

MEMORANDUM

TO: Point Pleasant Beach Zoning Board
 FROM: Joseph May, P.E. *JM*
 DATE: October 16, 2023
 SUBJECT: 2023-36 Application of Paul Kanitra 1811 Beacon Lane Block 11.01 Lot 1



Most current imagery showing the subject property.

1. Applicant is seeking to elevate the existing 2-story single family dwelling and expand the dwelling within the limits of the existing deck.
2. The SF-5 Zoning Chart is as follows:

	Required	Existing	Proposed
Lot Area (SF)	5,000	3,333 (E)	3,333 (E)
Lot Frontage (FT)	50	62.8	62.8
Lot Width (FT)	50	52.58	52.58
Lot Depth (FT)	100	56.2 (E)	56.2 (E)
Front Yard Setback - Beacon Lane (FT)	25	11.56 (E)	2 (V) stairs 11.56(V) house
Front Yard Setback - Maryland Avenue (FT)	25	8.28 (E)	8.28 (V)
Front Yard Setback - Route 35 (FT)	25	2.34(E)	2.34(V)
Side Yard Setback - North (FT)	5	1.90 (E)	1.90 (V)
Building Coverage (%)	30	48.3 (E)	54.35 (V)
Impervious Coverage (%)	50	69.2 (E)	65.5 (V)
Building Height (FT/Stories)	32.5/2	25.38/2	31.81/2

3. The existing dwelling is non-conforming with regard to the following:
 - a. The minimum required lot area is 5,000 sf whereas 3,333 sf exists.
 - b. The minimum required lot depth is 100 ft whereas 44.3 ft exists.

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- c. The minimum front yard setback to Beacon Lane is 25 ft whereas 11.56 ft exists.
 - d. The minimum front yard setback to Maryland Avenue is 25 ft whereas 8.28 ft exists.
 - e. The minimum front yard setback to Route 35 is 25 ft whereas 2.34 ft exists.
 - f. The minimum side yard setback required is 5 ft whereas 1.90 ft exists.
 - g. The maximum permitted building coverage is 30% whereas 48.3% exists.
 - h. The maximum impervious coverage permitted is 50% whereas 69.2% exists.
4. The proposed improvements require the following variances:
- a. The minimum front yard setback to Beacon Lane is 25 ft whereas 2+/- ft is proposed to the access steps and 11.56 ft is proposed to the new dwelling front wall.
 - b. The minimum front yard setback to Maryland Avenue is 25 ft whereas 8.28 ft is proposed to the building addition on the south side.
 - c. The required setback from Route 35 is 25 feet where 2.34 is proposed. Since the applicant is elevating the structure above the required DFE and expanding the dwelling, a setback variance is required.
 - d. The minimum side yard setback required is 5 ft whereas 1.90 ft is proposed to the building addition on the north side.
 - e. The maximum permitted building coverage is 30% whereas 54.35% is proposed.
 - f. The maximum impervious coverage permitted is 50% whereas 65.5% is proposed.
5. Applicant shall provide testimony regarding the existing and proposed paver encroachments on the east and west sides of the property as well as the existing fence encroaching on the western side property line.
6. Applicant shall provide testimony regarding the proposed building height. We note that the plans state that the maximum allowable building height is 32.5 ft from the BFE but do not state the proposed height. The height scales within the height limitations.
7. Applicant shall provide testimony regarding all proposed improvements.
8. Applicant shall provide testimony regarding the impact to surrounding neighborhood.
9. The Applicant shall provide testimony regarding parking per §19-11.7 and NJ R.S.I.S. requirements. We note that 3 parking spaces are required, where two spaces are proposed within the garage. An additional space is available within the driveway, though we note that the space will extend into the right-of-way but will not effect the existing sidewalk.
10. The relocation and expansion of the cCurb cut is subject to the approval of the Borough Council. The proposed improvements will result in the loss of one on-street parking space.
11. Applicant shall provide testimony regarding how the proposed improvements will fit in with the character of the neighborhood.

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12. We note the applicant is located in Flood Zone AE (EL 9) per FEMA FIRM dated June 20, 2018. The dwelling is to be raised to EL 15.83, this is acceptable as the BFE is 9 and the DFE is 12. Applicant to provide testimony regarding any habitable space, mechanical or electrical equipment located below the DFE of 12. We note that the garage floor is to be at elevation 6 and is to be used as storage space.
 13. Testimony regarding the Utility Room on the bottom floor shall be provided.
 14. The Applicant shall present testimony to justify the granting of the required bulk variances. The MLUL sets forth the following grounds for granting bulk relief (NJSA 40:5570.c):
 1. Physical Characteristics - "C(1)" (a/k/a Hardship Variance):
 - a. By reason of exceptional narrowness, shallowness, or shape of a specific piece of property:
 - b. By reason of exceptional topographic conditions or physical features uniquely affecting a specific piece of property:
 - c. By reason of an extraordinary or exceptional situation uniquely affecting a specific piece of property or the structures lawfully existing thereon.
 2. Benefits Outweighing Detriments - "C(2)" (a/k/a Flexible C Variances):
 - a. The Applicant may also establish, in the absence of proving "hardship", whether the granting of variance will further the purposes of the MLUL, and if the benefits of granting the variance will substantially outweigh any detriment.

Regardless of whether the variance is considered a "C(1)" or C(2)", no variance should be granted if it will present substantial detriment to the public good, or if it will impair the intent and purpose of the Zone Plan and Zoning Ordinance.
 15. Applicant shall be required to post all escrow and professional review fees.
 16. The applicant is proposing to relocate the depressed curb along the property frontage. We note that any additional curb or sidewalk damaged by the approved construction shall be required shall be replaced prior to issuance of Certificate of Occupancy.
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