

March 11, 2024

*Revised June 13, 2024*

Borough of Bradley Beach  
Land Use Board  
701 Main Street  
Bradley Beach, NJ 07720

**Re: Kalena Group, LLC  
Block 68, Lot 6  
301 Third Avenue  
Borough of Bradley Beach  
Our File BBPB 23-24**

Dear Chairman and Board Members:

Our office has received an application submitted for Board review in connection with the above-referenced project. Submitted with the application are the following:

- An architectural plan consisting of four (4) sheets prepared by Alec P. Shissias, R.A., RLA, of Shissias Design + Development, dated June 4, 2024, with no revisions.
- A survey of property consisting of one (1) sheet prepared by Michael J. Williams, P.L.S., of Michael J. Williams Land Surveying, LLC, dated December 12, 2019, with no revisions.

The application has been deemed COMPLETE. The letter is hereby amended as follows: ~~stricken text~~ indicates deletions and ***bold italic type*** indicates additions. Additional comments with regard to the revised plans are noted in ***bold italic type***. Our original review comments remain as noted in the letter dated March 11, 2024, and we report as follows:

1. **Property Description**

- A. The property is located at house number 301 Third Avenue (Lot 6, Block 68) with a total area of 9,360 square feet.
- B. The existing lot contains a 2 ½ -story dwelling with a covered wraparound porch and driveway.
- C. The Applicant is proposing a two-story addition to the south side of the dwelling with an attached garage. Also, proposing a second story addition on the west side of the dwelling with a patio, ***and porch addition.***

2. **Zoning and Land Use**

- A. The property is located in the R-1 Residential Single-Family Zone and the existing single-family dwelling is a permitted use.
- B. The proposed improvements require Board approval for variances on balcony size, location of balcony, ~~location of patio~~, rear yard setback to the patio, and others as described in this letter.

3. **Variances and Waivers**

- A. In accordance with Section 450-13, permitted yard encroachments, the following variances or existing non-conformities are noted below:

- 1) In accordance with Section 450-13.A.(2), (porch setbacks), states that *for permitted residential structures a porch may extend 8 feet into the required front yard setback area, provided the principal structure conforms to the front yard setback requirement or by submission of the appropriate "Setback Averaging" plan as reflected in Ordinance 450-26.D.(7). A "Wrap-Around" porch may exceed the width of the existing or proposed structure, as long as it is in compliance with side setback requirements for the principal structure.* The Applicant did not provide the average setback map or plan. The permitted porch setback is 17 feet from Third Avenue and 7 feet from Central Avenue. The existing porch setback is 19.82 feet from Third Avenue and 34.85 feet from Central Avenue. Both of these porch setbacks conform.

The Applicant is proposing a front porch extension along Central Avenue. The proposed setback is 34.85 feet, which conforms.

- 2) In accordance with Section 450-13.C.(2), states that *for residential structures, no balcony, inclusive of gutters, shall extend out more than two feet from the second or third story wall to which it is attached. Each single-family dwelling may have no more than two balconies. Each balcony cannot exceed 80 square feet.* The Applicant is proposing a balcony off the attic floor, which complies. The proposed balcony area is approximately 220 square feet. **A variance is required.**
- 3) In accordance with Section 450-13.C.(6), states that *balconies shall be permitted at the front(s) of the dwelling only.* The Applicant is proposing a balcony at the side of the dwelling. **A variance is required.**

4) In accordance with Section 450-13.F.(2), (Setbacks) states that *a patio is not allowed to encroach into any principal dwellings setback requirements and shall never be closer than five feet of any side yard property line, nor closer than five feet to any rear yard property line. No patio shall extend beyond the side building line.* The Applicant is proposing the patio to encroaches into the rear yard setback. The proposed rear yard setback is 8 feet. **A variance is required.**

5) In accordance with Section 450-13.F.(5), (Location) states that *patios may be located in the rear yard area only. The patio opposite Central Avenue is in the rear yard. (The definition of rear lot line is the lot line opposite and most distant from the front lot line.)*

~~The Applicant is proposing a portion of the patio in the rear yard, which conforms. A portion of the patio encroaches in the front yard along Third Avenue. A variance is required.~~

***The Applicant has revised the patio location to the rear yard area. The new location of the patio no longer encroaches into the front yard area, which removes a variance condition.***

B. In accordance with Section 450-26.D., area, yard and building requirements the following variances or existing non-conformities are noted below:

1) In accordance with Section 450-26.D.(1)(d), states that *the minimum front yard setback permitted for a street east to west (Third Avenue) is 25 feet and for a street running north to south (Central Avenue) is 15 feet, or the minimum depth of any front yard within the block and fronting on the same street on which the structure fronts, whichever is greater. When the prevailing setback of the existing buildings along a block front is less than the setback requirements, the front yard setback distance may be reduced to the average of front yard setbacks of principal structures on all developed properties on the same side of the street within 200 feet of the property as documented by a map prepared by a licensed land surveyor. The average depth will be from the front wall of the structure, provided that such setback is not less than 10 feet. Front porches shall also be averaged within 200 feet on each side of the lot and within the same block front.* The Applicant did not provide the average setback map or plan. The existing front yard setback is 29.61 feet along Third Avenue, which conforms. The existing front yard setback is 42.11 feet along Central Avenue, which conforms.

The Applicant is proposing a front yard setback of 20.1 feet to the addition along Central Avenue, which conforms.

- 2) In accordance with Section 450-26.D.(1)(e), states that *the minimum side yard setback permitted per the zoned district is 5 feet and 10 feet.* The existing south side yard setback is 8.78 feet, which conforms. The Applicant is proposing a south side yard setback of 5.1 feet to the addition, which conforms.
- 3) In accordance with Section 450-26.D.(1)(f), states that *the minimum rear yard setback permitted per the zoned district is 25 feet.* The existing rear yard setback is 18.32 feet, which represents an existing non-conformity. The Applicant is proposing a rear yard setback of 18.32 feet to the second-floor addition. This is an expansion of an existing non-conformity. **A variance is required.**

***The Applicant is proposing a rear yard setback of 24.97 feet to the porch addition, which is an expansion of an existing non-conformity. A VARIANCE IS REQUIRED.***

- 4) In accordance with Section 450-26.D.(1)(g), states that *the maximum building height permitted is 35 feet and 2 ½ stories. The Applicant should provide a ½ story calculation.* The existing building height is 37.93 feet, which is an existing non-conformity. The proposed addition appears to be lower than the existing height. The Applicant should provide **has not provided** the proposed building height of the addition. Testimony should be provided.
- 5) In accordance with Section 450-26.D.(1)(h), states that *the maximum building coverage permitted is 35% of the lot area.* The existing building coverage is 25.2%, which conforms. The Applicant is ~~proposing~~ **has revised the proposed** a building coverage of ~~32.5%~~ **to 34.7%**, which conforms.
- 6) In accordance with Section 450-26.D.(1)(i), states that *the maximum impervious coverage permitted is 60% of the lot area.* The existing impervious coverage is 46.3%, which conforms. The Applicant is ~~proposing an~~ **has revised the proposed** impervious coverage of ~~52.7%~~ **to 51.6%**, which conforms.
- 7) In accordance with Section 450-26.E.(3), states that *the half story of the single-family dwellings shall not be divided into more than two (2) finished rooms, not including hallways, bathrooms, and closets.* The existing half-story has three (3) bedrooms, which represents an existing non-conformity.

- C. In accordance with Section 450-41, residential parking and driveway requirements, the following variances or exiting non-conformities are noted below:
- 1) In accordance with Section 450-41.A.(1), states that *driveways and parking areas installed for one- and two-family dwellings shall be a minimum of eight feet in width inside the property lines and shall be located a minimum of three feet from a side lot line.* The existing driveway width is 21 feet, which complies. The existing side yard setback is 1.5 feet, which represents an existing non-conformity.
  - 2) In accordance with Section 450-41.A.(2), states that *curb cuts shall be a maximum of 12 feet in width. Driveway aprons shall be a maximum of 10 feet in width at the property line and 12 feet in width at the curblines.* The existing curb cut is 21 feet, which represents an existing non-conformity. The existing driveway apron is 21 feet at the property line and 21 feet at the curblines. This represents an existing non-conformity.
  - 3) In accordance with Section 450-41.A.(3), states that *driveway and parking areas located in the front yard shall not exceed a width of 12 feet, which area shall consist of impervious pavement to be used for off-street parking.* The existing driveway width along Central Avenue is 21 feet, which represents an existing non-conformity.
  - 4) In accordance with Section 450-41.A.(4), states that *no driveway less than 20 feet in length shall be permitted as measured from the property line to the end of the driveway.* The Applicant is proposing a driveway length of 20.1 feet, which complies.

4. **General Comments**

- A. General Note should be added to the plan indicating the existing curb and sidewalk along the frontage will be replaced, if found in poor condition.
- B. A General Note should be added to the plan indicating the planting area between the sidewalk and curb must remain natural grass.
- C. **Our office recommends the proposed roof drains to be piped to a wet well system with a pop-up emitter overflow located at the curb. The design of this system should be provided for review.**
- D. The Applicant should provide information that taxes are currently paid.
- E. The Applicant shall secure any and all construction permits needed for the project.

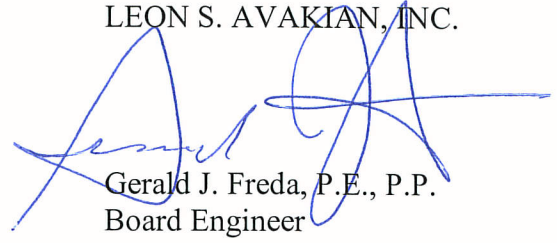
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Our office reserves the right to provide additional comments upon receipt of revised plans.

If you have any questions, or require additional information on this matter, please do not hesitate to contact our office.

Very truly yours,

LEON S. AVAKIAN, INC.

A handwritten signature in blue ink, appearing to read 'Gerald J. Freda', is written over the typed name and title. The signature is stylized and somewhat illegible.

Gerald J. Freda, P.E., P.P.  
Board Engineer

DMH:mfl

- cc: Kristie Dickert, Board Secretary
- Mark Kitrick, Esq., Board Attorney
- Christine L. Bell, P.P., A.I.C.P., Board Planner
- George D. McGill, Esq., Applicant's Attorney
- Alec P. Shissias, R.A., RLA, Applicant's Architect

BB/PB/23/23-24b