

**BOROUGH ALLENHURST  
PLANNING BOARD**

**RESOLUTION**

**# 10-20-2021 (2)**

Whereas, 116 Spier, LLC, the record owner of the property has applied to the Planning Board of the Borough of Allenhurst for a Certificate of Appropriateness at the premises located at 116 Spier Avenue, Borough of Allenhurst and known as Block 6, Lot 2 on the official tax map of the Borough of Allenhurst which premises is located in R-1 Zone. The consideration of the Certificate of Appropriateness and proposed improvements require Planning Board and Historic Preservation approval.

The property currently has a 2,779 square foot one and one-half story home with 514 square feet of covered and enclosed porches.

The Applicant proposes demolition of the existing structure and the construction of a two and one half story single-family residence with detached one car garage, front covered porch, porte-cochere, masonry rear trellis, covered dining/patio and covered master bedroom porch on the second floor.

A hearing was held on September 1, 2021, in connection with this matter.

Whereas, the Board after carefully considering the evidence presented by the Applicant, the Applicant's expert and the comments, if any, by the general public, has made the following factual findings:

1. The Applicant is the owner of the property.
2. The Applicant was represented by Mark R. Aikins, Esq.
3. The Applicant presented the testimony of: Robert Adler.
4. The Applicant presented the following exhibits:

A-1 Application

A-2 Photographs/Zoning letter dated 6/15/21

A-3 Architectural plans revised through 7/721

A-4 Plot plan dated 7/12/21

A-5 Notice

A-6 Color rendering

B-1 Avakian review letter dated 8/31/21.

5. It has been determined that Applicant's proposal requires a Certificate of Appropriateness.
6. The property currently has a 2,779 square foot one and one-half story home with 514 square feet of covered and enclosed porches.
7. The Applicant proposes demolition of the existing structure and the construction of a two and one half story single-family residence with detached one car garage, front covered porch, porte-cochere, masonry rear trellis, covered dining/patio and covered master bedroom porch on the second floor.

8. The Maximum Front Yard Setback (Spier Avenue) permitted is a 50 foot average. Currently existing is 35 feet which is non-conforming. Applicant proposes 51 feet which conforms.
9. The Minimum Side Yard Setback is permitted is 15 feet or 5 feet on one side. Applicant proposes 15.5 feet which conforms.
10. The Minimum Combined Side yard setback permitted is 45 feet. Applicant proposes 47.83 feet which conforms.
11. The Minimum Rear Yard Setback (principal dwelling height at eve) permitted is 13.8 feet. Applicant proposes 38.5 feet which conforms.
12. The Minimum Rear Yard Setback (20% Lot Depth) permitted is 30 feet. Applicant proposes 38.5 feet which conforms.
13. The Maximum Building Coverage permitted is 4,500 square feet. Applicant proposes 4,084 square feet which conforms.
14. The Maximum Impervious Coverage permitted is 9,000 square feet. Applicant proposes 8,565 square feet which conforms.
15. The Building Height permitted is 2 ½ stories or 35 feet. Applicant proposes 2 ½ stories/35 feet which conforms.
16. The Minimum First Floor Area permitted is 1,110 square feet. Applicant proposes 3,384 square feet which conforms.
17. The Minimum Gross Floor Area permitted is 2,220 square feet. Applicant proposes 7,973 square feet which conforms.
18. The Maximum Porch Project permitted is 10 feet. Applicant proposes 10 feet which conforms.
19. The Minimum Side Yard Setback for a garage permitted is 3.5 feet. Applicant proposes 3.5 feet which conforms.
20. The Minimum Rear Yard Setback for a garage permitted is 3.5 feet. Applicant proposes 3.5 feet which conforms.
21. The Percentage of Rear Yard Areas for a garage permitted is 35%. Applicant proposes 10% which conforms.
22. The Minimum Garage width permitted is 12 feet. Applicant proposes 18 feet which conforms.
23. The Minimum Garage Depth permitted is 20 feet. Applicant proposes 20 feet which conforms.
24. The Minimum Driveway Width permitted is 9 feet. Applicant proposes 10 feet which conforms.
25. The Maximum Driveway Width permitted is 10 feet. Applicant proposes 10 feet which conforms.
26. The Maximum Garage Door Width permitted is 10 feet. Applicant proposes 10 feet which conforms.
27. The Minimum Garage Door Width permitted is 8 feet. Applicant proposes 10 feet which conforms.
28. The Driveway Maximum Curb Cut Width permitted is 12 feet. Applicant proposes 12 feet which conforms.
29. Generator will be placed on the westside of the garage and will be screened to reduce sound.
30. Mechanicals will be placed on the eastside of the house and will be screened to reduce sound.
31. The garage will be shifted one foot to the east to comply with the roof overhang setback. The roof overhang in the rear of the garage will be revised to 6 inches to comply with setbacks.
32. Applicant will provide soil borings to show seasonal high-water table.

33. The basement slab shall be set 1 foot 8 inches above the seasonal high-water table.
34. To the extent possible, the drywell will be placed in the front yard and/or a overflow piping system will be developed to address overflow directed towards the street (subject to Borough Engineer approval).
35. Porch lighting will be contained to the porch and will not spill onto adjacent properties.
36. A mounding analysis will be conducted to ensure no water displacement due to the proposed basement.
37. Applicant will comply with a 2 year and 10 year storm design to match pre-existing flows.
38. The basement will be unfinished. There will be no living space in the basement and it will only be used for storage.
39. Hedges shall not exceed 48 inches.
40. Porch floor will be comprised of bluestone.
41. Railings will be in the "Allenhurst" style and will comprised wood and Azek. The mainline height will be 36 inches and the ends height will be 42 inches.
42. Shingles will be cedar.
43. Roof will be unfinished red cedar.
44. Trim will be Azek.
45. The foundation will be exposed with brick finish.
46. The garage will only be used for out-of-season and vehicle storage and the exterior will math the main residence.

Whereas, the Board has determined that variance relief requested by the applicant can be granted without substantial detriment to the public good and without substantially impairing the intent and purpose of the Zone Plan of the Borough of Allenhurst.

Whereas, the Board has determined that the proposal does meet with the Historical Preservation requirements necessary for a Certificate of Appropriateness.

NOW, THEREFORE BE IT RESOLVED, by the Planning Board of the Borough of Allenhurst on the 1<sup>st</sup> day of September 2021 that the Certificate of Appropriateness and variance relief is APPROVED subject to the following conditions:

- (1). The Applicant shall comply with all promises, commitments and representations made at or during the Public Hearing Process in connection with this Application and, where consist with this approval, at previous hearings before this Board. This includes, but is not limited to representations made in connection with the previous approvals which are applicable to Application.
- (2). The Applicant shall comply will those applicable terms and conditions of the Leon S. Avakian review letters referenced above revised through 8/31/21.
- (3). 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.
- (4). The Applicant shall be strictly limited to the plans which are referenced herein and which are incorporated herein at length. All construction shall comply with prevailing provisions of the Uniform Construction Code.
- (5). The Applicant shall obtain all approvals necessary for this project.
- (6). The Applicant shall in conjunction with appropriate Borough Ordinances pay all appropriate/required fees and taxes

- (7). Any future improvements will require Planning Board Approval.
- (9) The timing requirements set forth in Section 25-3.19 of the Allenhurst Borough Code applies to the granting of Certificate of Appropriateness and/or Variance(s) relief.
- (10) All landscaping, drainage and grading plans shall be subject to the Borough Professional's review and approval.

As to the APPROVAL of the Certificate of Appropriateness and variance:

Moved by: Chairman Tomaino

Seconded by: Costello

#### ROLL CALL VOTE

Those in favor: Hochster, Chairman Tomaino, Costello, Adjmi, Cuminskey

Those opposed: none

Those abstain: none

Those recused: Adjmi

NOW, THEREFORE BE IT RESOLVED, by the Planning Board of the Borough of Allenhurst on the 20<sup>th</sup> day of October, 2021 that this Resolution be adopted.

Moved by:

Seconded by:

#### ROLL CALL VOTE

Those in favor:

Those opposed:

Those absent:

Those not voting:

The foregoing is a true copy of a resolution adopted by the Planning Board of the Borough of Allenhurst at its meeting on the 1<sup>st</sup> day of September, 2021.

As copied from the minutes  
Of said meeting

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Donna Campagna  
Secretary, Planning Board

Borough of Allenhurst, N.J.