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September 10, 2021

Seaside Park Borough Planning Board
1701 North Ocean Avenue
PO Box B
Seaside Park, NJ 08752

**Re: DeTitta
Use ('d') Variance – Review #1
Block 88, Lot 22
Location: 16 Lafayette Avenue
Zone: R (Residential)
Our File: HSSP0088.02**

Dear Planning Board Members:

In accordance with your authorization, our office has performed a review of the following information relative to the above-referenced Use Variance application:

- Survey entitled “Topographic/Location Survey, Tax Lot 22, Block 88, as shown on the Seaside Park Tax Map Sheet #15, Last Revised: December 2019, Tract Containing: 4,000 SF, Street Address: #14 & 16 Lafayette Avenue, Seaside Park, Ocean County, New Jersey” consisting of one (1) sheet, prepared by WSB Engineering Group, P.A., dated November 24, 2020, unrevised;
- Plan entitled “Variance Plan, 16 Lafayette Avenue, Block 88 – Lot 22 for Stephen DeTitta, Borough of Seaside Park, Ocean County, New Jersey” consisting of one (1) sheet, prepared by KBA Engineering Services, LLC, dated August 5, 2021, unrevised;
- Architectural plans entitled “Proposed Addition / Alteration for: 16 Lafayette Ave, Seaside Park, New Jersey” consisting of one (1) sheet, prepared by Michele Di Salvo, RA, dated July 30, 2021, unrevised;
- Elevation Certificate, prepared by Tri-County Surveying Planning & Associates, dated July 13, 2000;
- Email from the Seaside Park Tax Assessor, dated July 23, 2021;
- Submittal Letter prepared by Hering, Dupignac, Stanzione & Dunn, P.C, dated August 11, 2021;
- A Development Application;
- Site photos (5); and,
- Tax & utility certifications.

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Based upon our review of the above information, we offer the following comments for your consideration:

1. Property Description

The subject property is indicated to contain 4,000 SF within an R Zone District and provides 40 feet of road frontage along the north side of Lafayette Avenue approximately 320.5 feet east of its intersection with Ocean Boulevard. The property currently contains a 2-story two-family dwelling with associated improvements including but not limited to a paver driveway, covered porches, patios, decks, steps, walkways, and fences

The Applicant proposes to construct a +/-55 square foot second story addition, within the first floor footprint, along the northwesterly corner of the dwelling. Portions of the existing walkways in the rear and side yards are proposed to be removed.

2. Surrounding Uses

Properties surrounding the subject property are similarly zoned R (Residential).

3. Zoning Compliance

The subject property is situated within an R Zone District. The table below summarizes the bulk measures and zone requirements for the property.

DESCRIPTION	REQUIRED	EXISTING	PROPOSED
Minimum Lot Area	5,000 sf	4,000 s.f.	4,000 s.f. (EC)
Minimum Lot Width	50 feet	40 feet	40 feet (EC)
Minimum Lot Depth	50 feet	100 feet	100 feet
Minimum Front Setback	15 feet	±0.5 feet	±0.5 feet* (EC)
Minimum Rear Setback	20 feet	±45.5 feet	±45.5 feet
Minimum Side Setback	4 feet	3.4 feet	3.4 feet (EC)
Minimum Combined Side Setback	12 feet	15.6 feet	15.6 feet
Maximum Lot Coverage by Building	40%	42.3%	±42.3% (EC)
Maximum Floor Area Ratio	90%	±57.8%	±60%



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DESCRIPTION	REQUIRED	EXISTING	PROPOSED
Maximum Impervious Lot Coverage	60%	±99.0%	±83.8% (EC)
Maximum Building Height	3-story / 31 feet above	2-story / ±21.47 feet	2-story / ±21.47 feet

(EC) – Existing Condition

(V) – Variance Required

* - Distance to front steps.

The Applicant has requested variances and/or design waivers for the following with this application:

- a. **Section 200-46.E(3)** – Additions may be constructed on a nonconforming structure as long as the addition itself does not violate any use, the requirements of which are within this chapter, whereas the addition will be used as part of a two-family dwelling which is not a permitted use in the Residential Zone.

It appears that the following existing condition nonconformities would remain pertinent to the site:

- a. **Section 200-67.C(1)(b)** – The minimum side yard setback for an accessory structure is 5 feet whereas, 4.8 feet is shown to remain.
- b. **Section 200-67.E** – The minimum lot area required is 5,000 square feet, whereas 4,000 square feet is shown to remain.
- c. **Section 200-67.E(1)(c)[1]** – The minimum lot width required is 50 feet, whereas 40 feet is shown to remain.
- d. **Section 200-67.E(1)(c)[4]** – The minimum front yard setback required is 15 feet, whereas approximately 0.5 feet to the entry stairs is shown to remain.
- e. **Section 200-67.E(2)(a)** – The minimum side yard setback required is 4 feet, whereas 3.4 feet is shown to remain.
- f. **Section 200-67.E(4)** – The maximum building coverage permitted is 40%, whereas approximately 42.3% is shown to remain.
- g. **Section 200-67.E(6)** – The maximum lot coverage permitted is 65%, whereas approximately 83.8% is shown to remain.



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4. The Applicant has provided sufficient information in accordance with Ordinance Section 200-73.A.(10). Accordingly, we recommend that the application be deemed **complete** at this time and we estimate that the following fees are required:

a. **Nonrefundable Application Fees:**

Ordinance Section

200-11B(2)	Request for Use Variance	\$520.00
200-11B(2)	Request for Hardship Variance	\$280.00
	Subtotal:	\$800.00

b. **Professional Services Escrow Fees:**

Ordinance Section

200-11B(2)	Request for Use Variance	\$1,150.00
200-11B(2)	Request for Hardship Variance	\$690.00
	Subtotal:	\$1,840.00

We recommend the Borough collect \$800.00 in nonrefundable application fees and \$1,840.00 in professional services escrow fees from the Applicant prior to deeming the application complete.

5. The Applicant should be prepared to discuss the following issues with the Board:
- Reasons supporting the granting of required variances and/or design waivers and continuance of existing condition nonconformities, including but not limited to the front yard setback, side yard setback, building coverage, and lot coverage.
 - Applicant should discuss and clarify how the proposed addition would result in a decrease in floor area and volume.
 - Applicant should verify the site is actively/currently being used as a 2-family use.
 - The property is located within an AE-9 FEMA Flood Zone. The Applicant should discuss compliance with regulations regarding same. Further, the Applicant should discuss whether the proposed development meets the definition of substantial improvements per Borough Code.



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- e. No grading modifications appear to be proposed. The stormwater management of the property, as well as any flood damage prevention measures should be reviewed with the Board. Applicant should specially discuss roof leaders, downspout locations, flood vent locations and the ground floor wall material.
 - f. Applicant should review the Elevation Certificate for the benefit of the Board.
 - g. Applicant should confirm number of proposed bedrooms and two-family use. Applicant should verify the proposed number of parking spaces and confirm it complies with both RSIS and Borough requirements. Applicant should discuss parking operations for two-family use as parking appears to be stacked.
 - h. The Applicant should discuss the ground cover in the areas where the existing walkways are proposed to be removed.
 - i. The Applicant should clarify if any fences in the rear and side yards will be removed and/or replaced.
 - j. The height of the existing detached garaged should be verified.
 - k. Any permits/approvals required by any outside agencies, the Applicant shall address the Board regarding the status of all outside agency approvals and copies of same shall be forwarded to this office.
6. Based on our review, the Plans should be revised as follows:
- a. We note that there are several inconsistencies between the architectural plan, Variance Plan and lot coverage calculations (detached garage, FAR, building coverage, lot coverage, etc.). The Variance Plan also indicates that 9' by 12' parking stalls are proposed to remain whereas 9' by 18' parking stalls are required. Same should be revised for clarity/consistency.
 - b. Survey and plans properly scaled should be provided.
 - c. Zoning Authorization indicates incorrect Block and Lot numbers. Same should be revised.
 - d. Revised variance plan should be signed and sealed.

The right is reserved to present additional comments pending the receipt of revised Plans and/or testimony of the Applicant before the Board



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If you have any questions with regard to the above matter, please do not hesitate to call.

Very truly yours,

CME Associates

Douglas M. Rohmeyer, PE, CME, CFM
Planning Board Engineer

DMR/DEP/dol

cc: Sandra Martin – Board Secretary
Gregory Hock, Esq. – Planning Board Attorney
Gary Royer – Zoning Officer
Stephen and Jean DeTitta – Applicant
Lynne A. Dunn, Esq. – Applicant's Attorney
Michele DiSalvo, RA – Applicant's Architect
Joseph J. Kociuba, PE, PP – Applicant's Engineer