

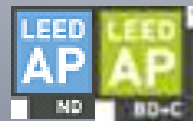
PLANNING TESTIMONY IN SUPPORT OF

- 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

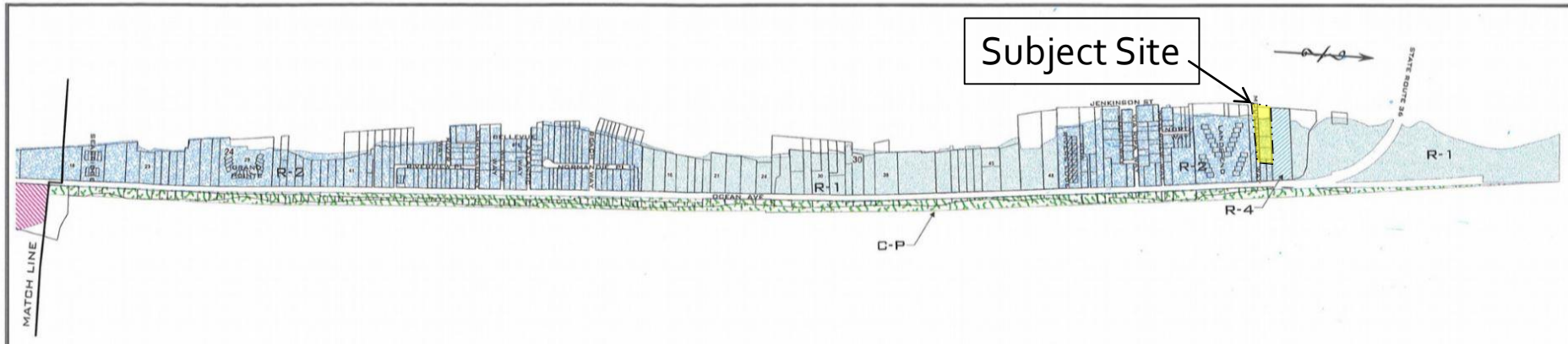
David Glynn Roberts, PP, AICP, LLA,



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		BOROUGH OF SEA BRIGHT

SURROUNDING AREA

Context

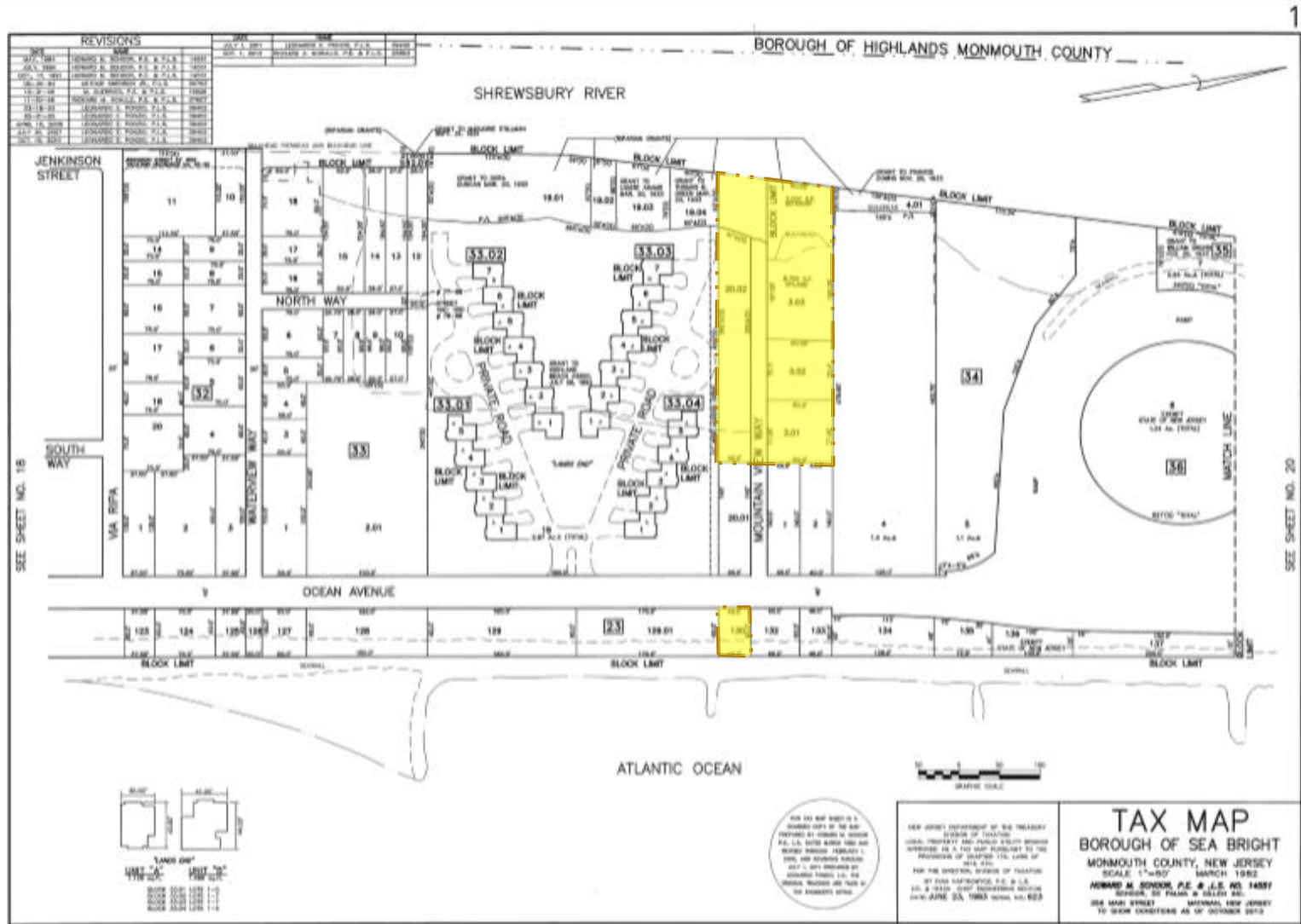
The subject site consists of the lots along Mountain View Way between the Lands End condominium to the south and a newly constructed multifamily development on what was formerly "Gator's" motel, club and marina site in the R-4 Zone to the north.



SURROUNDING AREA

Context

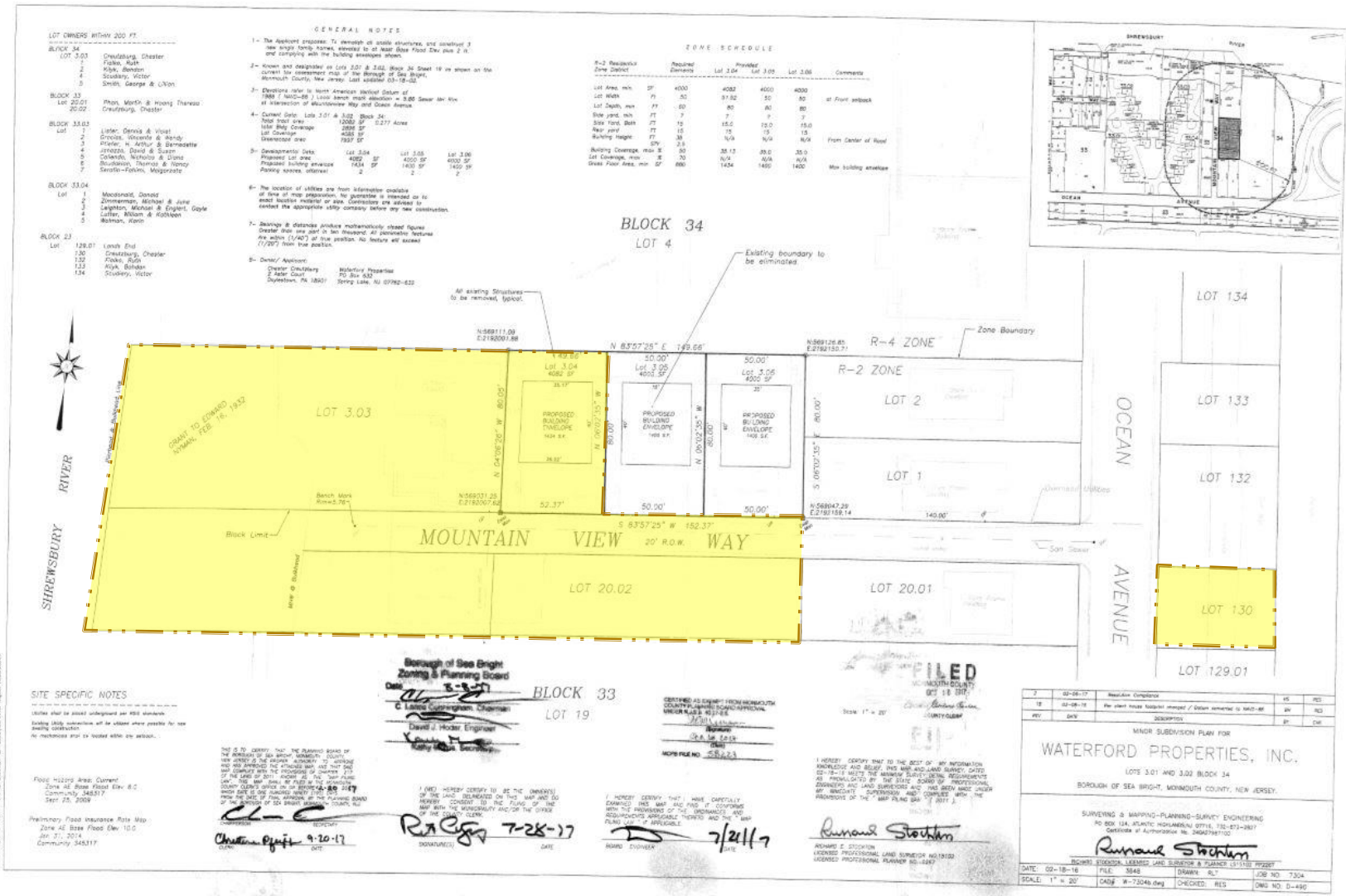
The Tax Map (Sheet 19) shows the current site as Block 33, Lot 20.02; Block 34 Lots 3.01, 3.02 and 3.03; and Block 23, Lot 130 (beach access). However the lots to be subdivided are now 3.03 and 3.04.



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).



LOT OWNERS WITHIN 200 FT.

BLOCK 34

LOT 3.03
1. Dreifuss, Chester
2. Kik, Benoit
3. Stoddy, Victor
4. Smith, George & Upton

BLOCK 33

LOT 20.02
1. Mon, Mark & Nancy Theres
2. Dreifuss, Chester

BLOCK 33.03

Lot 1
1. Liles, Dennis & Vivian
2. Gross, Steven & Wendy
3. Miller, Arthur & Dorothea
4. JINNEZ, David & Susan
5. Calvillo, Melissa & Diana
6. Brundage, Thomas & Nancy
7. Senfner-Fisher, Margaret

BLOCK 33.04

Lot 1
1. Macdonald, David
2. Zimmerman, Michael & Julie
3. Lighton, Michael & Eugenia Gyle
4. Laffar, William & ROBINSON
5. Mathews, Anne

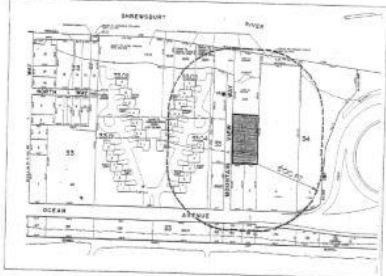
BLOCK 23

Lot 129.01
1. Linds, Ed
2. Dreifuss, Chester
3. Pines, Ron
4. Kik, Benoit
5. Stoddy, Victor

- GENERAL NOTES**
- The Applicant proposes to demolish all existing structures and construct 3 new single family homes, oriented to all four sides. Flood Elev. shall be 2' and complying with the building envelopes shown.
 - Known and designated as Lots 3.03 & 3.04, Block 34, Sheet 18 on maps on the current lot assessment map of the Borough of Sea Bright, Monmouth County, New Jersey. Last updated 03-18-02.
 - Deedlines refer to last approved plat of a lot.
 - Current Sale: Lots 3.01 & 3.02, Block 34, 7880 / 1400-SB / Last search made available on 3-20-2009. See also 44 Intersection of Shrewsbury Rpr and Ocean Avenue.
 - Current Sale: Lots 3.01 & 3.02, Block 34, Total lot area: 12000 SF, 0.277 Acres, Total Bldg Coverage: 2088 SF, Lot Coverage: 4385 SF, Unimproved area: 7917 SF.
 - Development Data: Lot 3.04, Lot 3.05, Lot 3.06, Proposed lot area: 4002 SF, 4002 SF, 4002 SF, Proposed building envelope: 1434 SF, 1434 SF, 1434 SF, Parking spaces: 2, 2, 2.
 - The location of utilities are from information available at time of map preparation. No guarantee is intended as to exact location, material or size. Contractors are advised to contact the appropriate utility company before any new construction.
 - Setbacks & setbacks (where mathematically stated) shown. Greater than one yard is not measured at corners between 1/1600' from true position. No line is not shown 1/1600' from true position.
 - Owner/Applicant: Chester Dreifuss, 770 St. 422, Depton, NJ 08827; Michael Pines, 770 St. 422, Depton, NJ 08827; Arthur Kik, 770 St. 422, Depton, NJ 08827; George & Upton Smith, 770 St. 422, Depton, NJ 08827.

ZONE SCHEDULE

Zone	Required	Proposed	Lot 3.04	Lot 3.05	Lot 3.06	Comments
R-2 Residential Zone District	4000	4002	4000	4000	4000	
Lot Area, min.	4000	4002	4000	4000	4000	
Lot Width, min.	30	30	30	30	30	at front setback
Lot Depth, min.	30	30	30	30	30	
Side yard, min.	5	5	5	5	5	
Side Yard, min.	15	15.0	15.0	15.0	15.0	
Rear yard, min.	10	10	10	10	10	
Rear yard, min.	15	15.0	15.0	15.0	15.0	From Center of Road
Building Height, max.	35	35.0	35.0	35.0	35.0	
Lot Coverage, max.	30	30	30	30	30	
Street Front area, min.	800	800	800	800	800	Min building envelope



SITE SPECIFIC NOTES

1. The applicant shall provide a copy of this map to the Board of Planning and Zoning at the time of filing.

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**Borough of Sea Bright
Zoning & Planning Board**

DATE: 7-28-17

C. Leland Chapman, Chairman

7-28-17

7/28/17

FILED

MONMOUTH COUNTY

CLERK OF COUNTY

7/28/17

**MAJOR SUBDIVISION PLAN FOR
WATERFORD PROPERTIES, INC.**

LOTS 3.01 AND 3.02 BLOCK 34

BOROUGH OF SEA BRIGHT, MONMOUTH COUNTY, NEW JERSEY.

SURVEYING & MAPPING-PLANNING-SURVEY ENGINEERING
PO BOX 124, ATLANTIC HIGHLANDS OFFICE, TEL: 871-2617
CERTIFICATE OF AUTHORIZATION NO. 200801555

Russell Steinhilber

Russell Steinhilber

REGISTERED PROFESSIONAL LAND SURVEYOR AND PLANNER (1) STATE 199227
REGISTERED PROFESSIONAL PLANNER (1) STATE 199227

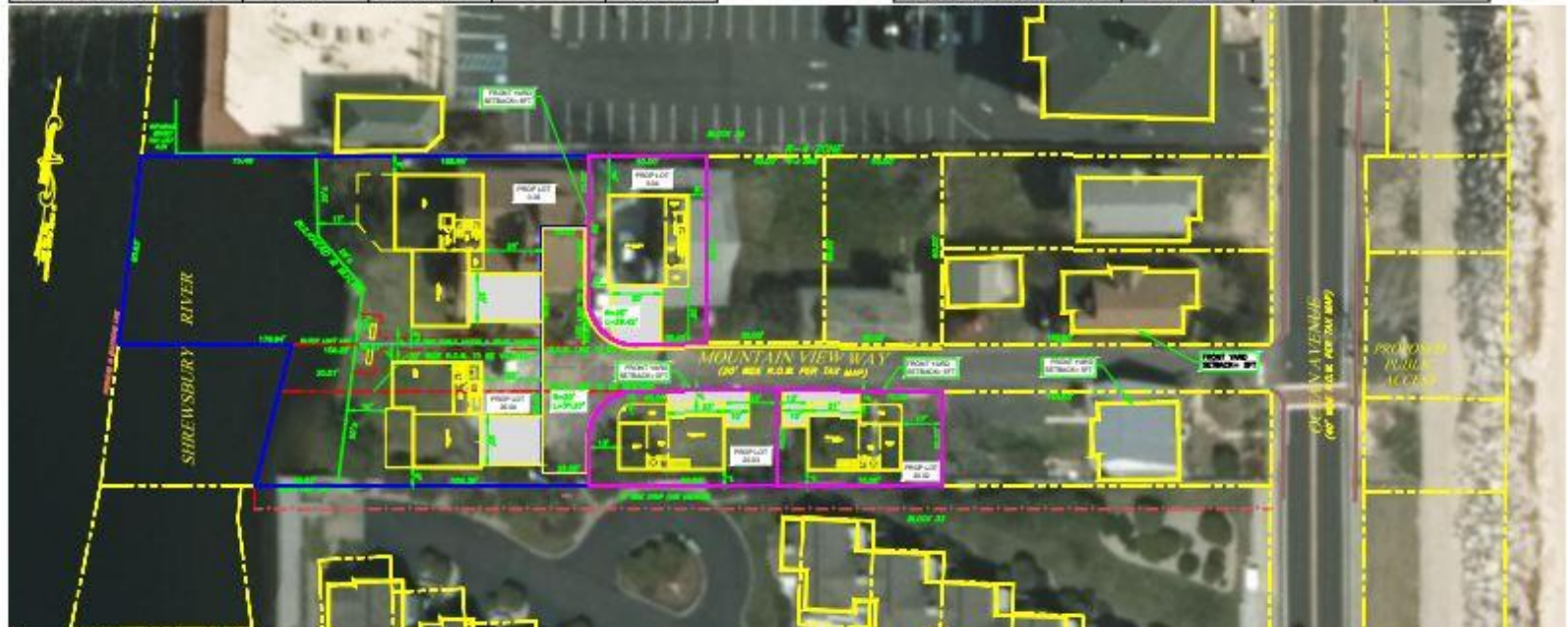
DATE: 02-18-19 FILED: 04-18-19 DRAWN: RLS
SCALE: 1" = 20' CADW: W-73049.dwg CHECKED: RES JOB NO: 7304
DWG NO: 0-490

R2 Zone Consistency

Proposed Subdivision

BLOCK 34		LOT 20.02	LOT 20.03	LOT 20.04
	REQUIRED	PROPOSED	PROPOSED	PROPOSED
LOT AREA: MIN.	4000 S.F.	2800 S.F. V.	3113 S.F. V	6947 S.F.
LOT WIDTH	50 FT.	60 FT.	70 FT.	60 FT.
LOT DEPTH: MIN.	60 FT.	40 FT. V.	40 FT. V.	106.25 FT.
FRONT YARD SETBACK	25 FT.	5 FT. V.	5 FT. V	25 FT.
SIDE YARD: MIN.	7 FT.	13 FT.	22 FT.	7 FT.
SIDE YARD: BOTH	15 FT.	30 FT.	N/A	15 FT.
REAR YARD	15 FT.	7 FT. V.	7 FT. V.	16 FT.
BUILDING HEIGHT	35 FT (2.5 STY.)	35 FT (2.5 STY.)	35 FT (2.5 STY.)	35 FT(2.5 STY.)
BUILDING COVERAGE: MAX.	50%	39.63%	40%	25.84%
LOT COVERAGE: MAX.	70%	49.71%	49.52%	33.43%
GROSS FLOOR AREA: MIN.	800 S.F.	970.31 S.F.	1061.46 S.F.	1530 S.F.

BLOCK 34		LOT 3.03	LOT 3.04
	REQUIRED	PROPOSED	PROPOSED
LOT AREA: MIN.	4000 S.F.	14,597 S.F.	3916 S.F. V
LOT WIDTH	50 FT.	80 FT.	50 FT.
LOT DEPTH: MIN.	60 FT.	179.94 FT.	80 FT.
FRONT YARD SETBACK	25 FT.	25 FT.	8 FT. V
SIDE YARD: MIN.	7 FT.	8 FT.	8 FT.
SIDE YARD: BOTH	15 FT.	16 FT.	N/A
REAR YARD	15 FT.	17 FT.	16 FT.
BUILDING HEIGHT	35 FT (2.5 STY.)	35 FT (2.5 STY.)	35 FT (2.5 STY.)
BUILDING COVERAGE: MAX.	50%	17.22%	33.54%
LOT COVERAGE: MAX.	70%	21.63%	46.96%
GROSS FLOOR AREA: MIN.	800 S.F.	1769.76 S.F.	1044 S.F.

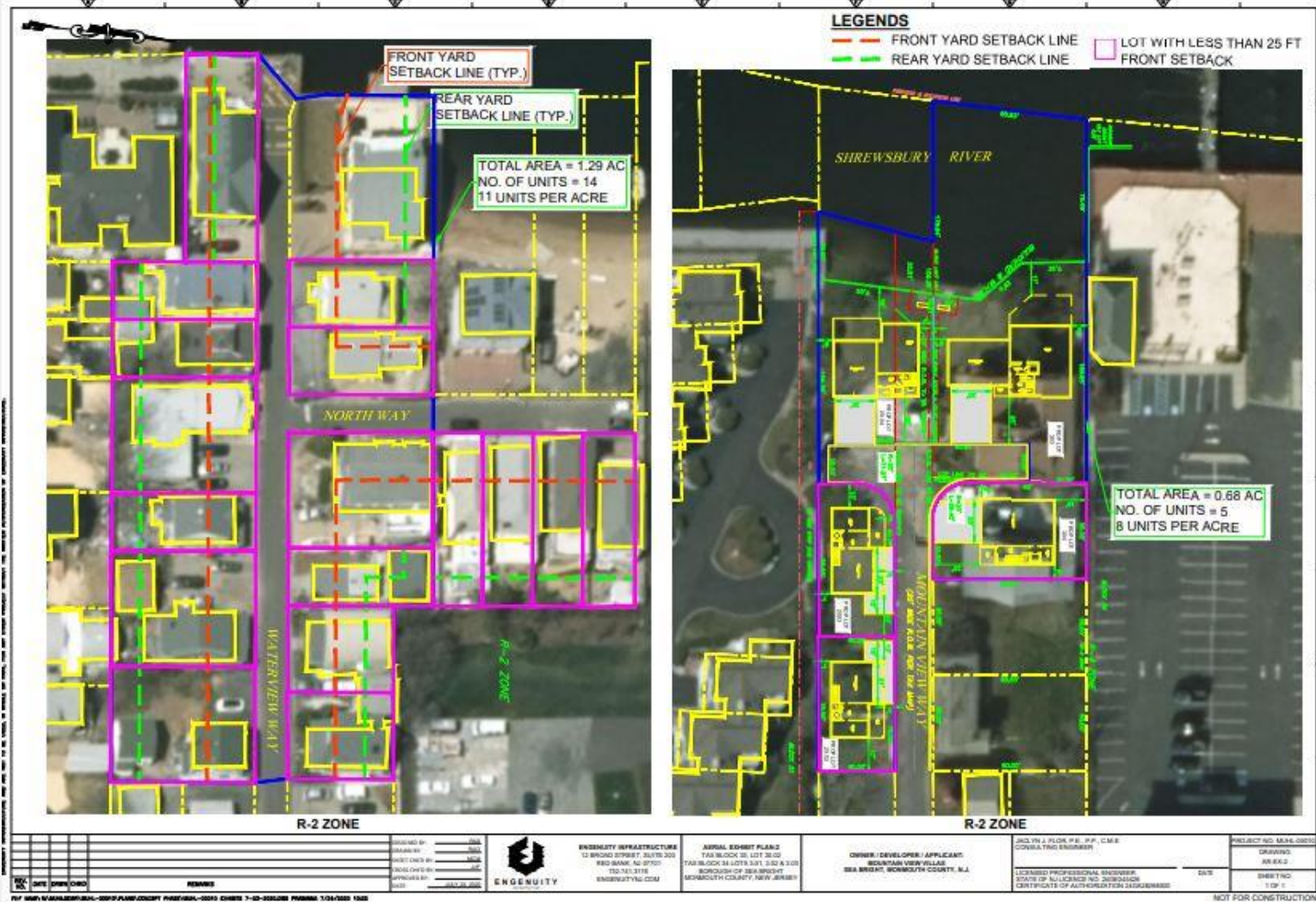


Mountain View Villas at Sea Bright, LLC proposes to subdivide three (3) lots into five (5) single family residential properties and a public access lot on Block 23, Lot 130. The three (3) lots to be subdivided are Block 33, Lot 20.02, and Block 34 Lots 3.03 and 3.04. There is also an additional lot that 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.

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. The lot density in the neighborhood along Waterview Way is higher than is proposed on Mountain View Way.

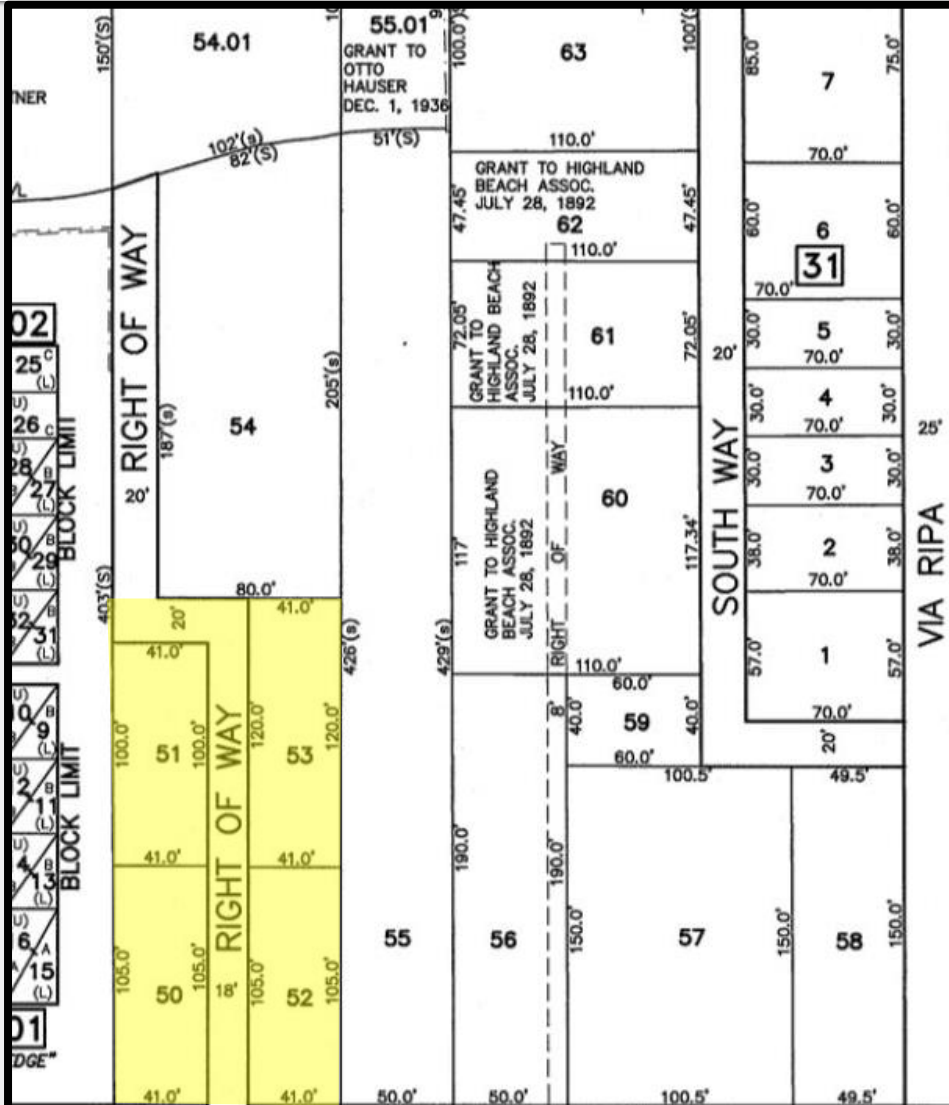


PROJECT NO. 2018-0010	DATE: 08/20/2018	SHEET NO. 2 OF 2
PROJECT NAME: MOUNTAIN VIEW VILLAGE	OWNER: MOUNTAIN VIEW VILLAGE	DESIGNER: ENGENUITY
PROJECT NO. 2018-0010	DATE: 08/20/2018	SHEET NO. 2 OF 2

7

Lot
Depth \longleftrightarrow 50 ft

Surrounding Area



Lot depth for proposed Lots 20.03 and 20.04 is dictated by Mountain View Way ROW and is consistent with similar lots in neighborhood.

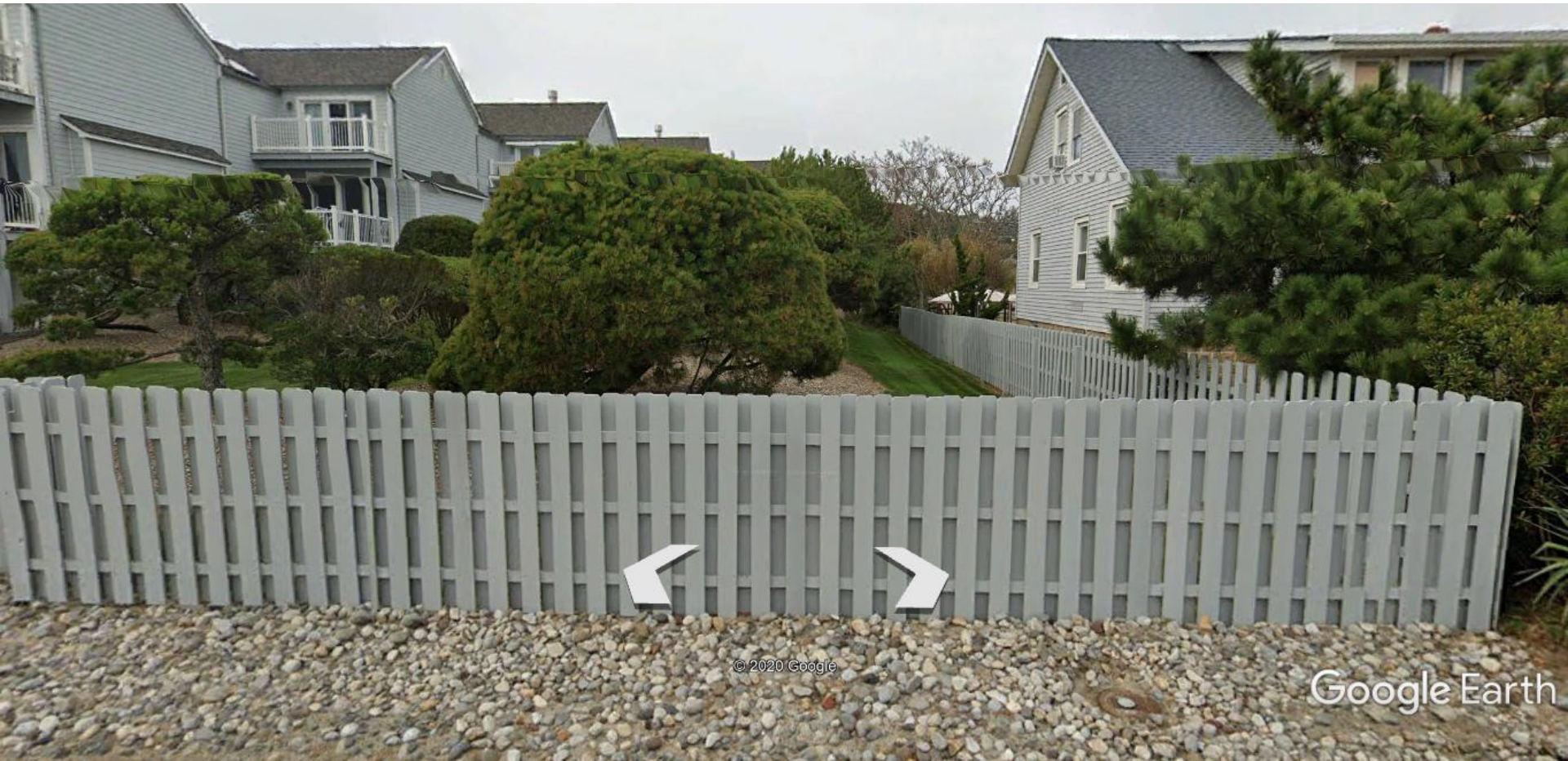
Site Images – Existing Conditions (Ocean Avenue)

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 20.03 and 20.04) for purposes of a reasonable building footprint for a single-family dwelling;*

Benefits Outweigh Detriments (c2) – Hammerhead Street Extension

- *The need for hammerhead 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 an 8 foot 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 the hammerhead provides 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

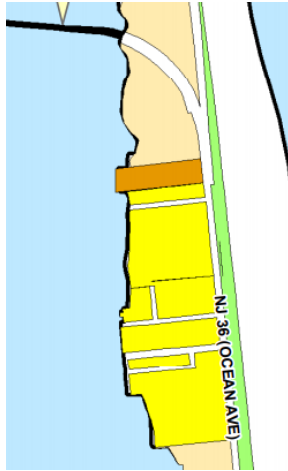
Relevant Recommendations:

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, which is discussed below.”*
 - The proposed subdivision results in five building lots that are consistent in layout with the 2017 minor subdivision and the single-family emphasis of the Master Plan.

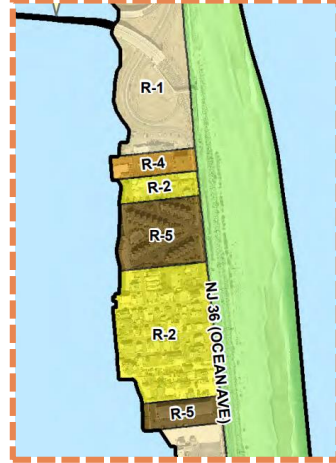
2017 Master Plan & Reexamination

June 29, 2017

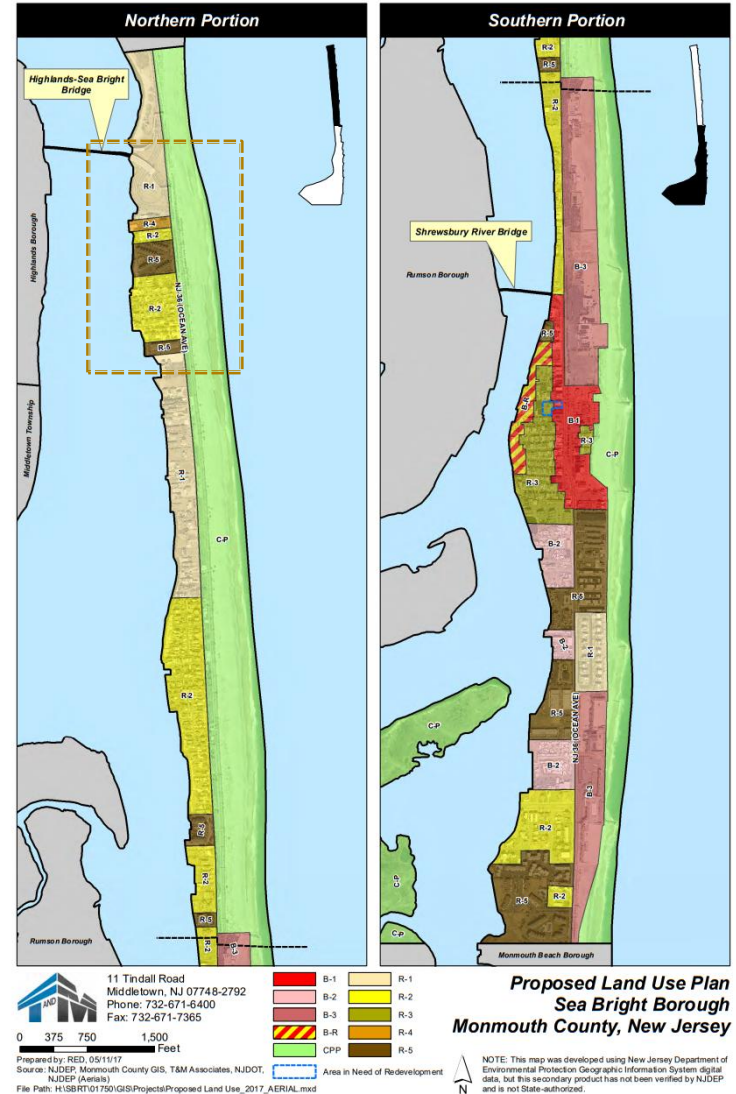
Existing Zoning



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 20.03 is a result of the 40-foot lot depth, will be uniform along Mountain View Way and there are no other single-family homes fronting Mountain View Way that would be adversely impacted.

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 and 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 hammerhead road design results in a beneficial road layout that outweighs the front yard setback relief that it causes for Lot 3.04 by making it a corner lot with two front yards.
- **The requested relief can be granted without substantial detriment to surrounding properties and without substantial adverse impact on the Zone (Master) Plan.**