

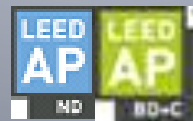
PLANNING TESTIMONY IN SUPPORT OF

- c(1) & c(2) Bulk Variances (Lot Size & Depth, Setbacks) – R2 Zone

Borough of Sea Bright UNIFIED PLANNING BOARD

Mountain View Villas, LLC
Lot Size & Setback Variances
Mountain View Way
Block 33, Lot 20.02; Block 34 Lots 3.03, 3.04

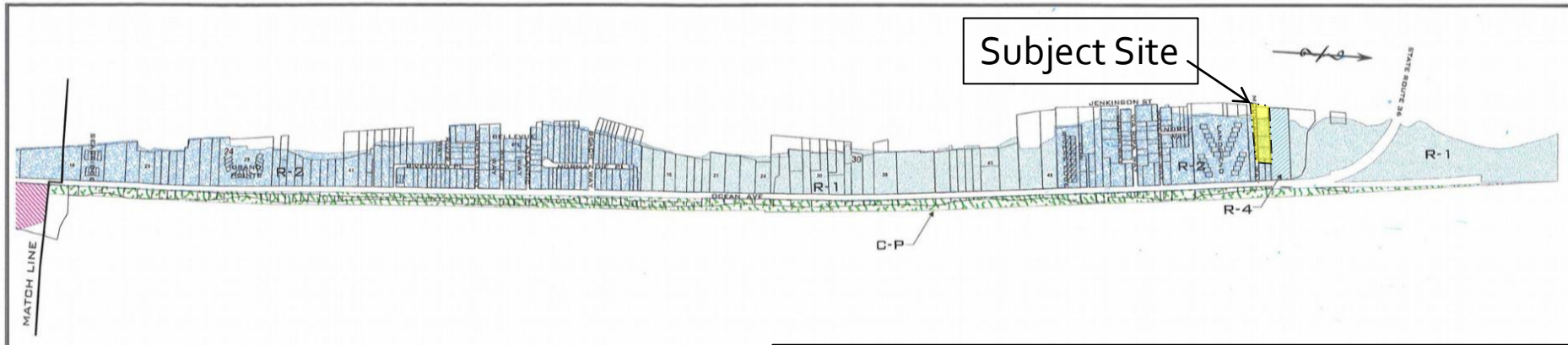
David Glynn Roberts, PP, AICP, LLA,



KEY











EXISTING ZONING

Borough of Sea Bright
[Amended 3-15-2011 by Ord. No. 4-2011]



The site for the proposed subdivision is located on the west side of Ocean Avenue at the northern tip of the Borough near the bridge at Route 36 and is within an R-2 Zone adjacent to an R-4 zoned property.

LEGEND

 R-1 RESIDENTIAL	 B-1 CENTRAL BUSINESS
 R-2 RESIDENTIAL	 B-2 RIVERFRONT BUSINESS
 R-3 DOWNTOWN RESIDENCE	 B-3 OCEANFRONT BUSINESS
 R-4 MULTI-FAMILY RESIDENTIAL	 B-R BUSINESS RESIDENTIAL
 C-P COASTAL PROTECTION	 (M) BOROUGH OF SEA BRIGHT

SURROUNDING AREA

Context

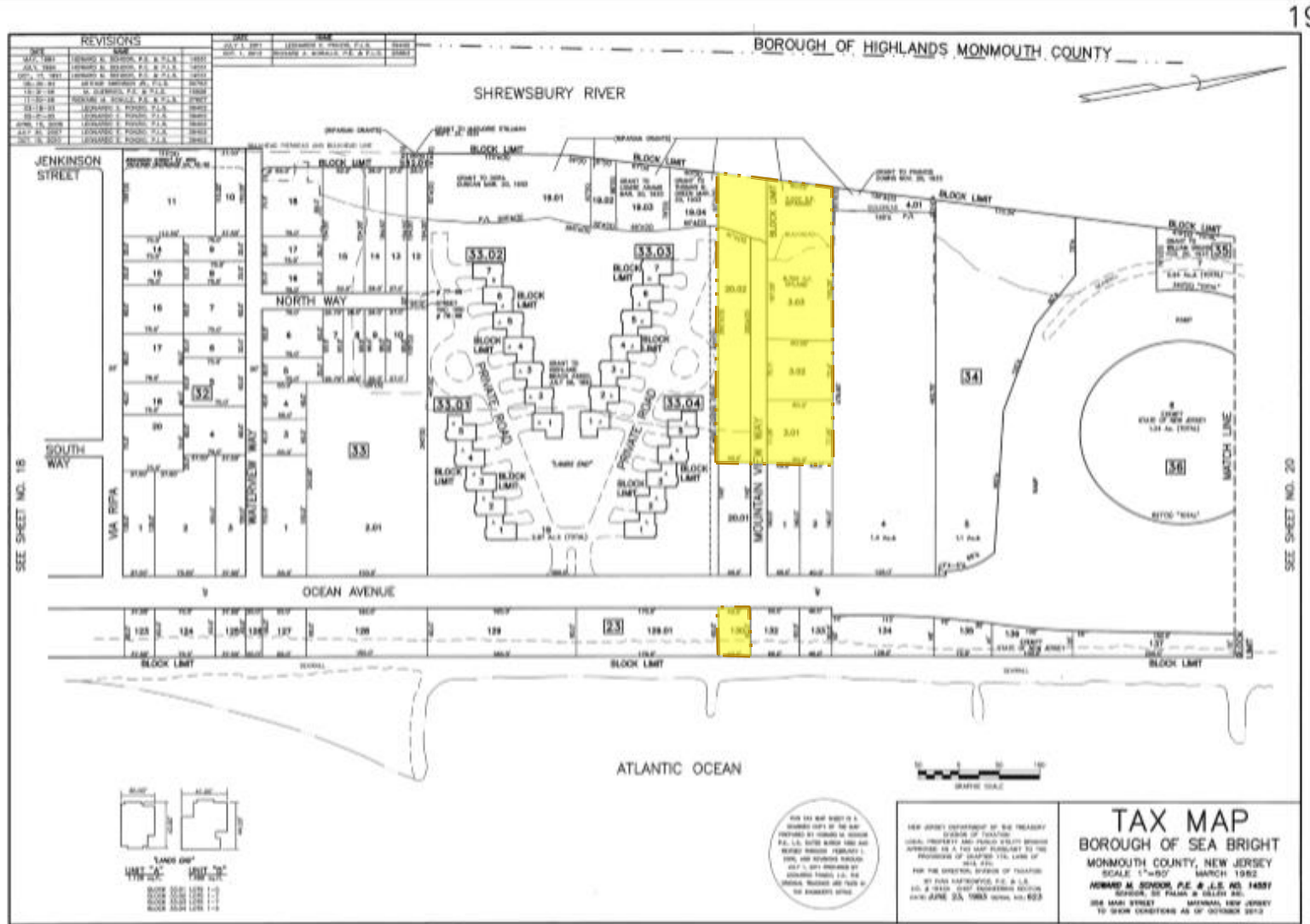
The subject site consists of the lots along Mountain View Way between the Lands End condominium to the south and a newly constructed multifamily development on what was formerly "Gator's" motel, club and marina site in the R-4 Zone to the north.



SURROUNDING AREA

Context

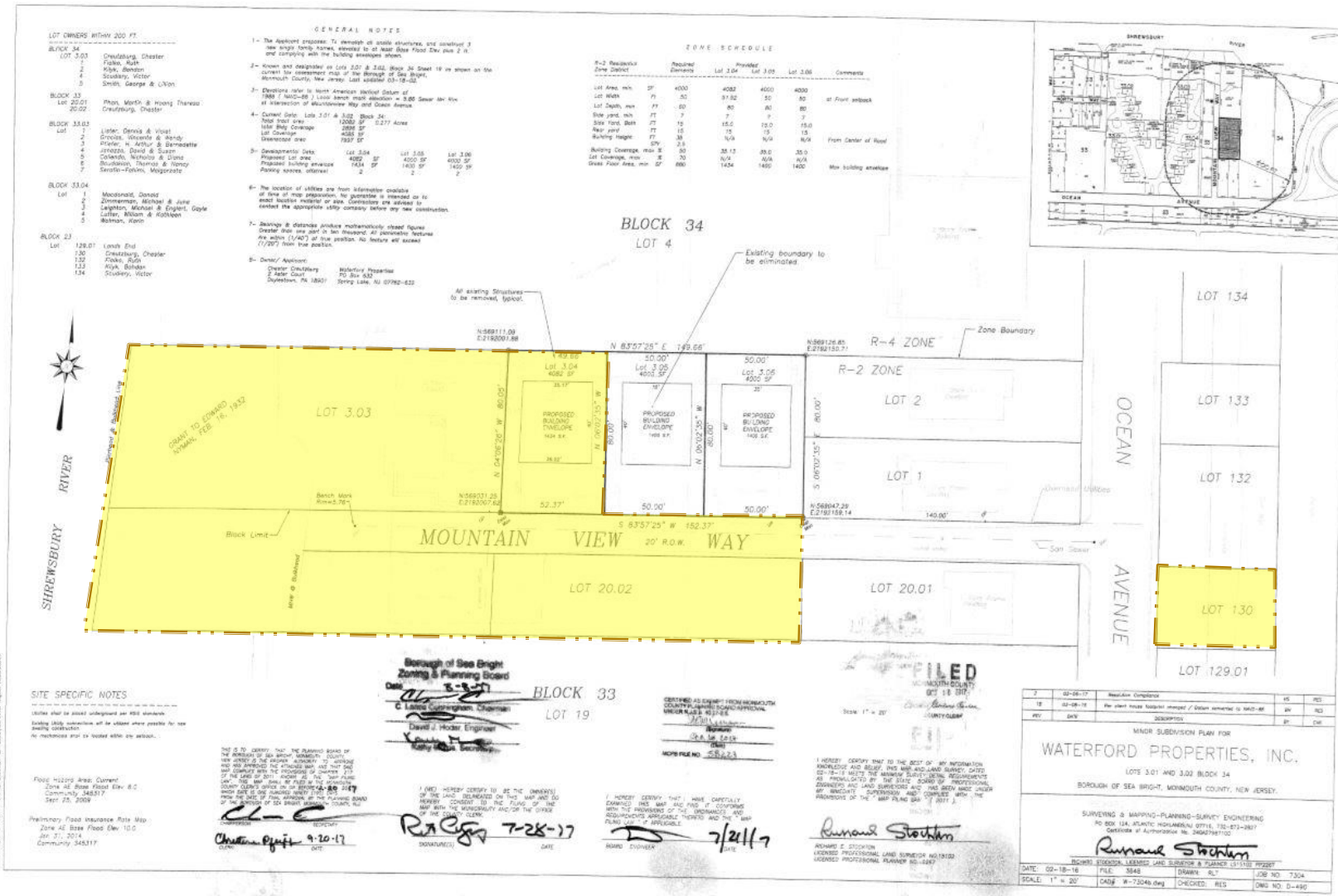
The Tax Map (Sheet 19) shows the current site as Block 33, Lot 20.02; Block 34 Lots 3.01, 3.02 and 3.03; and Block 23, Lot 130 (beach access). However the lots to be subdivided are now 3.03 and 3.04.



SURROUNDING AREA

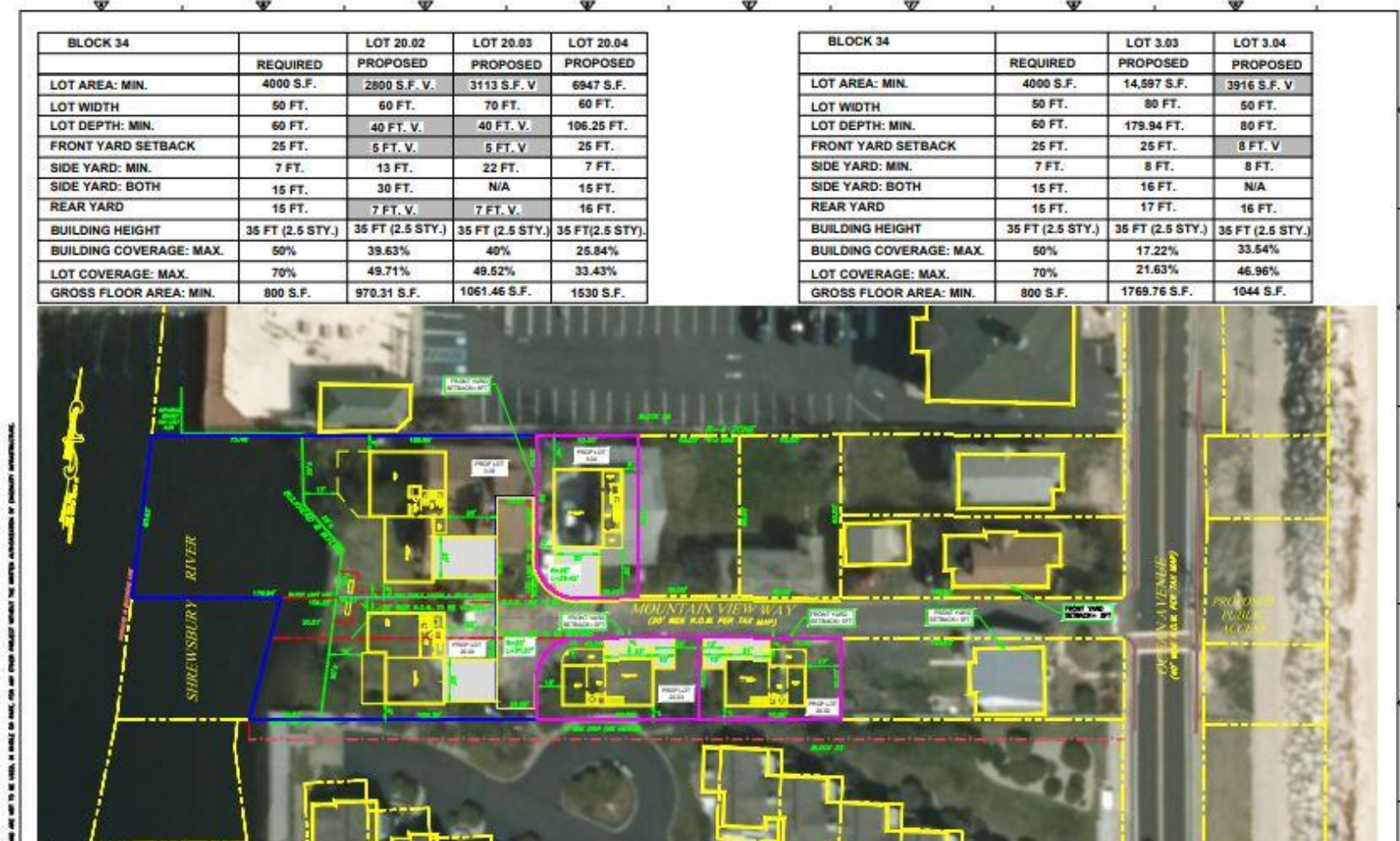
Context

A Minor Subdivision was approved by the Board in July of 2017 and filed in October of 2017. Lots 3.01 and 3.02 were subdivided to create Lots 3.04, 3.05 and 3.06. The highlighted area shows that this application involves Block 34, Lots 3.03 and 3.04; Block 33, Lot 20.02; and Block 23, Lot 130 (beach access).



R2 Zone Consistency

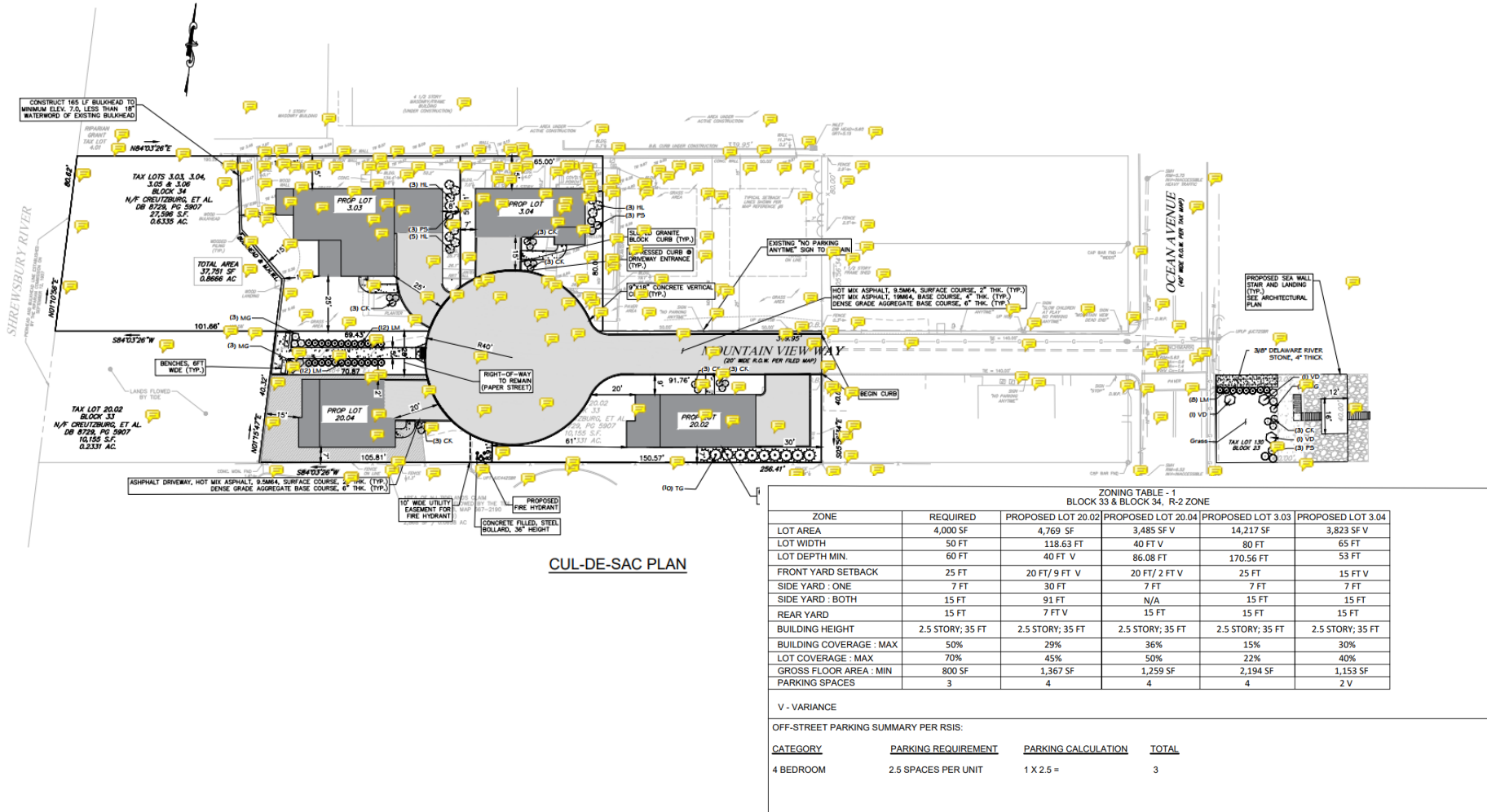
Proposed Subdivision (original submission)



Mountain View Villas at Sea Bright, LLC proposes to subdivide three (3) lots into five (5) single family residential properties and a public access lot on Block 23, Lot 130. The three (3) lots to be subdivided are Block 33, Lot 20.02, and Block 34 Lots 3.03 and 3.04. There is also an additional lot that will remain in its current configuration that serves as public beach access Block 23, Lot 130. On this lot is a proposed beach walkover. Also proposed is a private roadway that forms a hammerhead, and a public access easement to the river with benches.

R2 Zone Consistency

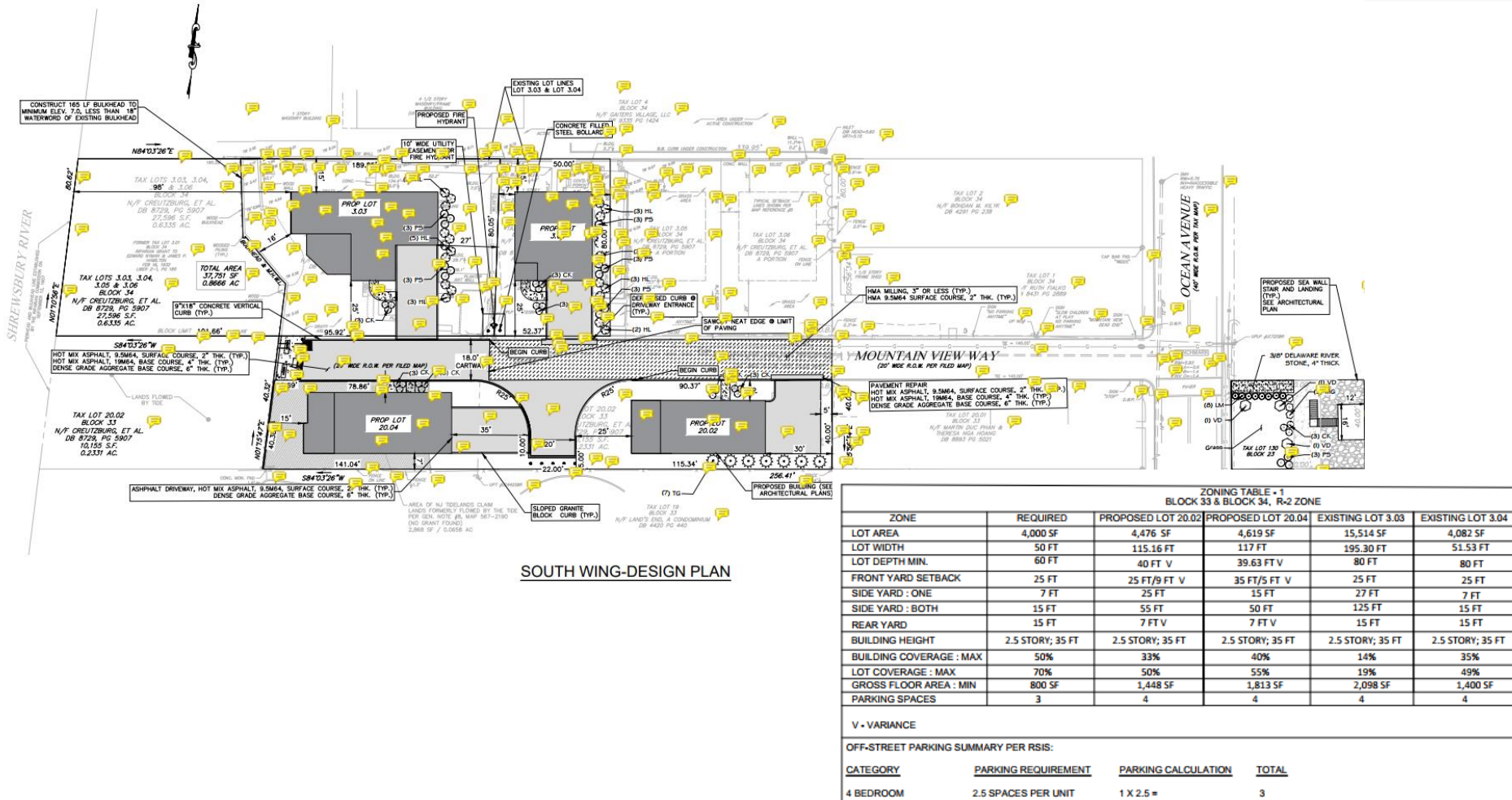
Alternative Subdivision (with cul-de-sac)



The cul-de-sac alternative proposes to subdivide three (3) lots into four (4) single family residential properties and a public access lot on Block 23, Lot 130. The three (3) lots to be subdivided are Block 33, Lot 20.02, and Block 34 Lots 3.03 and 3.04. There is also an additional lot that will remain in its current configuration that serves as public beach access Block 23, Lot 130. On this lot is a proposed beach walkover. Also proposed is a public access easement to the river.

R2 Zone Consistency

Alternative Subdivision (with south "wing")

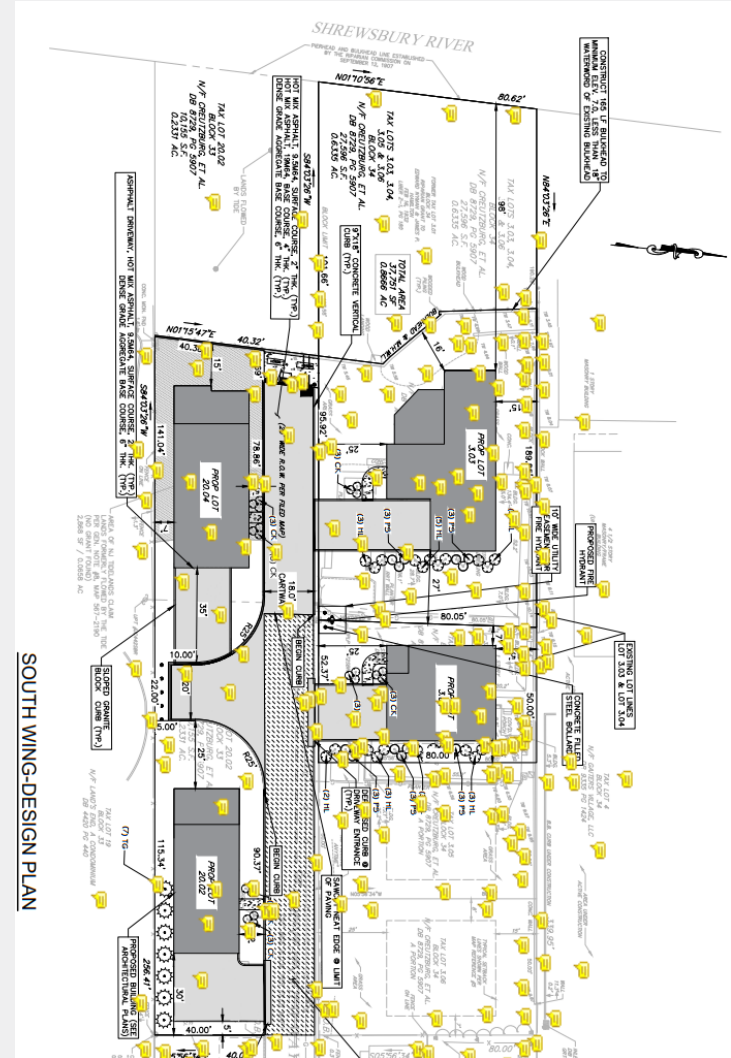


The south wing alternative also proposes to subdivide three (3) lots into four (4) single family residential properties and a public access lot on Block 23, Lot 130. The wing layout enables all lots to conform to the required lot area. Lots 20.02 and 20.04 become corner lots, where it could be argued that the only nonconforming setback is the front yard along Mountain View (lot depth from "wing" conforms, and corner lots could have two front yards and two side yards per 130-40(N)(1)).

Setbacks & Density

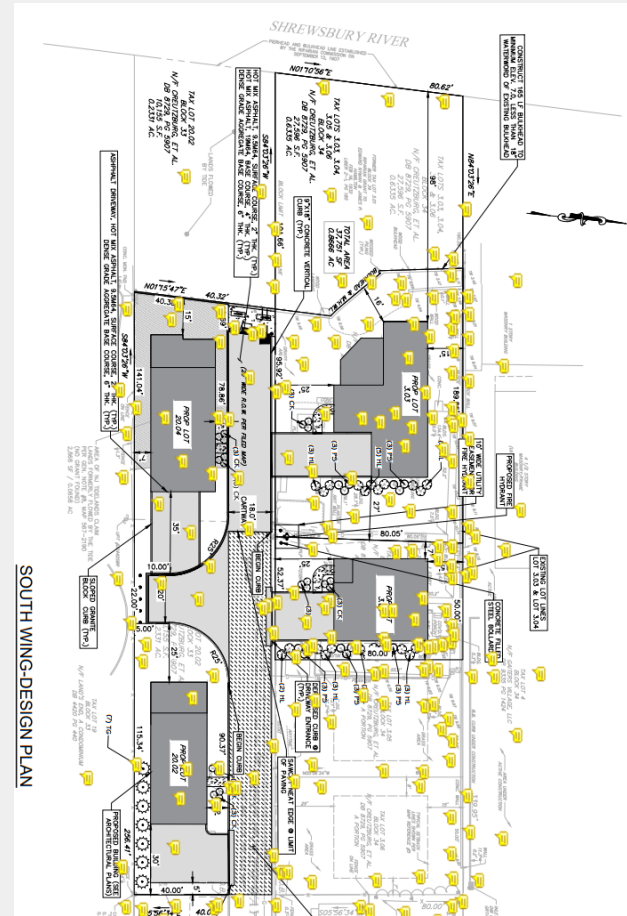
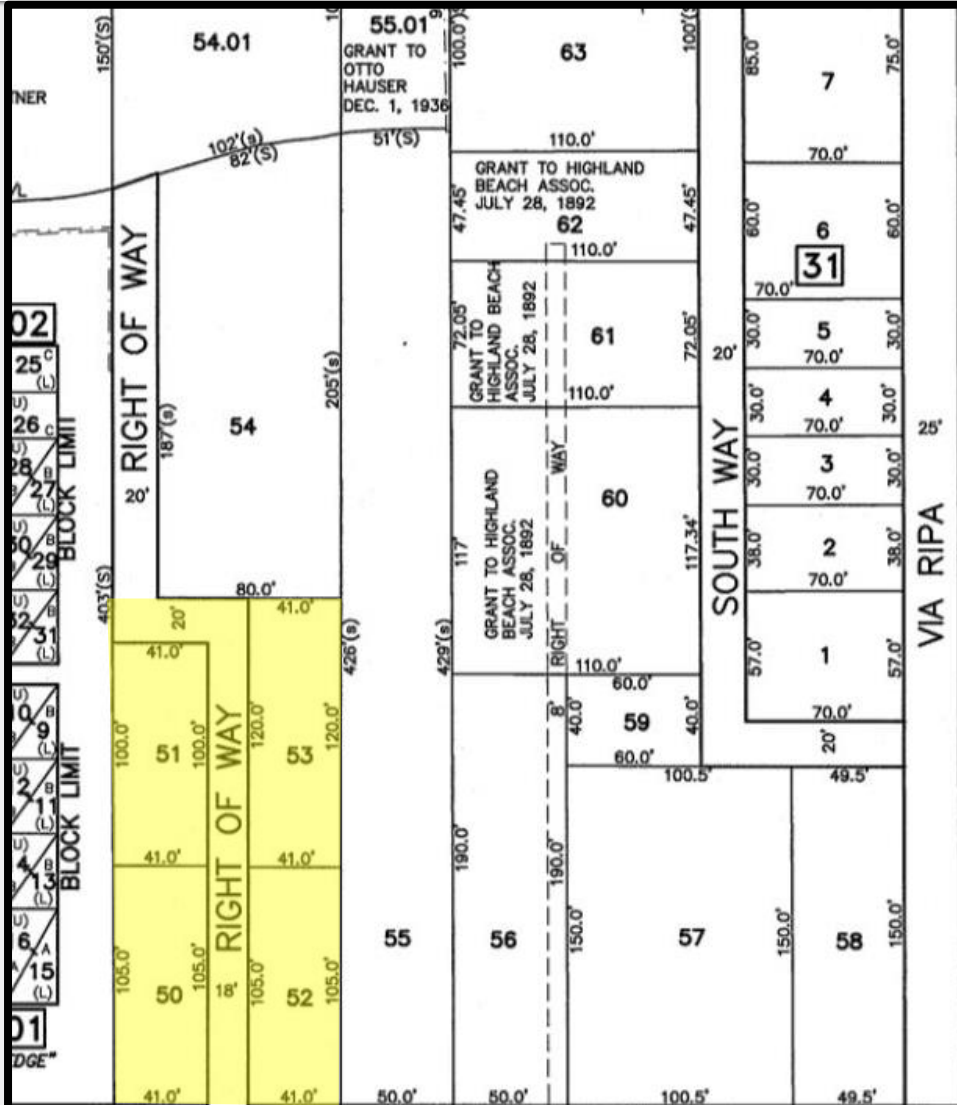
Surrounding Area

The west side of Ocean Avenue in Sea Bright has a number of neighborhoods zoned R-2 with typical lot configurations comparable to the proposed subdivision governed by the location of interior roadways. For example, the lot density in the neighborhoods along both Waterview Way and South Way are higher than what is being proposed on Mountain View Way..



9
 Lot
 Depth \longleftrightarrow 50 ft

Surrounding Area



Lot depth for proposed Lots 20.02 and 20.04 is dictated by Mountain View Way ROW and is consistent with similar lots in neighborhood.

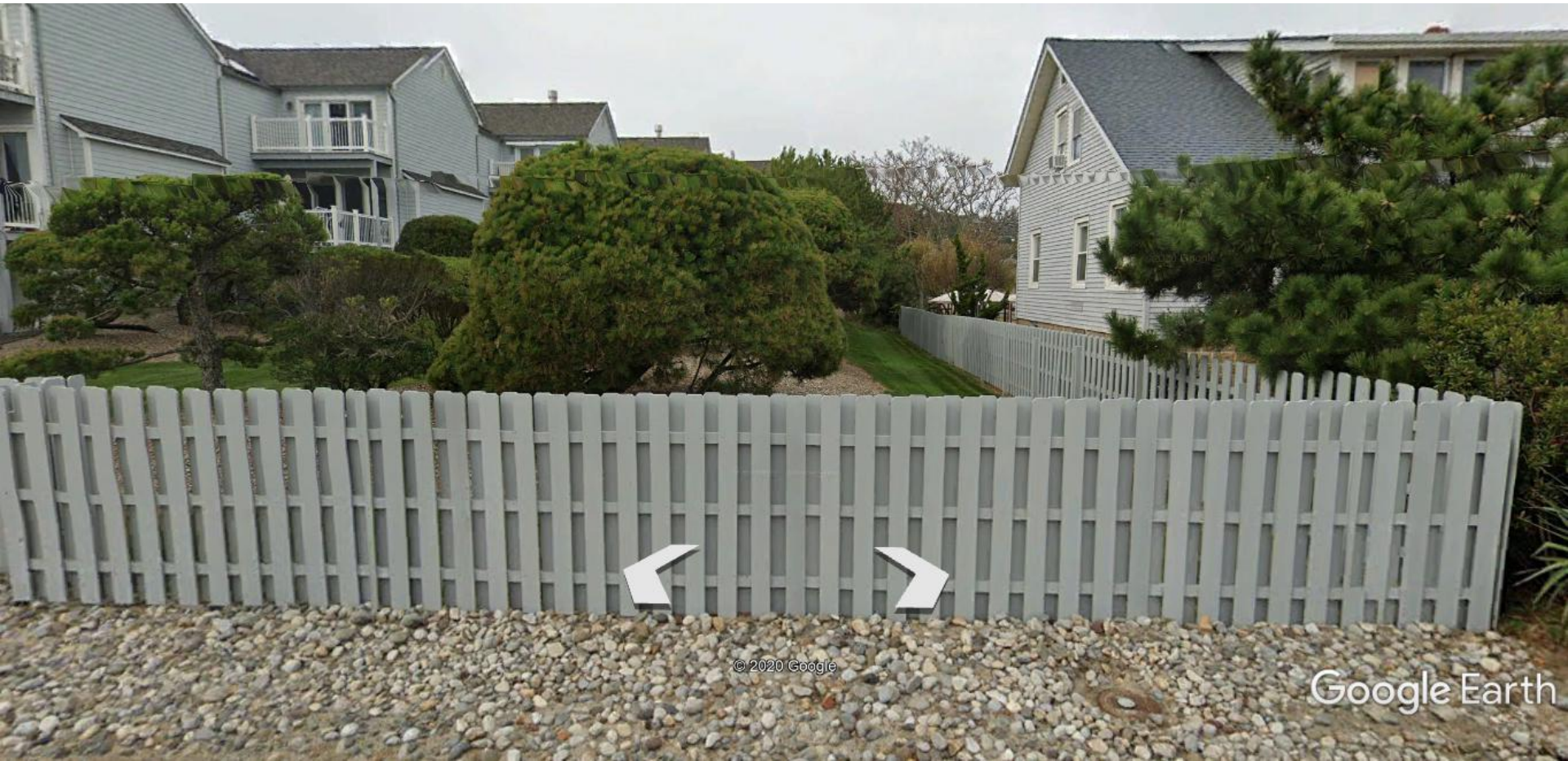
Site Images – Existing Conditions (Ocean Avenue)

Views of Lot 20.01 (left dwelling), Lot 1 (center) and Lot 2 (right) along Ocean Avenue.



Site Images – Existing Conditions (Ocean Avenue)

View from Ocean Avenue of property line between the Lands End Condominiums and Lot 20.01.



Site Images – Existing Conditions

View of existing bungalows along the north side of Mountainview Avenue.



Existing Zoning

§ 130-49C(2). R2 Residential Zone.

- a. Permitted Primary Uses.
 1. Single-family dwelling unit.
 2. Churches.
 3. Public parks. [Added 4-17-1989]

§ 130-50C – Schedule of Lot and Building Requirements

Zone	Minimum Lot Area (square feet)	Minimum Lot Width (feet)	Minimum Lot Depth (feet)	Minimum Yard Requirements (feet)				Maximum Building Height ^{2,3} (feet)	Maximum Building Coverage (percentage)	Maximum Lot Coverage (percentage)	Minimum GFA (total) (square feet)
				Front	Either Side	Both Sides	Rear				
R-2	4,000	50	60	25	7	15	15	35/2 1/2 story	50%	70%	880

Hardship (c1) and “Flexible c” (c2) Conditions:

Hardship (c1)

- *The lot sizes and depths are dictated by the existing road ROW of Mountain View Way.*
 - *The location of the ROW dictates a lot depth of 80 feet on the north side and 40 feet on the south side, while the R-2 Schedule of Lot and Building Requirements dictates a depth of 60 feet on both sides;*
 - *The constriction of lot depth results in a hardship in meeting both front and rear setbacks on the south side (Proposed Lots 20.02 and 20.04) for purposes of a reasonable building footprint for a single-family dwelling;*

Benefits Outweigh Detriments (c2) –Street Improvements

- *The need for either cul-de-sac or south wing street extension to provide access to Lots 3.03 and 20.04 creates a radius in Lot 3.04 that causes the need for lot area relief and the second “front yard” with a nonconforming setback.*
- *The extension of Mountain View Way to the water would have allowed more lot area for Lots 20.02 and 20.03, but a way to turnaround allows for a more beneficial and functional road.*
 - *“a. To encourage municipal action to guide the appropriate use or development of all lands in this State, in a manner which will promote the public health, safety, morals and general welfare”.*
 - *“g. To provide sufficient space in appropriate locations for a variety of agricultural, residential, recreational, commercial and industrial uses and open space, both public and private, according to their respective environmental requirements in order to meet the needs of all New Jersey citizens”.*
- *The proposed subdivision provides an orderly lot configuration that is consistent with other R-2 neighborhoods and will allow the current condition of underutilization to be dramatically improved.*
 - *“i. To promote a desirable visual environment through creative development techniques and good civic design and arrangement”.*

2017 Master Plan & Reexamination

June 29, 2017

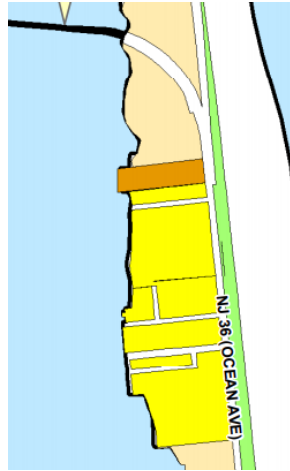
Relevant Recommendations:

1. *“Single Family-2 (R-2): This land use district corresponds to the R-2 zone district. It is located on the western side of the borough and encompasses about 11.4 percent of the total land area. It is recommended that duplexes not be permitted in the R-2 zone. Existing multifamily areas within the R-2 land use district have been removed and reclassified as being in the R-5 land use district....”*
 - The revised alternatives to the proposed subdivision results in four building lots that are consistent in layout with the 2017 minor subdivision and the single-family emphasis of the Master Plan.

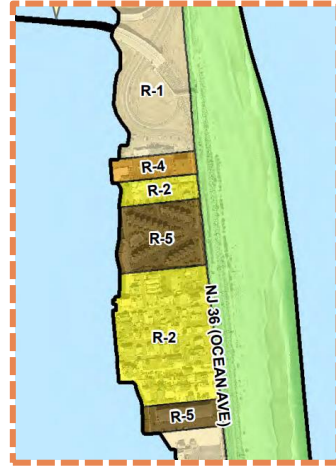
2017 Master Plan & Reexamination

June 29, 2017

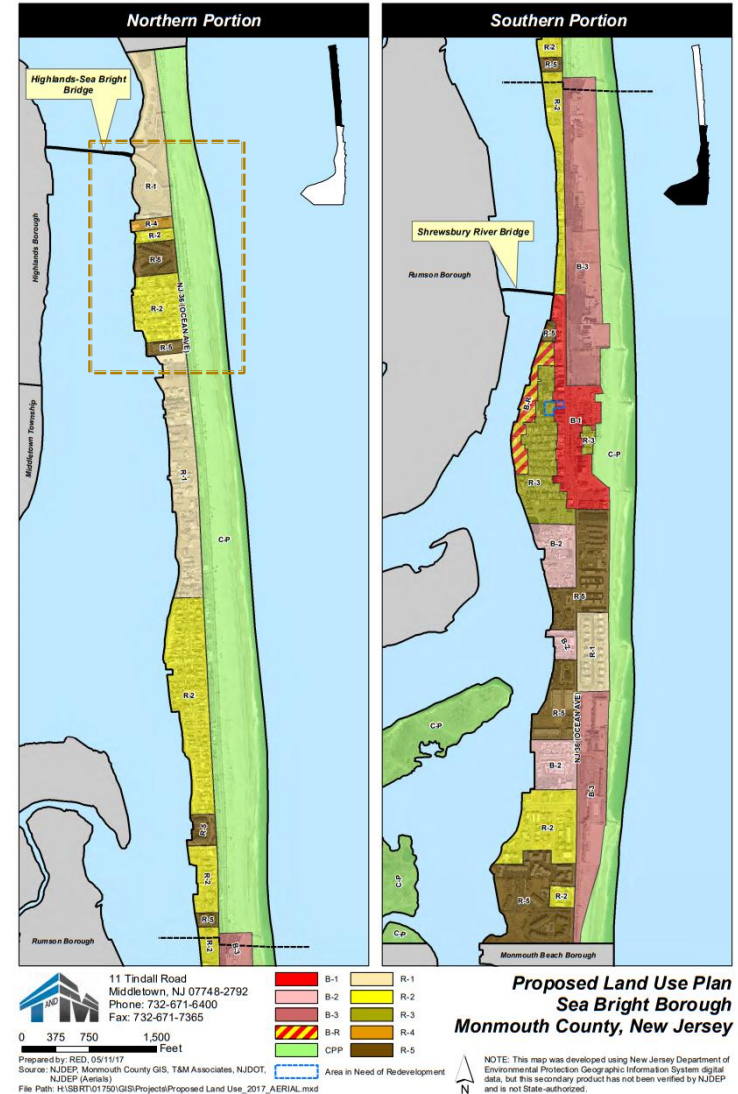
Existing Zoning



Proposed Zoning



2. The regulatory recommendations in the Master Plan propose that Lands End be rezoned to R5 to recognize the high-density multifamily use recommendation above, but the lots along Mountain View Way are recommended to remain R-2, sandwiched between an R-4 and R-5 Zone.



Negative Criteria:

NO SUBSTANTIAL ADVERSE IMPACT ON PUBLIC WELFARE:

- The Board must determine that the grant of the Variances will not adversely impact the surrounding area:
 - The subject property is surrounded by higher density multifamily uses and is less dense than similar neighborhoods in the R-2 Zone.
 - The lot area and depth relief allows for a reasonable footprint without overcrowding, as the other setbacks are met.
 - The front and rear yard relief for Lots 20.02 and 20.04 is a result of the 40-foot lot depth, will be uniform along Mountain View Way and there are no other existing single-family homes fronting Mountain View Way that would be adversely impacted.
 - The only two (2) townhome units within the Lands End Condominium, which are parallel to the rear wall of the proposed home on Lot 20.02, are separated and screened from the rear of the proposed new home by a 6 foot high board on board fence and landscaping and are more than 20' from the closest point of contact with the rear wall of the proposed home.

Negative Criteria:

NO SUBSTANTIAL IMPAIRMENT OF ZONE PLAN & ORDINANCE:

- The Board must determine that the grant of the Variances will not substantially impair the purpose and intent of the Master Plan and land development standards:
 - The proposed single-family use on the proposed lots is consistent with the recommendations of the 2017 Master Plan that the R2 Zone be restricted to single-family uses.
 - The proposed subdivision would result in a lot configuration that is consistent with other R2 neighborhoods and eliminate an unproductive and visually unattractive condition prone to misuse for collecting discarded refuse and trash.

Conclusions:

- The proposed subdivision is consistent with the size of other lots in the area. The lot density that would result from the grant of the relief would be less than the closest R2 neighborhood along Water View Way.
- The ROW of Mountain View Way dictates the unbalanced lot depths of 80 feet on the north side and 40 feet on the south side rather than conforming 60 feet on each. The blocks are sandwiched between two multifamily developments and the 40-foot depth is a hardship in meeting front and rear setbacks for Lots 20.2 and 20.03.
- The proposed alternative road design results in a beneficial layout that outweighs the front yard setback relief.
- **The requested relief can be granted without substantial detriment to surrounding properties and without substantial adverse impact on the Zone (Master) Plan.**