by the Board at the time of 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

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

- Site Plan and architectural drawings prepared by Robert B. Roth, Jr., AIA
- 4 photographs of the subject property

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

Dates: 2/3/2025



Russell Kane, 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

Russell J. Kane (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 10 in Block 1.71 on the Tax Map of the Township of Long Beach, located on 10 W. Webster Avenue in the Holgate 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 205-58(C)(1): In the R-35 General Residential Zone, the minimum required lot width is 50 feet. The existing and proposed lot width is 40 feet, which is a preexisting nonconformity.
2. Section 205-58(C)(1) and Section 205-58(C)(2)(a): The minimum required lot area is 4,500 square feet. The existing and proposed lot area is 2,596.8 square feet, which is a preexisting nonconformity.

There is a hardship to the Applicant based upon the fact that the Applicant's lot is undersized. The Applicant is not seeking any variances relative to the construction of the proposed home; the only variances being requested are relative to the lot area and lot width.

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

COUNTY OF Martin:

1. RUSSELL J KANE being duly sworn according to law,

Lot _____

Print name above

Owner: Russell J. Kane Phone # 772-285-8355 Email: lubbers53@att.net

Applicant: Same as Owner Phone #: _____ Email: _____

Address: 10 W. Webster Ave.

Block: 1.71 Lot(s): 10 Date: 2/27/25

****This checklist **MUST** be completed and submitted as part of any application. All of the following items must be shown on the submitted plans or attached for the application to be considered for completeness review.****

****Waivers may be requested from some of the following items should be checked where provided and an explanation of the reason for the waiver or non-applicable items explained in a separate letter to be attached to this checklist. See Initial Submission Checklist for number of copies and how to distribute.****

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

[illegible]

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[illegible]

TOWNSHIP OF LONG BEACH
LAND USE BOARD
TECHNICAL CHECKLIST

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

	VARIANCE APPLICATION		MINOR APPLICATION		MAJOR SITE PLAN		MAJOR SUBDIVISION		CIRCLE ONE
DESCRIPTION	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

	VARIANCE APPLICATION		MINOR APPLICATION		MAJOR SITE PLAN		MAJOR SUBDIVISION		CIRCLE ONE
DESCRIPTION	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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	VARIANCE APPLICATION		MINOR APPLICATION		MAJOR SITE PLAN		MAJOR SUBDIVISION		CIRCLE ONE
DESCRIPTION	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)

TECHNICAL CHECKLIST WAIVER REQUESTS

1. The Applicant requests a waiver from the requirement that the variance plan be based on a survey that is less than 12 months old based upon the fact that the property consists of vacant land. The variance plan is based upon a survey prepared by Horn, Tyson & Yoder, Inc. dated November 3, 2022.

PUBLIC NOTICE

LONG BEACH TOWNSHIP

PLEASE TAKE NOTICE that Russell J. Kane (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 10 in Block 1.71 on the Tax Map of the Township of Long Beach, located on 10 W. Webster Avenue in the Holgate 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 205-58(C)(1): In the R-35 General Residential Zone, the minimum required lot width is 50 feet. The existing and proposed lot width is 40 feet, which is a preexisting nonconformity.
2. Section 205-58(C)(1) and Section 205-58(C)(2)(a): The minimum required lot area is 4,500 square feet. The existing and proposed lot area is 2,596.8 square feet, which is a preexisting nonconformity.

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 April 9, 2025 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. Notice was previously provided for this meeting, but due to scheduling conflicts of the Applicant, the application has not yet been heard by the Board.

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 (609-361-6637) 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 #3679

James S. Raban
Attorney for the Applicant