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— LLC —

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April 17, 2020

Via Hand Delivery & Email cmcnally@beachhaven-nj.gov

Colleen McNally, Secretary
Beach Haven Land Use Board
300 Engleside Ave.
Beach Haven, NJ 08008

Re: Kilroy Management, LLC Amended Preliminary Site Plan and Variance
Block 134, Lot 2
211 S. Bay Ave., Beach Haven, NJ 08008

Dear Ms. McNally:

Enclosed please find the following with regard to the above referenced matter:

- (x) 5 copies of Land Use Development Application
- (x) 5 copies of Architect Plans prepared by William Esarey, AIA of Hand Line Architects.
- (x) 5 copies of Survey Plans, prepared by Jim Brzozowski, of Horn, Tyson & Yoder, Inc.
- (x) Public Notice
- (x) Check No. 1923 Amount \$450.00 Administrative Fee
- (x) Check No. 1924 Amount \$2,250.00 Escrow Account Deposit
- (x) Please consent and/or approve for public hearing on June 1, 2020 at 6:00 p.m.

Very truly yours,


JAMES S. RABAN

JSR/dh

Encl.

Cc: Mr. & Mrs. Charles Kilroy (via email) (w/o encs.)
William Esarey, AIA (via email) (w/o encs.)
James Brzozowski, P.E. P.PP (via email) (w/ encs.)
Frank Little, Jr. P.E. (via email) (w/ encs.)
Stuart Snyder, Esq. (via email) (w/ encs.)

LAND USE DEVELOPMENT APPLICATION

BOROUGH OF BEACH HAVEN
BAY AVENUE AND ENGLSIDE AVENUE
BEACH HAVEN, NEW JERSEY 08008
(609) 492-0111

TO BE COMPLETED BY BOROUGH STAFF ONLY

Date Filed _____ Docket No. _____
Application Fees _____ Escrow Deposit _____
Scheduled for: Review of Completeness _____ Hearing _____

1. SUBJECT PROPERTY - TO BE COMPLETED BY APPLICANT

Location: 211 S. Bay Ave.

Tax Map: Page 5 Block: 134 Lots: 2 & 15

Dimensions: Frontage: 50 feet Depth: 130 feet (irregular)

Area: 9,040.54 square feet

Zoning District: Split Zone: BD Business District and RB Two-Family District

2. APPLICANT

Name: Kilroy Management LLC

Address: 236 Country Club Boulevard, Little Egg Harbor, NJ 08087

Telephone Number: Home: 609-290-6114 Local:
Work: Fax:
Applicant is a Corporation Partnership Individual
Other (Please Specify): Limited Liability Company X
Social Security Number / Federal ID Number

3. DISCLOSURE STATEMENT

Pursuant to N.J.S. 40:55D-48.1, the names and address of all persons owning 10% of the stock in a corporate application or 10% interest in any partnership applicant must be disclosed. In accordance with N.J.S. 40:55D-48.2 that disclosure requirement applies to any corporation or partnership which owns more than 10% interest in the applicant followed up the chain of ownership until the names and addresses of the non-corporate stockholders and partners exceeding the 10% ownership criterion have been disclosed (attach pages as necessary to fully comply.)

Name: Donna L. Kilroy Interest: 50%

Address: 236 Country Club Boulevard, Little Egg Harbor, NJ 08087

Name: Charles J. Kilroy Interest: 50%

Address: 236 Country Club Boulevard, Little Egg Harbor, NJ 08087

APPLICANT IS RESPONSIBLE FOR PAYMENT OF ALL PROFESSIONAL REVIEW FEES, INCLUDING THE ENGINEERING AND ATTORNEY. ALL ENGINEERING AND LEGAL FEES MUST BE PAID BEFORE CONSTRUCTION OR ZONING PERMITS CAN BE ISSUED.

4. If owner (s) is other than the applicant, provide the following information on the Owner (s):

Owner's Name: Same as Applicant

Address:

Telephone Number: Home: Work: Local:

Relationship of the applicant to the property in question:

Owner: X Lessee Purchaser Under Contract : Other: Prospective Purchaser Under Contract:

5. PROPERTY INFORMATION:

Deed restrictions, covenants, easements, rights of way, association by-laws, or other dedication existing or proposed on the property:

Yes No X Proposed

Note: All Deed Restrictions, Covenants, Easements, Rights of Ways, Association By-Laws, or other dedications existing and proposed must be submitted for review.

Site Plan and / or conditional use applicants:

Proposed for: Expanded Area X Alteration X

Expansion of Structure X Change of Use Sign

Other (please specify):

Has this property been the subject of any prior application (s) to the Planning Board or Zoning Board of Adjustment? Yes X No

If so, please attach the date (s), the relief sought, the disposition of the case and a copy of the resolution (s).

To be provided. Additionally, attached is a copy of the Certificate of Appropriateness issued by the Beach Haven Historic Preservation Advisory Commission.

Is the subject property located on:

A County Road: Yes X No ; A State Road: Yes No X ;
within 200 feet of a municipal boundary: Yes No X

Present use of the premises: There is a commercial restaurant with outdoor seating situated on a portion of Lot 2 and a portion of Lot 15. Lot 15 also contains a two-story duplex.

6. Applicant's Attorneys: James S. Raban, Esq.

Address 11710 Long Beach Blvd., Haven Beach, NJ 08008

Telephone Number (609) 492 - 0533 Fax Number (609) 492 - 0464

7. Applicant's Engineer/Surveyor: Horn, Tyson & Yoder, Inc.

Address: 8510 Long Beach Boulevard, Long Beach Township, NJ 08008

Telephone Number: 609-492-5050 Fax Number 609-492-4163

8. Applicant's Planning Consultant: Same as Engineer

Address

Telephone Number

Fax Number

9. Applicant's Architect: Applicant's Architect: William L Esarey AIA - Hand Line Architect LLC

Address: 351 Thomas Ave., Little Egg Harbor, NJ 08087

Telephone Number : 609-879-9360

Fax Number

10. List any other Expert who will submit a report or who will testify for the Applicant: (Attach additional sheets as may be necessary):

Name: N/A

Field of Expertise:

Address:

Telephone Number:

Fax Number

11. APPLICATION REPRESENTS A REQUEST FOR THE FOLLOWING:

SUBDIVISION: N/A

- Minor Subdivision Approval
- Subdivision Approval (Preliminary)
- Subdivision Approval (Final)

Number of Lots to be created:

Number of proposed Dwelling:

Area and Dimensions of each Proposed Lot:

SITE PLAN:

- Minor Site Plan Approval
- Preliminary Site Plan Approval [Phases (if applicable)]
- Final Site Plan Approval [Phases (if applicable)]
- X Amendment or Revision to an Approved Site Plan
- Area to be disturbed (square feet): 9,040.54 square feet

Total number of proposed dwelling units:

- INFORMAL REVIEW
- APPEAL DECISION OF AN ADMINISTRATIVE OFFICER [N.J.S. 40:55d-70A]
- MAP OR ORDINANCE INTERPRETATION OR SPECIAL QUESTION [N.J.S. 40:55D-70B]
- X VARIANCE RELIEF (HARDSHIP) [N.J.S. 40:55D-70C(1)]
- X VARIANCE RELIEF (SUBSTANTIAL BENEFIT) [N.J.S. 40:55D-70C (2)]
- X VARIANCE RELIEF (USE) [N.J.S. 40:55D-70D]

CONDITIONAL USE APPROVAL [N.J.S. 40:55D-67]
DIRECT ISSUANCE OF A PERMIT FOR A STRUCTURE IN BED OF A MAPPED STREET, PUBLIC DRAINAGE WAY, OR FLOOD CONTROL BASIN [N.J.S. 40:55D-34]
DIRECT ISSUANCE OF A PERMIT FOR A LOT LACKING STREET FRONTAGE [N.J.S. 40:55D-35]

12. Section (s) of Ordinance from which a variance is requested:

Section 212-27(B)(3): Maximum permitted impervious coverage is 60%; 72.5% is existing; 80.8% is proposed.

Section 212-12(B)(3)(a): Minimum front yard setback of 15 feet required to the existing duplex; 17.3 feet is existing; 13.2 feet is proposed.

The commercial restaurant use and duplex use are not permitted on the same lot under the Zoning Ordinance. Therefore, the renovation/expansion of the duplex constitutes an expansion of a nonconforming use, which requires a special reasons variance.

13. Waivers Requested of development Standards and/or Submission Requirements: (attach additional pages as needed):

The Applicant requests a waiver from the requirement to submit normal site plan detail based upon the fact that the site is fully developed.

14. ATTACH A COPY OF THE PROPOSED NOTICE TO APPEAR IN THE OFFICIAL NEWSPAPER OF THE MUNICIPALITY AND TO BE MAILED TO THE OWNERS OF ALL REAL PROPERTY, AS SHOWN ON THE CURRENT TAX DUPLICATE, LOCATED WITHIN THE STATE AND WITHIN 200 FEET IN ALL DIRECTIONS OF THE PROPERTY WHICH IS THE SUBJECT OF THIS APPLICATION. THE NOTICE MUST SPECIFY THE SECTIONS OF THE ORDINANCE FROM WHICH RELIEF IS SOUGHT, IF APPLICABLE.

The publication and the service on the affected owners must be accomplished at least 10 days prior to the date scheduled by the administrative officer for the hearing. A copy of the proposed notice is attached.

15. An Affidavit of Service on all property owners and a Proof of Publications must be filed before the Application will be complete and the hearing can proceed.

Explain in detail the exact nature of the Application and the changes to be made at the premises, including the proposed use of the premises: (Attach pages as needed)

The property is an L-shaped lot and is currently developed with a one-story restaurant ("the Woo-Hoo"), which fronts on Bay Ave., and a two-story duplex, which fronts on Coral St. The restaurant and duplex are currently connected by a deck, which the Applicant proposes to remove. Applicant seeks to raise and renovate the duplex. In conjunction with the raising of the duplex structure, the existing entry deck will be removed and a new first story deck is proposed. There are no proposed improvements to the restaurant building.

16. Is a public water line available? Yes
17. Is public Sanitary Sewer available? Yes
18. Does the application propose any lighting? No additional lighting

- 19. Have any proposed new lots been reviewed with the Tax Assessor to determine appropriate Lot and Block number? N/A
- 20. Are any Off-Tract Improvements required or proposed? N/A
- 21. Is the Subdivision to be filed by Deed or Plat? N/A
- 22. What form of security does the applicant propose to provide as performance and maintenance guarantees?
N/A
- 23. OTHER APPROVALS WHICH MAY BE REQUIRED AND DATE PLANS SUBMITTED:

	YES	NO	DATE PLANS SUBMITTED
LOCAL FIRE PREVENTION		x	
BEACH HAVEN WATER & SEWER DEPT.		x	
BEACH HAVEN PUBLIC WORKS DEPT.		x	
LONG BEACH ISLAND HEALTH DEPT.		x	
OCEAN COUNTY PLANNING BOARD		x	
OCEAN COUNTY SOIL CONSERVATION DEPT.		x	
N.J. DEPT. ENVIRONMENTAL PROTECTION		x	
SANITARY SEWER CONNECTION PERMIT		x	
SEWER EXTENSION PERMIT		x	
WATERFRONT DEVELOPMENT PERMIT		x	
WETLANDS PERMIT		x	
TIDAL WETLANDS PERMIT		x	
F.E.M.A.		x	
N.J. DEPT. OF TRANSPORTATION		x	
ATLANTIC ELECTRIC		x	
N.J. NATURAL GAS		x	
OTHER			

- 24. CERTIFICATION FROM THE TAX COLLECTOR THAT ALL TAXES DUE ON THE SUBJECT PROPERTY HAVE BEEN PAID.
- 25. LIST OF MAPS, REPORTS AND OTHER MATERIALS ACCOMPANYING THE APPLICATION (attach additional pages as required for complete listing)

THE DOCUMENTATION MUST BE RECEIVED BY THE BOARD SECRETARY AT LEAST TWENTY-ONE (21) DAYS PRIOR TO THE MEETING AT WHICH THE APPLICATION IS TO BE CONSIDERED. A LIST OF THE PROFESSIONAL CONSULTANTS IS ATTACHED TO THE APPLICATION FORM.

<u>Quantity</u>	<u>Description of Item</u>
5 copies	Land Use Development Application
5 copies	Variance Map prepared by Horn, Tyson & Yoder
5 copies	Floor Plans and Elevations prepared by William L. Esarey, AIA

26. THE APPLICANT HEREBY REQUESTS THAT COPIES OF THE REPORTS OF THE PROFESSIONAL STAFF REVIEWING THE APPLICATION PROVIDED TO THE FOLLOWING OF THE APPLICANT'S PROFESSIONALS:

SPECIFY WHICH REPORTS ARE REQUESTED FOR EACH OF THE APPLICANT'S PROFESSIONALS OR WHETHER ALL REPORTS SHOULD BE SUBMITTED TO THE PROFESSIONAL LISTED.

	Applicant's Professional	Reports Requested
<u> x </u>	Attorney	<u>All Reports</u>
<u> x </u>	Engineer	<u>All Reports</u>
<u> x </u>	Architect	<u>All Reports</u>

27. CHECK LISTS USED

SCHEDULE A	YES X	NO
SCHEDULE B	YES X	NO
SCHEDULE C	YES X	NO

CERTIFICATIONS

28. I CERTIFY THAT THE FOREGOING STATEMENTS AND THE MATERIALS SUBMITTED ARE TRUE, AND WAIVE ALL APPLICABLE TIME LIMITS UNTIL THE FIRST PUBLIC HEARING OF THIS APPLICATION. I FURTHER CERTIFY THAT I AM THE INDIVIDUAL APPLICANT OR THAT I AM AN OFFICER OF THE CORPORATE APPLICANT AND THAT I AM AUTHORIZED TO SIGN THE APPLICATION FOR THE CORPORATION OR THAT I AM A GENERAL PARTNER OR THE PARTNERSHIP APPLICANT. (IF THE APPLICANT IS A CORPORATION, THIS MUST BE SIGNED BY AN AUTHORIZED CORPORATE OFFICER, IF THE APPLICANT IS A PARTNERSHIP, THIS MUST BE SIGNED BY A GENERAL PARTNER)

SIGNATURE OF ATTORNEY FOR APPLICANT

29. I UNDERSTAND THAT A SUM, TO BE DETERMINED, WILL BE DEPOSITED IN AN ESCROW ACCOUNT, IN ACCORDANCE WITH THE ORDINANCES OF THE BOROUGH OF BEACH HAVEN. I FURTHER UNDERSTAND THAT THE ESCROW ACCOUNT IS ESTABLISHED TO COVER THE COST OF PROFESSIONAL SERVICES INCLUDING ENGINEERING, PLANNING, LEGAL AND/OR OTHER EXPENSES ASSOCIATED WITH THE REVIEW OF SUBMITTED MATERIALS. SUMS NOT UTILIZED IN THE REVIEW PROCESS SHALL BE RETURNED. IF ADDITIONAL SUMS ARE DEEMED NECESSARY, I UNDERSTAND THAT I WILL BE NOTIFIED OF THE REQUIRED ADDITIONAL AMOUNT AND SHALL ADD THAT SUM TO THE ESCROW ACCOUNT WITHIN FIFTEEN (15) DAYS. I UNDERSTAND THAT I WILL BE RESPONSIBLE FOR PAYING FEES DUE TO THE LAND USE BOARD ATTORNEY AND ENGINEER.

4/17/20
DATE

SIGNATURE OF ATTORNEY FOR APPLICANT

BOROUGH OF BEACH HAVEN PROFESSIONAL CONSULTANTS

LAND USE BOARD ATTORNEY

Stuart D. Snyder, Esquire
2100 Long Beach Blvd.
Surf City, NJ 08008

(609) 494-7676
FAX: (609) 494-8499

ENGINEER

Frank J. Little, Jr. P.E., P.P.
Owen, Little & Associates, Inc.
443 Atlantic City Boulevard
Beachwood, NJ 08722

(732) 244-1090
FAX: (732) 341-3412

BOROUGH ATTORNEY

Bruce W. Padula, Esquire
5 Ravine Drive P.O. Box 533
Matawan, New Jersey 07747

(732) 583-7474
FAX: (973) 845-6700

**HISTORIC PRESERVATION ADVISORY COMMISSION
BOROUGH OF BEACH HAVEN
300 Engleside Avenue
Beach Haven, New Jersey 08008-1704**

HPAC RESOLUTION # 2020 - 003

CERTIFICATE OF APPROPRIATENESS # 2020 - 001

APPLICATION #

DATE OF DECISION Jan 28, 2020

APPLICANT Chuck Kilroy - Diane

STREET ADDRESS 227 Coral St. BLOCK 134 LOT 15

Work Proposed Two story house with a front gable built between 1942 - 54, Lot is 50 by 100 ft. Work proposed is to raise house. Existing grade elevation is 4.3. Propose to raise 13.6 for storage

Evidence Submitted

- A. Completed Cert. of App. Form
- B. 8 Photos of house & neighborhood
- C. 2 Printouts - Yellow pine Boards
- D. 2 Printouts - Hardi Plank Siding
- E. 2 Printouts - Azek Trim
- F. 1 Architects Survey
- G. 1 Arch of South & East Elevation
- H. 3 Arch Drawings of interior & Ground Level

- Decision**
- Approval
 - Approved with conditions
 - Disapproved

Votes

In Favor of Decision 7

Opposed to Decision 0

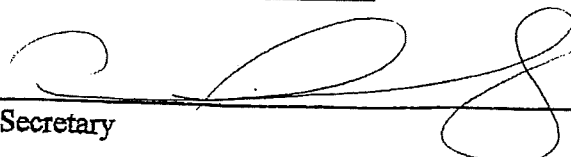
Conditions (if any)

1. First Floor Elevation to 11.68 NOT 13.6 *
2. Rail system to be "craftsman style" stairs may be modified
3. Rail system, Columns (including balusters, spindles, Rail cap (TBD) Painted white
4. External Grills on windows 4 over 1
5. Azek Risers on steps & landing
6. All new windows will be trimmed in AZEK
7. Lattice to be wood horizontal
8. _____

The Historic Preservation Advisory Commission hereby requests that the Zoning/Administrative Officer ascertain that the above specifications are complied with before the issuance of a Certificate of Occupancy or at the Completion Inspection.

CERTIFICATION

I, Colleen McNally, Secretary of the Historic Preservation Advisory Commission of the Borough of Beach Haven, do certify that this is the decision of the Historic Preservation Advisory Commission made on Jan 28, 2020


Secretary

Copy to: Applicant, Construction Official, Zoning Officer, Borough Land Use Board, and Borough Clerk.