

**BOROUGH ALLENHURST
PLANNING BOARD**

RESOLUTION No, 9-1-2021 (1)

Whereas, Jack Saadia, 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 119 Spier Avenue, Borough of Allenhurst and known as Block 35, Lot 10 on the official tax map of the Borough of Allenhurst which premises are located in R-1 Zone. The consideration of the Certificate of Appropriateness and variance relief and proposed improvements require Planning Board and Historic Preservation approval.

The property currently has a 4,604 square foot single-family three-story home and an existing 450 square foot two story detached garage.

The Applicant proposes: (1) 583 square foot dwelling renovation/addition, (2) 2,165 square foot driveway reconfiguration, (3) 425 square foot inground pool, and (4) 1,255 square foot pool patio.

Hearings were held in connection with this matter on April 21, 2021, June 16, 2021 and August 18, 2021.

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 Jennifer Krimko, Esq.
3. The Applicant presented the testimony of: David Boesch (New Jersey licensed landscape architect), Janet Foster (historic preservation consultant/architectural historian) and Wayne Lerman (New Jersey licensed architect).
4. The Applicant presented the following exhibits:
 - A-1 Planning Board Application dated 1/21/21.
 - A-2 Survey dated 5/8/19.
 - A-3 Architectural plans dated 4/8/21.
 - A-4 Plot Plan dated 4/8/21.
 - A-5 Photograph of the property.
 - A-6 Notice to Property Owners.
 - A-7 Google earth aerial
 - A-8 Color rendered plot plan.
 - A-9 Sight Triangle.
 - A-10 4/21/21 letter from Michael Vitello.
 - A-11 Color rendered view from Norwood Avenue.
 - A-12 Revised Plot Plan dated 6/3/21

- A-13 Revised architectural plans dated 6/3/21
- A-14 Historical images of properties within borough
- A-15 Color rendered plot plan
- A-16 Color rendered view of proposed home from Norwood Avenue.
- A-17 Revised architectural plans dated 8/5/21.
- A-18 Notice to property owners
- A-19 Foster resume
- A-20 Letter from Michael Vitiello
- A-21 Color rendering
- B-1 Avakian review letter dated 4/20/21.
- B-2 Revised Avakian letter dated 6/11/21.
- B-3 Certification of Ms. Hochster.
- B-4 Revised Avakian letter dated 8/10/21.
- B-5 Certification of Mayor McLaughlin
- B-6 Certification of Commissioner McLoughlin

5. It has been determined that Applicant's proposal requires a Certificate of Appropriateness.
6. The property currently has a 4,604 square foot single-family three-story home and an existing 450 square foot two story detached garage.
7. The Applicant proposes: (1) 583 square foot dwelling renovation, (2) 2,165 square foot driveway reconfiguration, (3) 425 square foot inground pool, and (4) 1,255 square foot pool patio.
8. The home has been classified as "Historic Landmarks" within the historic preservation ordinance having been built prior to 1905.
9. The permitted minimum side yard setback is 5 feet (one side) or 14.99 feet. Currently existing is 25.3 feet, which complies. Applicant proposes 15 feet which complies.
10. The permitted minimum side yard setback (60% of building height at eve) is 12.9 feet. Currently existing is 25.3 feet which complies. Applicant proposes 15 feet which complies.
11. The permitted minimum rear yard setback (20% lot depth) is 33.3 feet. Currently existing is 25.7 feet which is an existing non-conformity. Applicant proposes no change.
12. The Maximum Building Coverage permitted is 5,419 square feet. Currently existing is 4,604 square feet (16.99%) which conforms. Applicant proposes 5,081 square feet (18.75%) which conforms.
13. The Maximum Impervious Coverage permitted is 10,837 square feet. Currently existing is 9,383 square feet (34.63%) which conforms. Applicant proposes 10,815 square feet (39.92%) which conforms.
14. The Building Height permitted is 2.5 stories (35 feet). Currently existing is 3 stories (34.75 feet) which is an existing non-conformity. Applicant proposes no change.

15. The required minimum first floor area is 1,100 square feet. Currently existing is 4604 square feet which conforms. Applicant proposes 5081 square feet which conforms.
16. The required minimum gross floor area is 2,200 square feet. The applicant proposes to conform.
17. The permitted minimum side yard setback for garage is 3.5 feet. Currently existing is 3.3 feet which is nonconforming. Applicant proposes a minimum of 3.5 feet which conforms.
18. The permitted minimum rear yard setback for a garage is 3.5 feet. Currently existing is 28 feet which conforms. Applicant proposes a minimum of 3.5 feet which conforms.
19. The permitted percentage of rear yard areas for a garage is 35%. Currently existing is 10% which conforms. Applicant proposes 9.7% which conforms.
20. The required minimum garage width is 12 feet. Currently existing is 20.4 feet which conforms. Applicant proposes 20.4 feet which conforms.
21. The required minimum garage depth is 20 feet. Currently existing is 22.4 feet which conforms. Applicant proposes 22.4 feet which conforms.
22. The permitted minimum driveway width is 9 feet. Currently existing is 9 feet. Applicant proposes no change.
23. The permitted maximum driveway width is 10 feet within the front yard. Currently existing is 28.1 feet. Applicant proposes no change.
24. The permitted maximum water surface area of a pool is 800 square feet. Applicant proposes 473.6 square feet which conforms.
25. The permitted minimum distance to a structure for a pool is 10 feet. Applicant proposes 10.4 feet which conforms.
26. The permitted minimum distance for a pool to the rear property line is 25 feet. Applicant proposes 34.3 feet which conforms.
27. The permitted minimum distance for a pool to the side property line is 25 feet. Applicant proposes 25 feet which conforms.
28. The permitted ocean high water mark to a pool is 250 feet. Applicant proposes 1,570 feet which conforms.
29. The permitted distance from the pool to the Spier Avenue curb is 100 feet. Applicant proposes 101.3 feet which conforms.
30. The permitted distance from the pool to the Norwood Avenue curb is 100 feet. Applicant proposes 143 feet which conforms.
31. The permitted minimum width of a driveway is 9 feet and shall not be more than 10 feet wide from the public right of way to the front building line of the dwelling. Applicant proposes a width of 9 feet which conforms.
32. The permitted driveway curb cut is no greater than 10 feet and shall not be wider than 12 feet. Applicant proposes a 12-foot-wide curb cut which conforms.
33. Janet Foster testified as follows:
 - a. Due to the stucco detailing shutters cannot lie flat and will not be installed.
 - b. Tile roof will be returned to the structure.
 - c. Porte cochere will continue to have utility off the main driveway.
 - d. Windows on the second floor will be replaced with better quality windows.
 - e. Tile roof on garage will match tile roof on home.
34. David Boesch testified as follows:
 - a. Pool equipment will be enclosed with a 3-foot masonry wall and roof.
 - b. Grading, drainage and stormwater management plans will be submitted for review and approval of Borough professionals.

- c. A vehicle can pass through the Porte Cochere.
 - d. The depth of the pool shall not exceed 7 feet in depth.
 - e. An appropriate sight triangle will be established.
 - f. There is adequate on-site parking.
35. Wayne Lerman provided testimony regarding the interior floor plans and exterior elevations. It is the intention of the Applicant to bring back some of the character and details of the home as it existed in 1906.
 36. The garage will be moved to a new location on the property to align with the driveway.
 37. The overhang of the garage will extend no more than 6 inches into the setback.
 38. The hedges will be established at no higher than 48 inches in height.
 39. The areas on the basement plans shown as crawl space will and storage will not be changed or altered.
 40. The Applicant has agreed to remove the proposed enclosed second floor porch from the plans.
 41. The new basement will only be used for storage. There will be no habitable space in the new basement.
 42. The site triangle will be established at 30 feet by 30 feet as measured along the curbline.
 43. The second porch along Norwood Avenue will be renovated in kind and will not be altered.

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 18th day of August 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 consistent 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 with those applicable terms and conditions of the Leon S. Avakian review letters referenced above revised through 8/10/21.
- (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: Commissioner McLoughlin, Mayor McLaughlin, Chairman Tomaino, Costello, Varley, Hochster

Those opposed: Rogers

NOW, THEREFORE BE IT RESOLVED, by the Planning Board of the Borough of Allenhurst on the 1st day of September, 2021 that this Resolution be adopted.

Moved by: Costello

Seconded by: Varley

ROLL CALL VOTE

Those in favor: Chairman Tomaino, Costello, Varley, Hochster

Those opposed: None

Those absent: None

Those not voting: Cumiskey, Adjmi

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

As copied from the minutes

Of said meeting


Donna Campagna

Secretary, Planning Board

Borough of Allenhurst, N.J.