

TOWNSHIP OF BERKELEY  
ZONING BOARD OF ADJUSTMENT  
REGULAR MEETING AGENDA  
December 12, 2012  
6:30 PM PUBLIC HEARING

- A. SALUTE TO THE FLAG
- B. ROLL CALL, DECLARATION OF QUORUM
- C. SUNSHINE ACT STATEMENT: This meeting was advertised in the Asbury Park Press, posted on the Township's bulletin board as required by the "Open Public Meeting Act".
- D. Please be advised that there is to be **NO SMOKING** in this building in accordance with New Jersey Legislation.
- E. OLD/NEW BUSINESS:

F. AGENDA

- 1. Sciara (Bayside Builders) BOA # 12-5407  
**\*\*\* Carried from November Meeting**  
Variance requested Rear setback Bulk Variance  
Project: Construct a 572 s.f. addition  
Block: 1561 Lot: 16  
Address: 234 Teakwood Dr. Zone: R-64  
Denial reads: "Applicant proposes to construct a 572 s.f. addition that will leave a 15.74 ft. setback where 20 ft. is required."
- 2. Matthew Mazza BOA # 12-5406  
Variance requested Front Yard Setback on Paper St.  
Project Addition of a new living space area  
Block 596 Lots 45 thru 50  
Address: 371 Veterans Blvd. Zone: R-150  
Denial reads: "Applicant proposes to construct a 36 ft. x 18 ft. living space addition 23.5 ft. from the front property line where 35 ft. is required".
- 3. Diane Zondiros Cole BOA # 12-5418  
Variance requested Certificate of Non-Conformance  
Project Re-establish a marina on waterfront property  
Block: 1022 Lots 18, 18.02 & 22  
Address: 7 Mill Creek Road Zones: R-200  
Denial reads: "Applicant is requesting a certificate of non-conformity for dual usage of residential property. The applicant proposes to re-establish a marina in the waterfront property of a single family dwelling".

- G. RESOLUTIONS –
- I. VOUCHERS
- H. ADJOURNMENT



# Ernst, Ernst Lissenden

A New Jersey Corporation

Certificate of Authorization 24GA27927500  
Consulting Engineers, Planners & Surveyors  
52 Hyers Street, P.O. Box 391 • Toms River, NJ 08754  
Telephone: 732-349-2215 • Fax: 732-349-4127  
Website: www.eelengr.com

**PRINCIPALS**  
John A. Ernst, Jr., (1909-1987)  
John A. Ernst, III, (Retired)  
George C. Lissenden, Jr., (Retired)  
John J. Mallon, P.E., C.M.E., P.P.  
Robert J. Romano, P.E., C.M.E., P.P.  
John N. Ernst, P.E., C.M.E., P.P.

Carl P. Wiemer, L.S., P.P.  
Harold Mathis, Jr., L.S., P.P.

October 16, 2012

Berkeley Township Zoning Board of Adjustment  
Pinewald-Keswick Road  
P.O. Box B  
Bayville, NJ 08721

Re: **BOA #12-5407**  
**Applicant: Angela Sciara**  
**Application: Rear Setback Bulk Variance**  
**Block 1561, Lot 16**  
**Fronting on Teakwood Drive**  
**Zone: R-64**  
**EE & L Project No. 12B4533-7S01**

Dear Ms. Kazmac:

In accordance with your request, our office has reviewed the following variance application submitted for the above referenced property for completeness. The following comments are offered with regard to same:

The denial letter issued July 12, 2012 by the Zoning Official states "that the applicant proposes to construct a 572 s.f. addition that will leave a 15.75 ft. setback where 20 ft. is required.

## A. Completeness

1. Based upon our review, we recommend that this application be deemed complete subject to the Applicant complying with all applicable notification requirements as set forth in the Berkeley Township Land Use Ordinance and the Municipal Land Use Law. As such, this application is being placed on the Berkeley Zoning Board of Adjustment's **November 14, 2012** meeting agenda.
2. Notice to property owners and the newspaper (published) must be provided no later than 10 days prior to the meeting date and all proofs of service must be in the Municipal Planning and Zoning office no later than 5 days prior to the meeting. Should you have any questions with regard to noticing requirements, contact the Board office at 732-244-7400.
3. The applicant has submitted the following items for review:
  - An amended plan showing the proposed building addition entitled "Map of Survey, Tax Lot 16, Block 1561 (Sheet No. 127) Berkeley Township, Ocean County, New Jersey", dated August 12, 2012, prepare by Bernard M. Collins, L.S.
  - Preliminary architectural plans.
  - A 200 ft. radius map and certified list of property owners.
  - An application checklist.

## B. General Comments

The property is located on the southside of Teakwood Drive approximately 700 ft. east of Bayview Avenue. The property lies within the R-64 Zone and comprises an area of 6,400 s.f. The site contains a one story frame dwelling with a concrete driveway and a frame deck extending from the dwelling unit to a bulkhead. Two frame sheds near the west property line and a plastic shed in the front yard area are also present on the site.

The subject property is in a special flood hazard area which is an area subject to inundation by the 1% annual chance flood with a base flood elevation of 6.0.



Re: BOA #12-5407  
Applicant: Angela Sciara  
Application: Rear Setback Bulk Variance  
Block 1561, Lot 16  
Fronting on Teakwood Drive  
Zone: R-64  
EE & L Project No. 12B4533-7S01



The applicant proposes to construct a 572 s.f. addition along the west side and rear of the building leaving a rear yard setback of 15.37 ft; whereas 20 ft. is required.

**C. Variations Requested and Items of Discussion**

1. A variance is required for insufficient rear yard setback; whereas 20 ft. minimum is required and 15.37 ft. is proposed.
2. The applicant must provide testimony and proofs supporting the granting of the variance/
3. The applicant should provide photographs of the property.
4. The Board should be aware that the deck in the rear yard maybe in violation of the rear yard setback requirements; whereas 20 ft. minimum is required and 0 ft. is existing. In addition, the two existing frame sheds are in violation of the side setback requirement for accessory structures; whereas 5 ft. minimum is required and 2 ft. ± scaled is existing. Furthermore there is a plastic shed in the front yard area which is in violation of the Ordinance.

**D. Conditions and Recommendations**

Should the Board determine that the relief requested should be granted, we recommend that the approval be conditioned upon the following (if applicable):

1. The Applicant shall obtain any and all agency approvals, including but not limited to, CAFRA, NJDEP, Building Department, Fire Department, Health Department, and Engineering Departments, etc., if required.
2. The Applicant certifying that the proposed building addition will not encroach into existing easements (i.e., shade tree, utility, drainage, etc.) without proper consent from the Township, or other party involved, if any.
3. The Applicant shall submit payment of any and all outstanding professional review fees of the Board and the Township.
4. The Applicant shall provide all required plans necessary to show compliance with all required Building Codes and Ordinances, to the Building Department at the time of the permit application.

Otherwise all of the above mentioned non-conformances are existing conditions which the Board generally takes no action.

We reserve the right to request additional information, and/or plans should additional variances or concerns be indicated during the public hearing.

Should you have any questions or we can be of any further assistance on this matter, please do not hesitate to call our office.

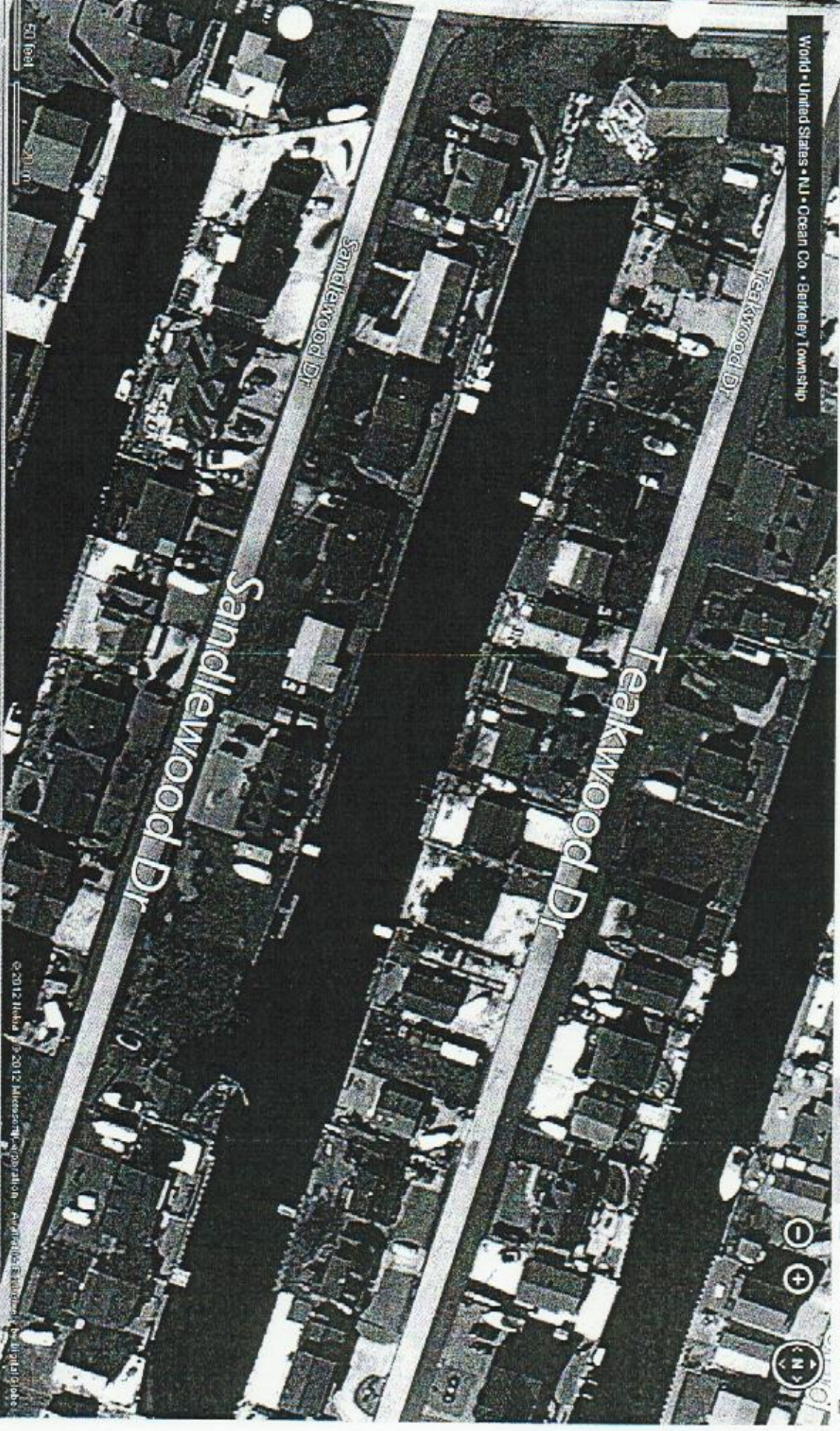
Very truly yours,

John J. Mallon, PE  
Zoning Board Engineer

JJM/jet

cc Anna Wainwright, Board Planner  
Alex Pavliv, Board Attorney  
Angela Sciara, Applicant  
Bayside Builders, Attn: Joan Scullion  
file







# REMINGTON & VERNICK ENGINEERS AND AFFILIATES

EDWARD VERNICK, PE, CME, President  
CRAIG F. REMINGTON, PLS, PP, Vice President

EXECUTIVE VICE PRESIDENTS  
Michael D. Vena, PE, PP, CME (Retired 2006)  
Edward J. Walberg, PE, PP, CME  
Thomas F. Beach, PE, CME  
Richard G. Arango, PE, CME

DIRECTOR OF OPERATIONS  
CORPORATE SECRETARY  
Bradley A. Blubaugh, BA, MPA

SENIOR ASSOCIATES  
John J. Cantwell, PE, PP, CME  
Alan Dittenhofer, PE, PP, CME  
Frank J. Seny, Jr., PE, PP, CME  
Terence Vogt, PE, PP, CME  
Jonnis K. Yoder, PE, PP, CME, LEED  
Charles E. Adamson, PLS, AET  
Kim Wendell Bibbs, PE, CME  
Marc DeBlasio, PE, PP, CME  
Leonard A. Falola, PE, CME  
Christopher J. Fazio, PE, CME  
Kenneth C. Resler, PE, CME  
Gregory J. Sullivan, PE, PP, CME  
Richard B. Czeliński, PE, CME, DCEE

Remington & Vernick Engineers  
232 Kings Highway East  
Haddonfield, NJ 08033  
(856) 795-9595  
(856) 795-1882 (fax)

Remington, Vernick  
& Vena Engineers  
9 Allen Street  
Toms River, NJ 08753  
(732) 286-9220  
(732) 905-8416 (fax)

3 Jocama Boulevard, Suite 300-400  
Old Bridge, NJ 08857  
(732) 955-8000  
(732) 591-2815 (fax)

Remington, Vernick  
& Walberg Engineers  
145 North Main Street  
Teasentville, NJ 08232  
609 645-7110  
609 645-7075 (fax)

4907 New Jersey Avenue  
Wildwood City, NJ 08260  
609 522-5150  
609 522-5313 (fax)

Remington, Vernick  
& Beach Engineers  
922 Fayette Street  
Conshohocken, PA 19428  
(610) 940-1050  
(610) 940-1161 (fax)

5010 East Tindle Road, Suite 203  
Mechanicsburg, PA 17050  
(717) 766-1775  
(717) 766-0232 (fax)


U.S. Steel Tower  
600 Grant Street, Suite 1251  
Pittsburgh, PA 15219  
(412) 263-2200  
(412) 263-2210 (fax)

Utric Office Plaza, Delaware Building  
262 Chapman Road, Suite 105  
Newark, DE 19702  
(302) 266-0212  
(302) 266-0208 (fax)

Remington, Vernick  
& Arango Engineers  
The Professional Center  
Jordan Building, Suite 600  
61 Route 130  
Cinnaminson, NJ 08077  
(856) 303-1745  
(856) 303-1749 (fax)

300 Proctor Avenue, 3rd Floor  
Secaucus, NJ 07094  
(201) 624-2137  
(201) 624-2136 (fax)

MEMO: Berkeley Township Zoning Board of Adjustment

FROM: Anna Wainright, P.P., A.I.C.P.  
Zoning Board Planner 

DATE: October 17, 2012

RE: Sciara, Angela M.  
PLANNING REVIEW-#1  
Application: Addition  
Block 1561- Lot 16  
Address: 237 Teakwood Drive  
Zoning District: R-64 Residential Zone  
Plan Title: Map of Survey -Prepared by Bernard Collins, PLS  
Dated 8-2-12  
BOA#: 12-5407  
Our File: 1506-Z-146

As requested, our office has reviewed the above named variance application and offer the following comments and recommendations:

### Zoning Requirements:

### R-64 Residential Zone §36.96.3 & §35-95

Principal Bldg	Required	Existing	Proposed	Variance Required
Minimum Lot Area	6,400 SF	6,400 SF	6,400 SF	None
Minimum Lot Frontage	80 FT	80 FT	80 FT	None
Front Yard Setback	25 FT	26.16 FT	26.16 FT	None
Rear Yard Setback	20 FT	23 FT±	15.75 FT	Variance Required
Side Yard Setback	7 FT	8 FT	8 FT	None
Side Yard Combined	18 FT	55.5	45.5	None
Min Floor Area	864	720	1292	**Eliminates a variance
Min Accessory setback	5 FT	< 5 FT	< 5 FT And in Front yard	Existing Variance Conditions
Max Cov	30%	20%	23%	None



**A. PROJECT OVERVIEW**

The existing 1 story single family dwelling is located on Teakwood Dr. in the Glen Cove coastal area of the Township, with the rear yard backing up to a lagoon. The Applicant is proposing a single story addition to the existing single story home. The existing home is presently undersized in floor area, and the proposed addition will increase the floor area by 572 square feet. The lot is conforming in all aspects except for two existing sheds in the side yard which are located approximately one (1) foot from the property line, where five (5) foot is required, and an existing shed in the front yard which is not permitted. The new addition will violate the rear yard setback by 4.26 feet. The rear yard setback is the only variance required for the new addition, however, the applicant must obtain variances for the existing locations of three sheds. The lot coverage overall is still under the maximum permitted. Testimony should be provided to the Board describing the proposed addition and the interior use of the space.



Aerial map for neighborhood comparison. Copied from Google earth and modified by RVV.

**GENERAL REVIEW COMMENTS**

1. Pursuant to the MLUL Section 40:55D-70, the Board of Adjustment may grant a bulk variance request if: