

DONNER LAW ASSOCIATES, L.L.C.
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Admitted in New Jersey
and New York
jdonner@donnerassociates.com

Jeffrey A. Donner, Esq.
Certified As a Civil Trial Attorney
By the New Jersey Supreme Court

March 12, 2020

VIA HAND DELIVERY
Alison Galvin, Planning Board Secretary
Office of the Planning Board
Allenhurst Borough Offices
125 Corlies Avenue
Allenhurst, New Jersey 07711

Re: Application of Sam Tawil for Certificate of Appropriateness;
Property: 120 Corlies Avenue, Block 7, Lot 2

Dear Ms. Galvin:

This office represents Mr. Sam Tawil regarding the captioned Application for a Certificate of Appropriateness for the subject property concerning the plans to modify and expand the residence. These plans meet all zoning and bulk requirements, but require the aforesaid Certificate. In this regard, attached please find the following items comprising the Application:

1. Six (6) copies of Zoning Officer Determination dated October 1, 2019
2. Original plus five (5) copies of completed pages 4 through 9, 11 and 13 of the Application form
3. Six (6) copies of E-Mail dated today confirming Real Estate Taxes are Paid to date
4. Six (6) signed and sealed copies of Architectural Site Plan and included Survey
5. \$500 Check for Application Fee and \$1,000 check for Escrow
6. \$10 check for List of Property Owners and Others to be given Notice.

Kindly send to my attention the requested List of Property Owners and Others to be Noticed either via e-mail attachment to the e-mail address noted above or in hard copy form using the enclosed self-addressed and stamped envelope provided for your convenience. Thank you.

Very truly yours,


JEFFREY A. DONNER

cc: Mr. Sam Tawil

Via E-Mail w/ encls. @sammy2081@gmail.com



BOROUGH OF ALLENHURST

125 Corlies Avenue

Allenhurst, NJ 07711

Phone (732) 685-1413 Fax: (732) 531-8694

Email: Zoning@allenhurstnj.org

www.allenhurstnj.org

Joseph McGrath – Zoning Officer

Mr. Sam Tawil
120 Corlies Ave.
Allenhurst, NJ 07711

October 1, 2019

Re: 120 Corlies Ave. Zoning Application

Dear Sir,

I am in receipt of a set of plans and a request for an addition and renovations at the above listed property, at this time I am compelled to DENY the request and refer the matter to the Planning Board for a Certificate of Appropriateness for Major Work. The following are my observations and recommendations:

1. Front and side setbacks appear to be existing non-conforming deficiencies,
2. The plans do not disclose the distance between the Air Conditioning Condensers to the property line and moving them to a rear location may assist in relieving the effect of the non-conformity. It is also unclear if the pads for the condensers are included in the impervious coverage calculations.
3. The Impervious Lot Coverage exceeds the maximum but also appears to be a pre-existing non-conforming condition. A section of the asphalt basketball court appears to be proposed for removal, it doesn't make sense not to remove the entire court which would make this condition less non-conforming. The proposed remaining sections of the asphalt court do not appear to be useful to continue its original purpose.
4. Exterior plantings may be replaced with a species that will not grow beyond the required ordinance height, eliminating future maintenance observations by the Borough.

Please contact the Planning Office at planningboard@allenhurstnj.org or by phone at 732-962-2674 for the appropriate application. Please be advised the Planning Board Secretary may not be able to answer her phone during certain hours, if so, please leave a message

**BOROUGH OF ALLENHURST
PLANNING BOARD APPLICATION
(Certificate of Appropriateness – Major;
Subdivision; Site Plan; and/or Variance)**

Date Filed: _____

To the Allenhurst Planning Board:

An Appeal and/or Application is hereby made to the Borough of Allenhurst Planning Board for decision pursuant to the Historic Preservation Ordinance, Historic Design Guidelines; relief from the Land Development Ordinance; and/or an Appeal from a Decision of the Zoning Officer, for the following:

(Check all that Apply):

- Certificate of Appropriateness, Major
- Variance relief (hardship) N.J.S.A. 40:55D-70 (c)(1)
- Variance relief (substantial benefit) N.J.S.A. 40:55D-70(c)(2)
- Variance relief (use) N.J.S.A. 40:50D-70(d)
- Site Plan
- Subdivision
 - Minor
 - Major
- Appeal from Decision of the Zoning Officer
- Other

If an Appeal from Decision of the Zoning Officer, the Appeal is based on the decision rendered by the Zoning Officer on October 1, 2019, a copy of which is attached hereto.

DESCRIPTION OF PROPOSED STRUCTURE OR USE

The PREMISES AFFECTED are known as Lot No. 2, Block No. 7 on the Tax Map of the Borough of Allenhurst, located at: 120 Corlies Avenue, Allenhurst, NJ.

Applicant: Sam Tawil

Address: Donner Law Associates, L.L.C.
C/O 708 Highway 35 South

Neptune, New Jersey 07753

Email: jdonner@donnerassociates.com Phone: 732-578-8530

Owner: Sam Tawil

Address: 120 Corlies Avenue

Allenhurst, New Jersey 07711

Email: Sammy2081@gmail.com Phone: 917-696-8001

PROPERTY INFORMATION:

Address 120 Corlies Avenue

Lot 2 Block 7 Zone: R-2

Size of lot 16,675 sq. ft. Front 75 ft. Depth 158.51 ft. Width 149.97 ft. (at rear)
75 ft. (at front)

Present Use Residential (Add Additional Sheets if Necessary)

Proposed Use Residential (Add Additional Sheets if Necessary)

PRINCIPAL DWELLING INFORMATION:

Size of Building: Existing 3170 ~~#~~ Proposed* 3868 ~~#~~

Height of Building: Existing 23'-1" Proposed* 23'-1"

of Stories (include 1/2): Existing 2 Proposed* 2

Front Yard: Setback: Existing 36.1' Proposed* 36.1'

Front yard #2 (corner lots): Existing — Proposed* —

"Prevailing front set-back" of adjoining buildings within block: _____ ft.

% of existing green space: Existing _____ Proposed* _____

Rear setback: Existing 67'-2" ft. Proposed* 62'-10" ft.

Building Height at rear setback: Existing 23'-1" ft. Proposed* 23'-1" ft.

Side setback: Existing 9'-6" ft. Proposed* 9'-6" ft.

Building Height at side setback: Existing 23'-1" ft. Proposed* 23'-1" ft.

Combined side setback: Existing 19'-0" ft. Proposed* 19'-0" ft.

Building Coverage (%): Existing 16.8 % Proposed 19 %

Impervious surface coverage (%): Existing 42.5 % Proposed 42.3 %

On-site parking: # of bedrooms: 5 # of parking spaces: 3 + Garage (2)

BUILDING PROJECTION INTO YARDS:

Chimney projection: Rear 0 ft. Side 0 ft. Front 0 ft.

Porch projection: Rear 8 ft. Side 0 ft. Front 0 ft.

Other Projections: Rear 6 ft. Side 0 ft. Front 0 ft.

2nd Fl. Balcony

ACCESSORY STRUCTURES - GARAGE:

Garage (# spaces for automobile storage): Existing 2 ft. Proposed* 2 ft.

Garage (% coverage of rear yard): Existing N/A % Proposed* N/A %

Garage (side setback): Existing 9'-6" ft. Proposed* 9'-6" ft.

Garage (rear setback): Existing N/A ft. Proposed* N/A ft.

Garage: Width Existing ft. Depth: Existing ft. Door width: _____ ft.
Part of existing structure

ACCESSORY STRUCTURES - POOL:

Front setback: — ft. Side setback 20'-1 1/2" ft. Rear setback 20 ft.

Setback(s) from Principal Dwelling: 25'-6" ft. Height above Grade: unknown ft.

Setbacks from Accessory Structures: Structure (i.e. Garage) _____ Setback: _____ ft.

Structure (i.e. Shed) _____ Setback: _____ ft.

Structure (other) _____ Setback: _____ ft.

OTHER ACCESSORY STRUCTURE: Describe Structure: N/A

Side setback: Existing _____ ft. Proposed* _____ ft.

Rear setback: Existing _____ ft. Proposed* _____ ft.

Width _____ ft. Depth: _____ ft. Door width: _____ ft.

Height of Building: Existing _____ Proposed* _____

Stories: Existing _____ Proposed* _____

(Add Page for Each Structure)

Driveway width: Existing 24 ft. Proposed* 24 ft.

****Proposed** shall mean changes relating to the new structure(s)/improvements proposed only**

Has there been any previous appeal/Applications involving these premises? Yes _____ No ✓

If so, state character of appeal/Application(s) and date of disposition: N/A

Describe any deed restrictions affecting the property: None.

(ADD ADDITIONAL PAGES AS NECESSARY)

APPLICATIONS THAT REQUEST
CERTIFICATE OF APPROPRIATENESS, MAJOR

DEMOLITION of building or portions of building, including, but not limited to roofs of houses roofs of garages or other historic buildings, roofs of dormers, roofs of Porte-cochere, roofs of towers, roofs of balconies, parapets, pediments, porch roofs, or the frame of non-linear, oval or Palladian windows. For Certificates of Appropriateness, Major, Notice is required to be delivered.

DESCRIBE PLANS FOR DEMOLITION, REASONS FOR RELIEF, AND DETAILS REQUIRED PURSUANT TO THE BOROUGH'S HISTORIC PRESERVATION ORDINANCE, 26:11.1 ET SEQ. & THE BOROUGH HISTORIC PRESERVATION GUIDELINES

The rear second floor exterior wall and existing second floor deck will be demolished. This will allow the expansion of the second floor and new second floor balcony.

As an aside, all new construction will be integrated into the architectural style of the existing residence including materials, windows and roof lines.

MAJOR ALTERATION - The addition, change or modification of major architectural elements to a building, which effects the design, shape, pitch or existence of the roof including, but not limited to, main roofs, dormers, roofs of bay or cantilevered windows, pediments, parapets, towers, porches, cupolas, Porte Cocheres and balconies, as well as alterations, including demolition of non-linear (e.g. oval, Palladian, etc.) window frame outlines. Major alterations would additionally include changes by additions or complete conversion or alteration of the traditional predominant substance, texture or finish of a building (e.g. changing from wood to stucco, stucco to brick), and changes by additions or complete conversion or alteration of columns and railings on any exterior elevation. Notice is required.

- Alteration - Addition - New Construction

PROVIDE A DESCRIPTION OF THE PROPOSED ALTERATIONS, ADDITIONS AND/OR NEW CONSTRUCTION, PROVIDING SUFFICIENT DETAILS AS REQUIRED IN THE BOROUGH'S HISTORIC PRESERVATION ORDINANCES AND THE BOROUGH HISTORIC DESIGN GUIDELINES AND REASONS FOR RELIEF OR DECISION IN FAVOR OF THE APPLICATION

The residence is an existing multistory contemporary style. The architecture has interesting roof lines as well as a mix of classical stone veneer and siding. The addition will be an expanded second floor from the rear. This will create interesting roof lines compatible with the existing residence. A new rear balcony will be created along the full second floor creating a covered ground level terrace. All views will be toward a new pool and a landscaped sitting area. The windows will match the style of the original residence. All will be in compatibility with the existing neighborhood.

APPLICATIONS WITH VARIANCE RELIEF REQUESTED:

Provide a statement of facts and legal argument why relief should be granted pursuant to N.J.S.A.

40:55D-70: N/A

(Attach additional sheets if more space is needed.)

Names and addresses of all expert witnesses proposed to be used:

Wayne M. Lerman, A.I.A.
1421 Highway 35 South, Suite 207
Eaten town, New Jersey 07724

(Attach additional sheets if more space is needed.)

ATTACHED HERETO AND MADE PART HEREOF, I SUBMIT THE FOLLOWING:

- (a) Copy of initial Zoning Permit Application and decision of Zoning Officer.
- (b) Copy of Impervious Surface Determination Application and Decision of Zoning Officer.
- (c) Sealed Survey, prepared to scale, of the property showing all existing structures and improvements, and indicating the relationship of the existing structures with adjoining properties and structures (If the Survey older than six (6) months, a Survey Affidavit of No Change affirmed by the owner must be submitted).
- (d) Plot Plan(s) (Residential Properties), Site Plan(s) (Commercial Properties), and/or Subdivision Plan prepared by a licensed surveyor, engineer, or architect, prepared to scale, showing all existing and proposed structures and improvements, as well as the relationship of existing and proposed structures with adjoining properties and structures.
- (e) Architectural drawings (Scaled to not less than .25"= 1') of the existing and proposed buildings and structures, which shall sufficiently identify all changes, alterations or additions proposed.

These drawings shall be sufficiently specific and dimensioned to clearly show the nature of the work proposed, and to address the Historic Preservation Ordinance and Design Guidelines. For residential applications, it is recommended that such drawings be prepared, signed and sealed by an Architect licensed in the State of New Jersey, though not mandatory. For non-residential applications, drawings MUST be prepared by a New Jersey licensed Architect. If the application is granted, plans submitted for construction permits must also be prepared to conform to all requirements for building/construction permits.
- (f) Photographs of land and all exterior sides of the buildings involved in the application;
- (g) Submitted disk or thumb drive containing scanned copies of the Zoning Permit w/ Zoning Determination/Denial; Impervious Surface Determination/Denial; Certificate of Appropriateness and/or Variance Application; Survey, Plot Plan and/or Site Plan; Architectural drawings; and Photographs.
- (h) Application and Escrow Fees
- (i) Proof of payment of all taxes due and owing on premises;

AFFIDAVIT OF APPLICANT

STATE OF NEW JERSEY:

SS:

COUNTY OF MONMOUTH:

Jeffrey A. Donner, attorney for and Authorized Representative for Applicant, of full age, being duly sworn according to law, on oath deposes and says that all of the above statements and the statements contained in the papers submitted herewith are true, and that the Applicant(s), pursuant to "Instructions For Certificate of Appropriateness, Major and/or Variance Application to the Allenhurst Planning Board," shall be prepared at the Public Hearing to be conducted by the Allenhurst Planning Board to prove to the Planning Board that the Applicant(s) is/are entitled to the relief requested for a Certificate of Appropriateness; for Variance(s) from the strict application of Borough's Land Development Ordinance; and/or an Appeal of a Decision by the Zoning Officer, pursuant to the Land Use and Development Ordinances of the Borough of Allenhurst, the Historic Preservation Ordinance of the Borough of Allenhurst, the Historic Preservation Guidelines, and/or the New Jersey Municipal Land Use Law. Applicant shall be prepared to demonstrate that they meet the burden of proof as required by the provisions of the Municipal Land Use Law, N.J.S.A. 40:55D-70.

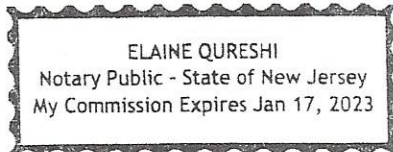
Jeffrey A. Donner
 (Applicant Sign Here)

Jeffrey A. Donner
Authorized Representative for Applicant

Sworn to and subscribed
 Before me this 12 day
 of March, 2020.

[Signature]

A Notary Public or an Attorney at Law of the State of New Jersey



BOROUGH OF ALLENHURST Escrow Agreement

I/we fully understand an "Escrow Account" will be established to cover the costs of the professional services which may include engineering, legal, planning, architectural and any other expenses incurred in connection with the review of this application before the Allenhurst Planning Board. The amount of the Escrow Deposit will be determined by the Borough of Allenhurst Land Development Ordinance, Section 26-8.1, as may be amended.

It is the policy of the Borough of Allenhurst that once an Escrow Account falls below 24% of the original deposit amount, the account must be replenished to its original amount. The only exception would be when the application is nearing completion. Applicants will be notified of any anticipated charges and the amount of the deposit, or additional deposit, required.

Payments shall be due within fifteen [15] days of receipt of the request for additional Escrow Funds. If payment is not received within that time, Applicant will be considered to be in default, and such default may jeopardize appearance before the Board or hold up any and all pending approvals and building permits. Continued refusal will result in legal action against the property.

Also in accordance with N.J.S.A. 40:55D-53.1, all unused portion of the escrow account will be refunded upon written request from the applicant, and verification by the board's professionals who reviewed the application.

By signature below, I/we acknowledge that we have reviewed the Borough of Allenhurst Land Development Ordinance Section 26-8.1 for Application and Escrow Fees, and agree to all conditions and obligations.

Name of Applicant: Sam Tawil
[Print Name]

Property Address: 120 Cortlies Avenue Block 7 Lot 2

Owner's Name: Sam Tawil
[Print Name]

Jeffrey A. Downer
[Signature of Owner] Jeffrey A. Downer
Authorized Representative
for Owner

Owner's Name: _____
[Print Name]

[Signature of Owner]

Date: 03-12-2020



Jeffrey Donner <jdonner@donnerassociates.com>

Tawil; 120 Corlies Avenue, Block 7, Lot 2; Request for Certification That RE Taxes Paid

Ronnie Dahl <rdahl@allenhurstnj.org>
To: Jeffrey Donner <jdonner@donnerassociates.com>

Thu, Mar 12, 2020 at 9:25 AM

the real estate taxes for first quarter 2020 are paid. if you need anything else just let me know. thank you

Ronnie Dahl,
Finance Department
Allenhurst Borough
732-531-2757
rdahl@allenhurstnj.org

On Thu, Mar 12, 2020 at 8:48 AM Jeffrey Donner <jdonner@donnerassociates.com> wrote:

Dear Ms. Dahl: Please confirm by reply e-mail that the Real Estate Taxes on the captioned property have been paid currently to date. Thank you.

Jeffrey Donner

JEFFREY A. DONNER, ESQ.
DONNER LAW ASSOCIATES, L.L.C.
[708 Highway 35](#)
Neptune, New Jersey 07753

Office: (732) 578-8530
Fax: (732) 928-0482
Mobile: (732) 580-7691

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55-233
212 3214

1258

SAMMY S. TAWIL
JACQUELYN TAWIL

DATE 3/4/2020

PAY TO THE ORDER OF Borough of Allenhurst \$ 1,000

One Thousand Dollars and ^{XX}/₁₀₀ DOLLARS

Security Features
Included.
Details on Back.

CHASE

JPMorgan Chase Bank, N.A.
www.Chase.com

MEMO Escrow for Certificate of Approp. Application, 120 Earlies Ave. *[Signature]* MP

⑆021202337⑆ 6108102207⑆ 1258

55-233
212 3214

1259

SAMMY S. TAWIL
JACQUELYN TAWIL

DATE 3/4/2020

PAY TO THE ORDER OF Borough of Allenhurst \$ 500

Five Hundred Dollars and ^{XX}/₁₀₀ DOLLARS

Security Features
Included.
Details on Back.

CHASE

JPMorgan Chase Bank, N.A.
www.Chase.com

MEMO Fee for Certificate of Approp. Application, 120 Earlies Ave. *[Signature]* MP

⑆021202337⑆ 6108102207⑆ 1259

DONNER LAW ASSOCIATES LLC
OPERATING ACCOUNT
708 HIGHWAY 35
NEPTUNE NJ 07753

1592
55-136/312
660

03-12-2020
Date

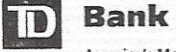
Pay to the
Order of

Borough of Allenhurst
Ten and 00/100

\$10⁰⁰/₁₀₀

Dollars

Security
Features
Details on
Back.



America's Most Convenient Bank®

List of Property Owners & Others
in Notice re: Block 7, Lot 2
For 120 Corlies Avenue, Allenhurst

Jeffrey A. Moore MP

⑆03⑆20⑆360⑆ 4253657626⑆ 1592