



BOROUGH OF OCEANPORT

PLANNING/ZONING BOARD

AGENDA • DECEMBER 16, 2020

Special

REMOTE/VIRTUAL

7:30 PM

Municipal Building, 315 E. Main Street, Oceanport, NJ 07757

I. Call to Order

II. General Statement

The Board shall be under no obligation to consider new matters after 10:00 p.m., and will take no new testimony beyond 10:30 p.m. This rule may be waived by the Chair or by an affirmative vote by a majority of the Board members present and qualified.

III. Open Public Meetings Statement

This special meeting complies with the Open Public Meetings Act by adequate and electronic notification on December 9, 2020 of this virtual/remote meeting, its location, date and time, and URL address at which to participate in the meeting to the Asbury Park Press and Star Ledger and by the posting of same on the municipal bulletin board, outside door of meeting location and Borough Web Site. This meeting is also being broadcast on the Borough's Local Public Access Channel, Verizon FiOS Channel 28.

Members of the general public can register for meetings from the Borough website at www.oceanportboro.com by scrolling to the bottom of the homepage and clicking "REGISTER for Planning/Zoning Board Virtual Meetings" on the left hand side of the screen. Registering allows the general public to view and participate in meetings on their computers, smart phones and tablets. Once registered, members of the general public will be muted upon entry to a meeting. Registration allows a member of the general public to participate during the public portions of a meeting by using one of the following options:

1. Text. Once registered for and admitted to a meeting, members of the general public can text comments through the GotoWebinar application. These text comments will be read out loud by the Clerk during the livestream public portions of the meeting.
2. Raise Your Hand Feature. Once registered for and admitted to a meeting, members of the general public can use the GoToWebinar's "Raise Your Hand" icon to be acknowledged for an opportunity to speak. Once recognized and advised to speak, members of the general public may need to unmute themselves to participate in the meeting.

Whether registered or not, the general public can (a) e-mail questions or comments prior to or during the meeting to public.comments@oceanportboro.com or (b) call the Borough's Public Comments Line at (732)-272-8337. The Public Comments Line is only answered during the livestream broadcast of a meeting. A caller to the Public Comments Line must provide his or her name and address in order to participate in a meeting. Once this information is provided, callers will either be admitted to speak at the meeting immediately or they will be called back by the Borough at the appropriate or designated time so that they can speak. Speakers participating through the Public Comments Line will be placed on speaker and all comments made will be part of the digital record of the meeting.

The instructions for Public Participation in the Borough's meetings are also available on the Borough's website at www.oceanportboro.com.

IV. Flag Salute

V. Old Business

1. Resolution of Approval - 5 Brookview Dr
2. Resolution of Approval - 75 Horseneck Pt Rd
3. Resolution of Approval - 161 Monmouth Blvd
4. Resolution for Dismissal - 74 Cayuga Ave

VI. New Business

1. PB2020-26 Stetter, Kevin

111 Hiawatha Ave

Block 16, Lot 13.01

Variance relief for front and side yard setbacks for construction of front porch

2. PB2020-32 Rosenbloom, Matthew

47 Tecumseh Ave

Block 8, Lot 26

Variance relief for impervious coverage for deck, outdoor grill and associated improvements

3. PB2020-27 Arce, Rosetta

49 Sagamore Ave

Block 11, Lot 25

Bulk variances for construction of inground pool

- Minimum Pool Setbacks: outdoor private swimming pool shall be located no less than 10 feet from the side or rear of the residence on a building lot, nor shall such pool be located less than 10 feet from any property line." The proposed pool is located 7.66 feet from the dwelling and 5 feet from the rear and side property lines.
- Maximum Impervious Coverage: 37% permitted, 50.54% existing and 57.84% proposed.
- Side Yard Setback: 10 feet required, 6.25 feet proposed for pool equipment.
- Accessory Building Side Yard Setback: 10 feet required, 0.7 feet for existing framed shed and 8 feet for existing vinyl shed.
- Accessory Building Rear Yard Setback: 5 feet required, 2 feet for existing framed shed.

VII. Petitions from the Public**VIII. Adjournment**

**Planning/Zoning Combined Board**

315 E. Main Street
Oceanport, NJ 07757

SCHEDULED**PLANNING BOARD APPLICATION (ID # 1832)**

Meeting: 12/16/20 07:30 PM
Department: Planning/Zoning Board
Category: PB Applications
Prepared By: Jeanne Smith
Initiator: Jeanne Smith
Sponsors:
DOC ID: 1832

PB2020-26 Stetter, Kevin

111 Hiawatha Ave
Block 16, Lot 13.01

Variance relief for front and side yard setbacks for construction of front porch



Engineers
Planners
Surveyors
Landscape Architects
Environmental Scientists

6.1.a

Corporate Headquarters
331 Newman Springs Road, Suite 203
Red Bank, NJ 07701
T: 732.383.1950
F: 732.383.1984
www.maserconsulting.com

November 9, 2020

VIA EMAIL

Jeanne Smith, Planning Board Secretary
Borough of Oceanport Planning Board
315 E. Main Street
Oceanport, NJ 07757

Re: Bulk Variance Application, PB 2020-26
111 Hiawatha Avenue
Block 16, Lot 13.01
Borough of Oceanport, Monmouth County, New Jersey
MC Project No. OPP-283

Dear Board Members:

We are in receipt of the following information in support of the above-referenced Bulk Variance Application:

- Plans entitled "Survey of Property," which is a hand marked-up copy of the survey, preparer and date unknown, consisting of one (1) sheet;
- Plans entitled "Survey of Property," prepared by Charles Widdis Associates, last revised August 19, 1993, consisting of one (1) sheet.

The subject property is situated in the R-3 – Residential Single-Family Zone District and contains 11,250 SF (0.258 acres) on the north side of Hiawatha Avenue, approximately 105' east of Bay View Place. The Applicant proposes to install a porch in the front yard.

Based on our review, we recommend that the Application be deemed **complete** and scheduled for the next available hearing.

We offer the following comments for the Board's consideration:

Variances/Design Waivers

Bulk variances are required for the following:



1. Minimum side yard setback – Principal Structure: 10 feet required; 9.3 feet proposed. Ordinance 390-14A(4) permits porches to project up to 5 feet into side yard but in no instance be closer than 10 feet to property line.

The Municipal Land Use Law permits the granting of a hardship variance under either of the two following situations (C.40:55D-70c):

- **Hardship c(1) - Physical Constraints** – Hardship variances may be granted if the strict application of the ordinance would impose peculiar and exceptional practical difficulties to, or exceptional and undue hardship upon the developer based upon the existence of the following conditions:
 - a. Exceptional narrowness, shallowness or shape of a specific piece of property;
 - b. Exceptional topographic conditions or physical features uniquely affecting a piece of property; and,
 - c. An extraordinary and exceptional situation uniquely affecting a specific piece of property of the structures lawfully existing thereon.
- **Flexible “c” or c(2) - Benefits Outweighing Detriments** - A variance may be granted where the purpose of the Municipal Land Use Law would be advanced by the proposed deviation and the benefits of the deviation would substantially outweigh any detriment.

The Applicant shall provide testimony in support of the variance being requested and/or identified.

General Comments

1. The Applicant shall provide testimony as to the construction of the asymmetric porch and if it will have a roof and/or walls.
2. The survey was last updated in 1993. The Applicant shall provide testimony as to whether it reflects the condition of the property as it currently exists today. If it does not, the Board may consider requesting a current survey of the property.
3. If the Board should approve the variance, a signed and sealed survey should be provided to the Planning Board Secretary.

We reserve the opportunity to further review and comment on this Application and all pertinent documentation, pursuant to testimony presented at the public hearing.



Jeanne Smith, Planning Board Secretary
MC Project No. OPP-283
November 9, 2020
Page 3 of 3

Should you have any questions or require any additional information, please do not hesitate to contact me directly.

Very truly yours,

MASER CONSULTING, INC.

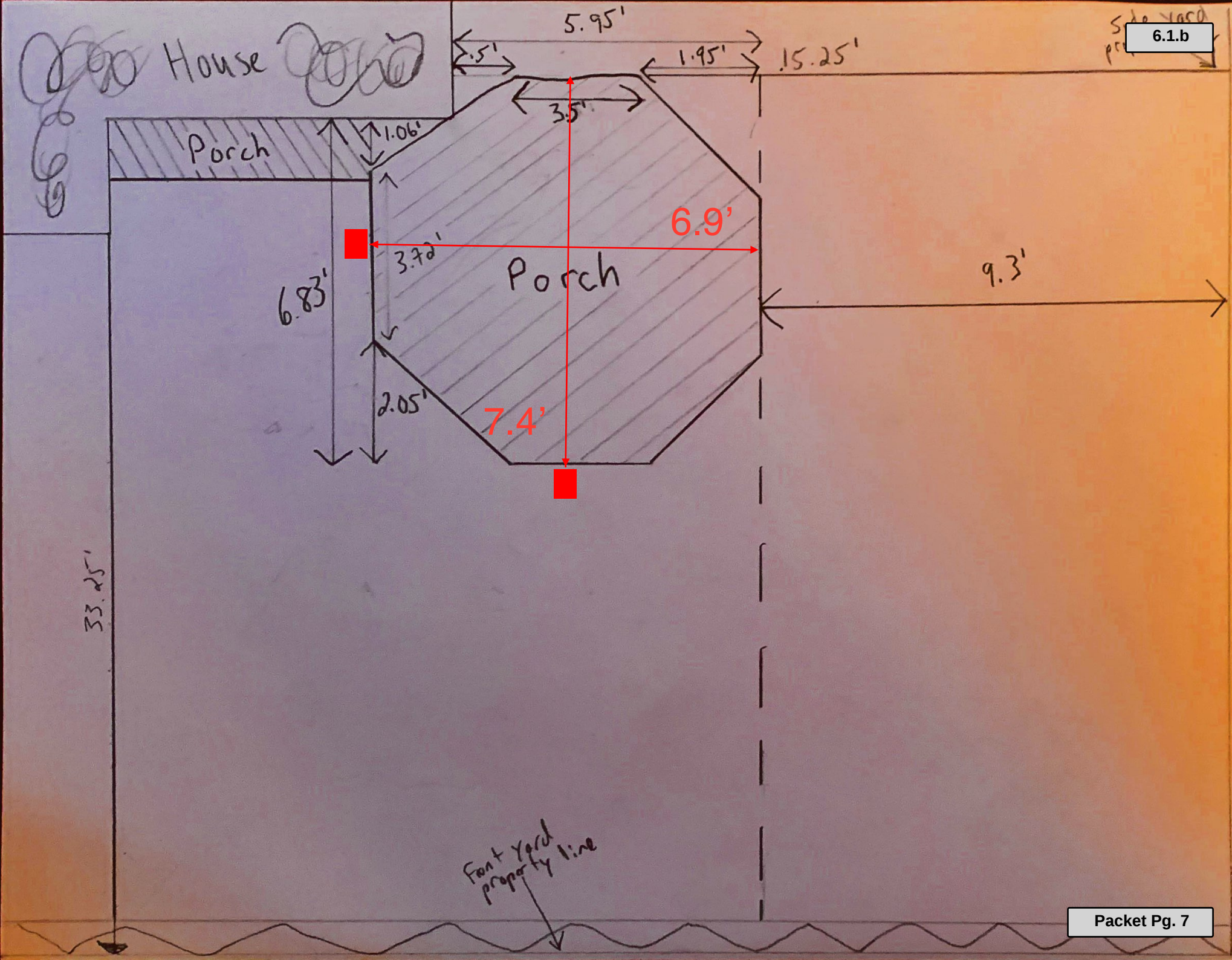
A handwritten signature in blue ink, appearing to read 'W.H.R. White, III'.

William H.R. White, III, P.E., P.P., C.M.E.
Planning Board Engineer and Planner

WHW/dmm

cc: Kevin Kennedy, Esq. (via email)
Kevin Stetter (via email)

r:\general\projects\opp\opp-283\correspondence\out\201109_whw_smith_bulk variance review.docx



HIAWATHA

AVENUE

proposed
new porch

Variance #1

Side encroachment

9.3'
vs 10' required
set-back

Front porch
encroachment
6.83' vs 6' max
requirement

Variance #2

Variance #2

Ordinance #
390-14 A.4

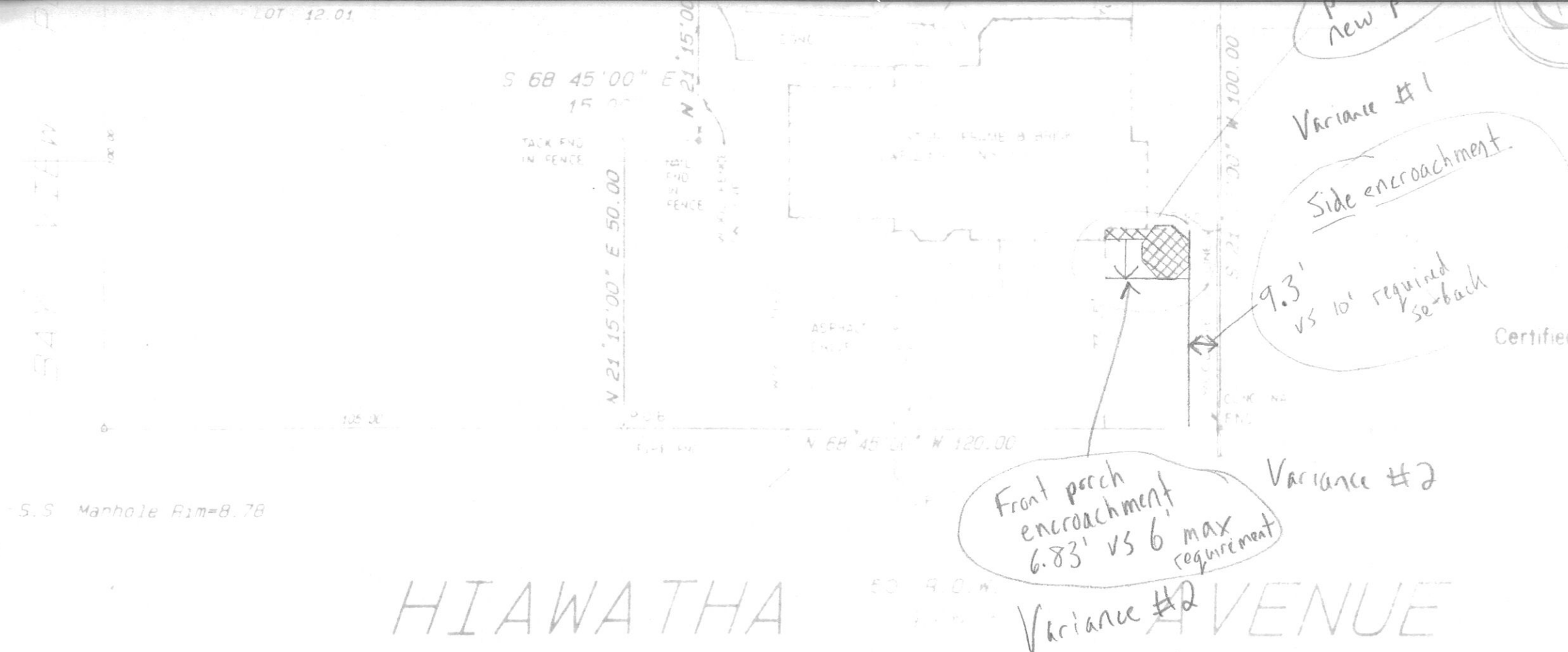
Ordinance #
390-14 A.4

Certified to: Thomas W Cavanagh, Jr. and
Barbara T Cavanagh, Husband and Wife
Ocean Independent Bank, its successor
and/or assigns as their interests
may appear
Transamerica Title Insurance Company
Trident Abstract Company
Charles, Rosen, Cavanagh & Ulrich

SURVEY OF PROPERTY

CHARLES WIEBIS ASSOCIATES

1000 1000 - NEW MAP 07740



S.S. Manhole Rim=8.78

HIAWATHA

AVENUE

Ordinance #
390-14 A.4

Certified to: Thomas W. Cavanagh, Jr. and
Barbara T. Cavanagh, Husband and Wife
Ocean Independent Bank, its successors
and/or assigns as their interests
may appear

Transamerica Title Insurance Company
Trident Abstract Company
Chamlin, Rosen, Cavanagh & Uliano

Front porch
encroachment
6.83' vs 6' max
requirement

Variance #2

Ordinance #
390-14 A.4

Variance #2

Variance #1

Side encroachment

9.3'
vs 10' required
set-back

PREMISES LOCATED IN FLOOD ZONE AE AS SHOWN
FLOOD INSURANCE RATE MAP COMM. NO. 340320A HSI-01
BASE FLOOD ELEVATION = 9 SLD (1929)

ALL ELEVATIONS SHOWN HEREON REFER TO SEA LEVEL DATUM (1929)
BENCH MARK USED C-84

BLOCK AND LOT NUMBERS SHOWN HEREON REFER TO THE
OFFICIAL TAX MAP OF THE BOROUGH OF OCEANPORT.

HARRY J. WIDDIS

LICENSED LAND SURVEYOR

NJLS LIC. NO. 26384

DATE

SURVEY OF PROPERTY

CHARLES WIDDIS ASSOCIATES

LONG BRANCH, NEW JERSEY 07740

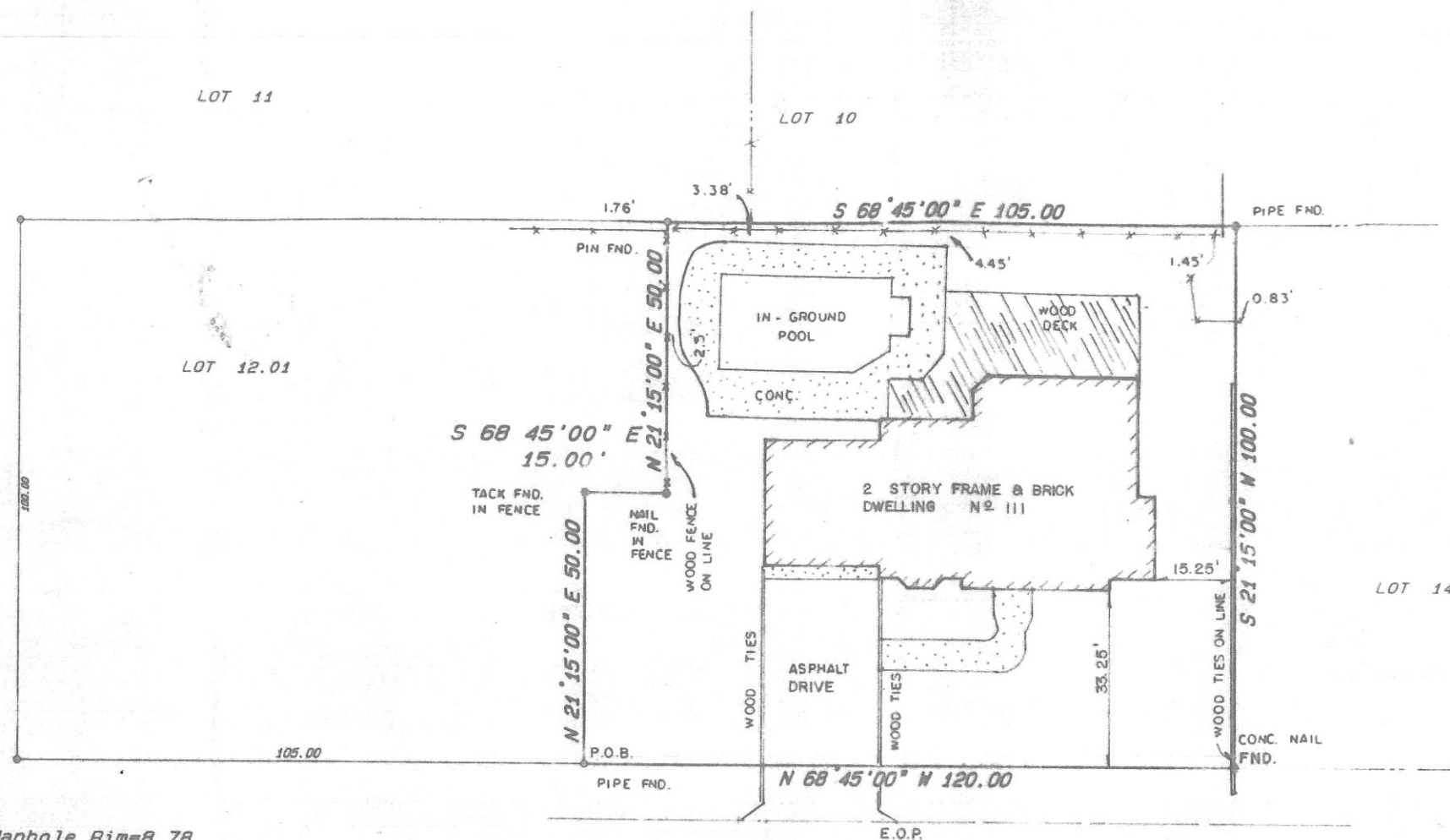
BLOCK 16 LOT 13.01

Borough of Oceanport - Mon. Co., N.J.

SCALE 1" = 30' REV. 11/88
DATE 3/1/88

JOB NO. 1113
SHEET 1 OF 1 SHEETS

BAY VIEW PLACE



S.S. Manhole Rim=8.78

HIAWATHA 50' R.O.W. AVENUE
30' Pavement

Certified to: Thomas W. Cavanagh, Jr. and
Barbara T. Cavanagh, Husband and Wife
Ocean Independent Bank, its successors
and/or assigns as their interests
may appear

Transamerica Title Insurance Company
Trident Abstract Company
Chamlin, Rosen, Cavanagh & Uliano

PREMISES LOCATED IN FLOOD ZONE A6 AS SHOWN
FLOOD INSURANCE RATE MAP COMM. NO. 340320A H&I-01
BASE FLOOD ELEVATION = 9 SLD (1929)

ALL ELEVATIONS SHOWN HEREON REFER TO SEA LEVEL DATUM (1929).
BENCH MARK USED C-54.

BLOCK AND LOT NUMBERS SHOWN HEREON REFER TO THE
OFFICIAL TAX MAP OF THE BOROUGH OF OCEANPORT.

HARRY J. WIDDIS

LICENSED LAND SURVEYOR

N.J.S. L.T.C. NO. 26384

DATE

SURVEY OF PROPERTY

CHARLES WIDDIS ASSOCIATES

LONG BRANCH, NEW JERSEY 07740

BLOCK 16 LOT 13.01

Borough of Oceanport-Mon. Co.-N.J.

SCALE 1"= 30' REV. 4/1/1989
DATE 3/1/88 UPDATED 8-19-1993

JOB NO. 2333
Sheet 1 of 1 Sheets

C-4223
2333



Oceanport Borough
ZONING DEPARTMENT
315 EAST MAIN STREET
OCEANPORT, NJ 07757
(732) 222-0641

Application Date:	6/9/2020
Application Number:	ZA-20-0113
Permit Number:	
Project Number:	
Fee:	\$45

6.1.e

Denial of Application

Date: 6/26/2020

To: KEVIN STETTER
, NJ

CC: APP TELE [REDACTED]
APP EMAIL [REDACTED]

RE: 111 HIAWATHA AVE
BLOCK: 16 LOT: 13.01 QUAL: ZONE: R-3

DEAR KEVIN STETTER,

We will be adding a front porch to the southeast corner of our home. It will be attached directly to the home.

Your request is hereby denied based upon the following requirements:

Proposed porch with a side encroachment of 9.3" does not meet the 10' allowed. Front porch encroachment of 6.83' does not meet the 6' allowed.

denial text

Sincerely,

JOHN JOHNSON, ZONING OFFICER

**Planning/Zoning Combined Board**

315 E. Main Street
Oceanport, NJ 07757

SCHEDULED**PLANNING BOARD APPLICATION (ID # 1866)**

Meeting: 12/16/20 07:30 PM
Department: Planning/Zoning Board
Category: PB Applications
Prepared By: Jeanne Smith
Initiator: Jeanne Smith
Sponsors:
DOC ID: 1866

PB2020-32 Rosenbloom, Matthew

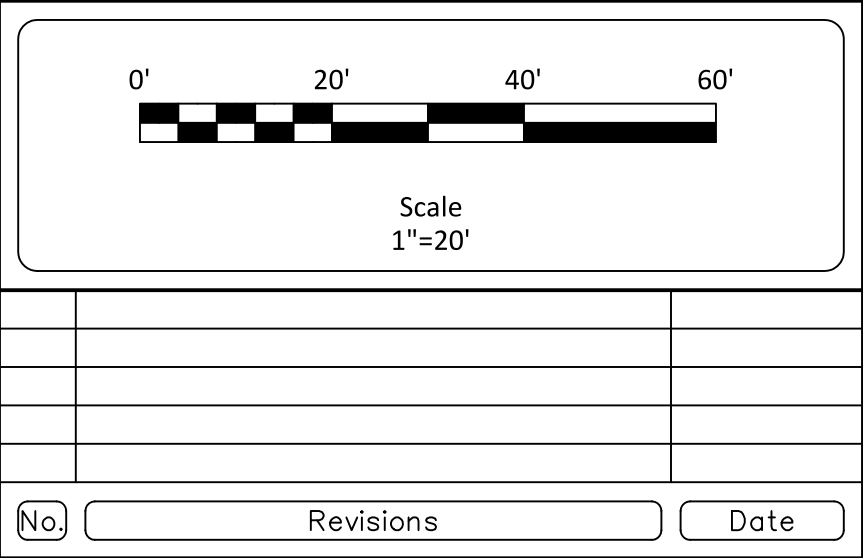
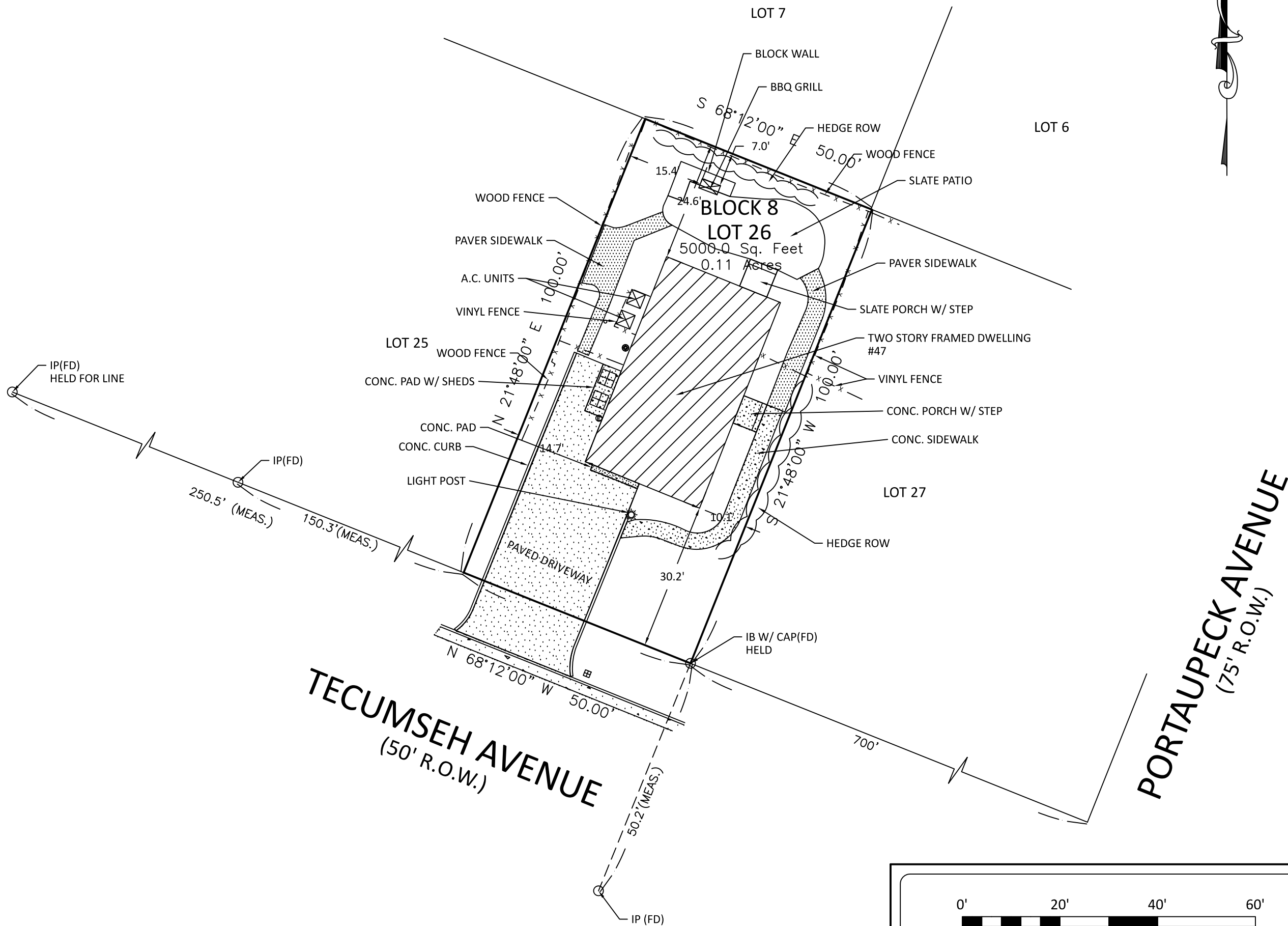
47 Tecumseh Ave

Block 8, Lot 26

Variance relief for impervious coverage for deck, outdoor grill and associated improvements

DESCRIPTION	REQUIRED	EXISTING
MIN LOT AREA	12000 SF	5000.0 SF
MIN LOT WIDTH	120 FT	50.0 FT
MIN LOT DEPTH	100 FT	100.0 FT
MAX LOT COVERAGE		
PRINCIPAL BUILDING	25 PERCENT	22.8 PERCENT
ACCESSORY BUILDING	5 PERCENT	NA
MAX DWELLING PER ACRE	3.7	0.11
MIN YARDS		
PRINCIPAL		
FRONT	30 FT	30.2 FT
ONE SIDE	10 FT	10.1 FT
BOTH SIDES	25 FT	24.8 FT
REAR	25 FT	24.6 FT
ACCESSORY		
SIDE	10 FT	15.4 FT (BBQ)
REAR	5 FT	7.0 FT (BBQ)
IMPERVIOUS COVERAGE	37 PERCENT	58.3 PERCENT

R-3 ZONING SCHEDULE
THERE ARE NO PROPOSED IMPROVEMENT, ALL EXISTING.



- THIS PLAN WAS PREPARED USING THE FOLLOWING INFORMATION:
- SURVEY OF LOT 26 IN BLOCK 8 PREPARED THOMAS P. SANTRY, PA ON 9/19/2014.
 - FILED MAP ENTITLED "PERFECTED AND AMENDED MAP OF PROPERTY KNOWN AS PORTAUPECK, MONMOUTH CO., N.J." PREPARED BY GEORGE D. COOPER, CE ON SEPTEMBER 3, 1907 AND FILED WITH THE CLERK OF MONMOUTH COUNTY ON 11/11/1920 AS CASE NO. 23-6.
 - THE OFFICIAL TAX MAPS FOR THE BOROUGH OF OCEANPORT, MONMOUTH COUNTY, N.J.
 - FIELD SURVEY BY KEE ENGINEERING ENTERPRISES, INC. ON 9/19/2020.
- NOTES:
- ONLY COPIES FROM ORIGINAL OF THIS SURVEY MARKED WITH AN ORIGINAL OF THE LAND SURVEYOR'S EMBOSSED SEAL SHALL BE CONSIDERED TO BE VALID COPIES.
 - SIGNATURE AND EMBOSSED SEAL SIGNIFY THAT THIS SURVEY WAS PREPARED IN ACCORDANCE WITH THE EXISTING CODE OF PRACTICE ADOPTED BY THE NEW JERSEY BOARD OF PROFESSIONAL ENGINEERS AND LAND SURVEYORS. CERTIFICATIONS INDICATED HEREON SHALL RUN ONLY TO THE PERSON FOR WHOM THIS SURVEY IS PREPARED AND ON HIS BEHALF TO THE TITLE COMPANY LISTED HEREON AND THE ASSIGNEES OF THE LENDING INSTITUTION. CERTIFICATIONS ARE NOT TRANSFERABLE TO ADDITIONAL INSTITUTIONS OR SUBSEQUENT OWNERS.
 - THE SURVEYOR IS NOT QUALIFIED TO MAKE ANY DETERMINATION AS TO THE EXISTENCE OR NONEXISTENCE OF WETLANDS AND/OR HAZARDOUS MATERIALS. THEREFORE, NO STATEMENT IS BEING MADE OR IMPLIED HEREON, NOR SHOULD IT BE ASSUMED OR CONSTRUED THAT ANY STATEMENT IS BEING MADE BY THE FACT THAT THERE IS NO WETLANDS AND/OR HAZARDOUS MATERIALS SHOWN HEREON.
 - UNDERGROUND IMPROVEMENTS, UTILITIES OR ENCROACHMENTS, IF ANY, ARE NOT SHOWN.
 - UNAUTHORIZED ALTERATIONS OR ADDITIONS TO A SURVEY MAP BEARING A LICENSED LAND SURVEYOR'S SEAL IS ILLEGAL AND PUNISHABLE BY LAW.
 - THE ACCURACY OF THIS SURVEY IS BASED ON THE ABOVE REFERENCED DOCUMENTS THAT HAVE BEEN PROVIDED BY THE CLIENT.
 - ALL BLOCK AND LOT NUMBERS, SHOWN HEREON, ARE TAKEN FROM THE OFFICIAL MUNICIPAL TAX MAPS. (UNLESS OTHERWISE SHOWN.)
 - PROPERTY SUBJECT TO DOCUMENTS, EASEMENTS AND RESTRICTIONS OF RECORD CONTAINED IN THE ABOVE REFERENCED TITLE REPORT.
 - THIS PLAN IS NOT TO BE USED FOR PROPERTY TRANSFER.
 - THIS PLAN WAS PREPARED ONLY USING THE ABOVE REFERENCED DOCUMENTS AND NO FURTHER RESEARCH WAS PERFORMED ON THIS PROPERTY. THIS OFFICE IS NOT RESPONSIBLE FOR ANY EASEMENTS, RESTRICTIONS OR COVENANTS THAT ARE NOT PROVIDED BY THE CLIENT. FURTHER, NO DETERMINATION OF THE EXISTING OR LACK OF FRESHWATER WETLANDS OR ANY ENVIRONMENTAL CONDITIONS HAS BEEN PERFORMED, UNLESS OTHERWISE NOTED ABOVE.

BEING KNOWN AND DESIGNATED AS LOT 57 & 59 IN BLOCK 9 AS SHOWN A FILED MAP ENTITLED "PERFECTED AND AMENDED MAP OF PROPERTY KNOWN AS PORTAUPECK, MONMOUTH CO., N.J." PREPARED BY GEORGE D. COOPER, CE ON SEPTEMBER 3, 1907 AND FILED WITH THE CLERK OF MONMOUTH COUNTY ON 11/11/1920 AS CASE NO. 23-6. ALSO BEING KNOWN AND DESIGNATED AS LOT 27 IN BLOCK 8 AS SHOWN ON THE OFFICIAL TAX MAPS FOR THE BOROUGH OF OCEANPORT, MONMOUTH COUNTY, NEW JERSEY.

PLAN OF SURVEY

BLOCK 8

LOT 26

#47 TECUMSEH AVENUE

BOROUGH OF OCEANPORT

MONMOUTH COUNTY

NEW JERSEY

Engineers Surveyors Planners
Since 1977
51 Gerard Avenue, Matawan, New Jersey 07747
(732)290-9600
Certificate of Authorization No. 24GA28050100

Date 9/19/2020	File No. K020-020	CAD File 020020SURV	Field Book K-77
Surveyed By TF	Drawn By RTKIII	Kkd. By RTK JR.	Sheet No. 1 of 1

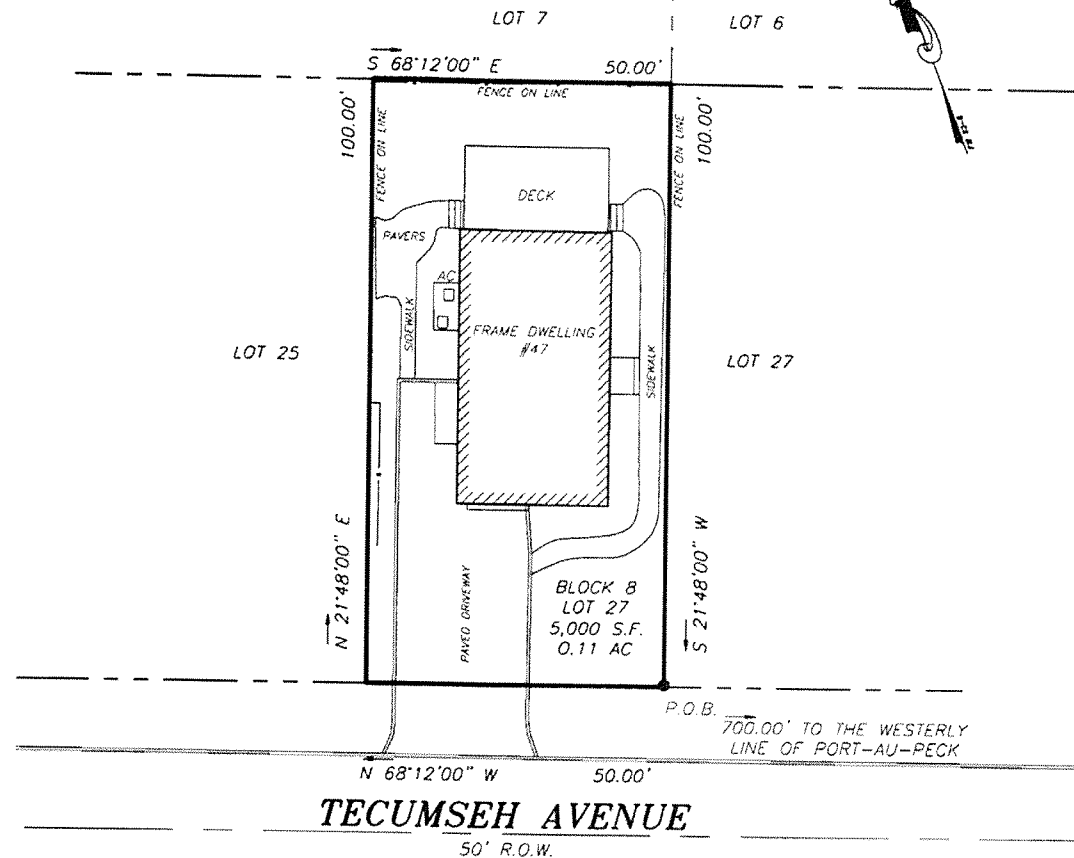
DATE: 9/22/2020

ROBERT T. KEE, JR.
Professional Engineer & Land Surveyor
New Jersey License No. 23206

NOTE: A WRITTEN "WAIVER AND DIRECTION NOT TO SET CORNER MARKERS" HAS BEEN OBTAINED FROM THE ULTIMATE USER PURSUANT TO N.J.A.C. 13:40-5.1(d)

THE INFORMATION SHOWN HEREIN CORRECTLY REPRESENTS THE CONDITIONS FOUND AT, AND AS OF THE DATE OF THE FIELD SURVEY, EXCEPT SUCH IMPROVEMENTS OR EASEMENTS, IF ANY, BELOW THE SURFACE AND NOT VISIBLE

THIS SURVEY IS SUBJECT TO CHANGE ACCORDING TO THE FACTS THAT A CURRENT TITLE REPORT MAY DISCLOSE



THIS SURVEY CERTIFIED TO:

MATTHEW ROSENBLOOM

TWO RIVERS TITLE COMPANY, TR7192

OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY

GUARDHILL FINANCIAL CORP., ITS SUCCESSORS AND/OR ASSIGNS AS THEIR INTERESTS MAY APPEAR

ZAGER FUCHS, P.C.
KEVIN I. ASADI, ESQUIRE

NO DETERMINATION HAS BEEN MADE AS TO THE PRESENCE OR ABSENCE OF WETLANDS ON THIS PROPERTY. NO STATEMENT IS BEING MADE OR IMPLIED HEREIN, NOR SHOULD IT BE CONSTRUED THAT ANY STATEMENT IS BEING MADE BY THE FACT THAT NO EVIDENCE OF THE SAME IS PORTRAYED HEREIN.

I HEREBY CERTIFY THAT THIS IS A TRUE AND ACCURATE SURVEY MADE ON THE GROUND. THERE ARE NO ENCROACHMENTS EITHER WAY ACROSS PROPERTY LINES EXCEPT AS SHOWN

IF THIS DOCUMENT DOES NOT CONTAIN A RAISED IMPRESSION SEAL OF THE PROFESSIONAL IT IS NOT AN ORIGINAL

LOT KNOWN AS LOT 26 IN BLOCK 8 ON THE TAX MAP OF THE BOROUGH OF OCEANPORT, MONMOUTH COUNTY, NEW JERSEY.

LOT ALSO KNOWN AS LOTS 57 & 59 IN BLOCK 9 ON A MAP ENTITLED "PERFECTED AND AMENDED MAP OF PROPERTY KNOWN AS PORTAUECK, MONMOUTH COUNTY, NJ" FILED IN THE MONMOUTH COUNTY CLERK'S OFFICE ON NOVEMBER 11, 1920 AS MAP NUMBER 23-6.

GRAPHIC SCALE



(IN FEET)
1 inch = 20 ft.

SURVEY OF
LOT 26 ~ BLOCK 8
47 Tecumseh Avenue
Borough of Oceanport
Monmouth County, New Jersey

THOMAS P. SANTRY, P.A.

ENGINEERS AND SURVEYORS
ONE HUNDRED TWENTY EIGHT EAST RIVER ROAD
RUMSON, NEW JERSEY 07760
PHONE (732) 741-4800 FAX (732) 741-0084

PROJ. NO.	14-185
SCALE	1" = 20'
DATE	09/19/14
DRAWN BY	BEJ
TAX MAP SHEET #	10
SHEET	1 OF 1
DRAWING NO.	OP348

Thomas P. Santry
RESPONSIBLE PROFESSIONAL'S SIGNATURE
THOMAS P. SANTRY, JR., P.L.S.
PROFESSIONAL LAND SURVEYOR
P.L.S. LIC. No. GS35400

DATE:

X. Description of present use of the premises. Single Family House

XI. Purpose of application and detailed description of proposed improvements, development, change in use, etc. Attach Rider if additional space is necessary. Replace existing rotting deck (with concrete footings) with dry laid blue stone patio and outdoor grill area. New coverage area will be no larger than existing. All setback requirements for accessory structures (grill area) are met. Old deck was rotting with rotting lining beneath deck ~~created~~ Created a health & safety hazard. New patio dry laid on 4" dust base for allow for porous coverage and stone dust gaps wide enough to allow water to percolate through.

XII. List the specific zoning regulations for which appeal or variance relief is sought, and the nature and extent of the specific variances. (Ex. Side yard setback of 9', where 10' permitted)

The prior deck and stairs and paved coverage ~~was~~ resulted in a total lot/impervious coverage of 57.8%. The new patio ^{results in} ~~is~~ approximately 58.3% lot coverage. Although 37% is allowed, according to ordinance 597, a variance shall not be required for the construction of a deck/patio which does not further encroach upon the existing non-conformity. The zoning official claims that the decks that was in place when I bought the house was not approved, however, I received a COTD when I purchased the house. I have not increased the

XIII. If the application seeks use variance relief, state the "special reasons" as that term is defined ^{non-conformity. I asked} under the Municipal Land Use Law, to justify the granting of use variance relief pursuant to N.J.S.A. ^{I improved the water} 40:55D-70d. Attach Rider if additional space is necessary. ^{management and fixed a health & safety concern.}

N/A

Impervious coverage of 58% where 37% is allowed, Explanation above.

XIV. State whether the applicant owns or has under contract for purchase, an adjoining property. If so, set forth the block and lot number and street address of the property.

N/A

XV. State what efforts have been made to obtain the result you wish to accomplish without violating the Zoning Ordinance (i.e., relocation of planned construction, purchase of additional land, etc.)

~~Nothing~~ I thought I was compliant as per ordinance 597. No other efforts are possible without a significant financial hardship.

XVI. The location of the property is approximately 700 feet from the intersection of
Jecumsen Ave and Port-Au-Park.

XVII. Is the subject property located on a:

____ County Rd ____ State Rd OR ____ within 200' of a Municipal boundary NO

XVIII. Are there any existing or proposed deed restrictions, easements, rights-of-way or other dedications? ✓ No ____ Yes (If yes, attach a copy)

FOR SITE PLAN REVIEW ONLY:

1. Acreage of the entire site is:

~~0.115~~ 0.115

2. Type of Proposal is:

____ New structure

____ Expanded Area

____ Improved Parking Area

____ Alteration to Structure

____ Expansion of Structure

____ Change of Use

____ Sign

3. The name of the business or activity (if any): _____

IMPROVEMENTS: List all proposed on site utilities and off-tract improvements:

PLAT SUBMISSION: List maps and other exhibits accompanying this application

AUTHORIZATION AND VERIFICATION

I certify that the foregoing statement(s), materials submitted and information contained in this application are true. I further certify that I am (a) the individual applicant, or (b) that I am an Officer of the Corporate applicant and that I am authorized to sign the application for the Corporation or (c) that I am a general partner of the partnership applicant. (If the applicant is a corporation this must be signed by an authorized corporate officer. If applicant is a partnership, this must be signed by a general partner).

9/30/2020
Date

[Signature]
Applicant

Date

Applicant

Sworn and subscribed to before me this

30th day of September, 20 20.

[Signature]
Notary Public of New Jersey
(Affix stamp and seal)

Zachary D. Wimmer
Notary Public of New Jersey
My Commission Expires May 21, 2025

STATEMENT OF LANDOWNER WHERE APPLICANT IS NOT LANDOWNER

I certify that I am the Owner of the property which is the subject of this application, that I have authorized the Applicant to make this application and that I agree to be bound by the application, the representations made and the decision in the same manner as if I were the applicant. (If the owner is a corporation this must be signed by an authorized corporate officer. If owner is a partnership, this must be signed by a general partner).

9/30/2020
Date

[Signature]
Property Owner's Signature

[Signature]
Notary Public of New Jersey

John O'Shaughnessy
Print Name of Property Owner

Sworn and subscribed to before me this

30th day of September, 20 20.

Notary Public of New Jersey
(Affix stamp and seal)

Zachary D. Wimmer
Notary Public of New Jersey
My Commission Expires May 21, 2025



Planning/Zoning Combined Board

315 E. Main Street
Oceanport, NJ 07757

SCHEDULED

PLANNING BOARD APPLICATION (ID # 1861)

Meeting: 12/16/20 07:30 PM
Department: Planning/Zoning Board
Category: PB Applications
Prepared By: Jeanne Smith
Initiator: Jeanne Smith
Sponsors:
DOC ID: 1861

PB2020-27 Arce, Rosetta

49 Sagamore Ave

Block 11, Lot 25

Bulk variances for construction of inground pool

- Minimum Pool Setbacks: outdoor private swimming pool shall be located no less than 10 feet from the side or rear of the residence on a building lot, nor shall such pool be located less than 10 feet from any property line." The proposed pool is located 7.66 feet from the dwelling and 5 feet from the rear and side property lines.
- Maximum Impervious Coverage: 37% permitted, 50.54% existing and 57.84% proposed.
- Side Yard Setback: 10 feet required, 6.25 feet proposed for pool equipment.
- Accessory Building Side Yard Setback: 10 feet required, 0.7 feet for existing framed shed and 8 feet for existing vinyl shed.
- Accessory Building Rear Yard Setback: 5 feet required, 2 feet for existing framed shed.



Engineers
Planners
Surveyors
Landscape Architects
Environmental Scientists

Corporate Headquarters
331 Newman Springs Road, Suite 203
Red Bank, NJ 07701
T: 732.383.1950
F: 732.383.1984
www.maserconsulting.com

November 2, 2020

VIA EMAIL

Jeanne Smith, Planning Board Secretary
Borough of Oceanport Planning Board
315 East Main Street
Oceanport, NJ 07757

Re: 49 Sagamore Avenue - Pool
Block 11, Lot 25
Borough of Oceanport, Monmouth County, New Jersey
Application No. PB2020-27
MC Project No. OPP-284

Dear Board Members:

Our office is in receipt of the following information regarding the above-referenced Application:

- Plan entitled “Arce Grading Plan” prepared by R.C. Associates Consulting, Inc., dated July 22, 2020 consisting of one (1) sheet;
- Plan Entitled Topographic Survey of Property” prepared by Lakeland Surveying, dated June 23, 2020 consisting of one (1) sheet.

The subject property is a 5,000 SF (0.115-acre) parcel located in the R-3 Residential Zone. The property is located on the north side of Sagamore Avenue approximately 100 feet west of Port Au Peck Avenue. The Applicant is proposing to install a pool.

Based on our review, we recommend that the Application be deemed complete and scheduled for the next available public hearing. The Applicant shall provide proof of public notification as required for this Application. A planning and engineering review of the Application is included below.

A. Variances/Design Waivers

We offer the following comments for the Board’s consideration:

1. Bulk variances are required for the following:
 - a. Ordinance 390-30 H requires that “An outdoor private swimming pool shall be located no less than 10 feet from the side or rear of the residence on a building lot, nor shall

such pool be located less than 10 feet from any property line.” The proposed pool is located 7.66 feet from the dwelling and 5 feet from the rear and side property lines.

- b. Maximum Impervious Coverage: 37% permitted, 50.54% existing and 57.84% proposed.
- c. Side Yard Setback: 10 feet required, 6.25 feet proposed for pool equipment.
- d. Accessory Building Side Yard Setback: 10 feet required, 0.7 feet for existing framed shed and 8 feet for existing vinyl shed.
- e. Accessory Building Rear Yard Setback: 5 feet required, 2 feet for existing framed shed.

The Municipal Land Use Law permits the granting of a hardship variance under either of two following situations (C.40:55D-70c):

- **Hardship c(1) - Physical Constraints** – Hardship variances may be granted if the strict application of the ordinance would impose peculiar and exceptional practical difficulties to, or exceptional and undue hardship upon, the developer based upon the existence of the following conditions:
 - a. Exceptional narrowness, shallowness or shape of a specific piece of property;
 - b. Exceptional topographic conditions or physical features uniquely affecting a piece of property; and,
 - c. An extraordinary and exceptional situation uniquely affecting a specific piece of property of the structures lawfully existing thereon.
- **Flexible “c” or c(2) - Benefits Outweighing Detriments** - A variance may be granted where the purpose of the Municipal Land Use Law would be advanced by the proposed deviation and the benefits of the deviation would substantially outweigh any detriment.

The Applicant shall provide testimony in support of the variance being requested and/or identified.

B. General Comments

1. The proposed grading plan does not provide sufficient spot grades to demonstrate the flow patterns between the dwelling and pool. The Applicant should provide addition spot grade and flow arrows. Addition topographic grades are needed for the properties to the north and west to assure that this grading pattern is being maintained.



Jeanne Smith, Planning Board Secretary
MC Project No. OPP-284
November 2, 2020
Page 3 of 3

2. The proposed infiltration trench does not provide sufficient information on the soils, namely depth to seasonal high groundwater table and percolation test results.
3. A signed and sealed survey shall be provided to the Planning Board Secretary for her files.

Should you have any questions regarding this matter please do not hesitate to contact me directly.

Very truly yours,

MASER CONSULTING INC.

A handwritten signature in blue ink, appearing to read 'W. H. White, III'.

William H.R. White, III, P.E., P.P., C.M.E.
Planning Board Engineer and Planner

WHW/dmm

cc: Rosetta Arce (via email rosettaarce06@gmail.com)

r:\general\projects\opp\opp-284\correspondence\out\201102_white_review#1.docx



Oceanport Borough
ZONING DEPARTMENT
315 EAST MAIN STREET
OCEANPORT, NJ 07757
(732) 222-0641

Application Date: 7/30/2020
Application Number: ZA-20-0149
Permit Number: _____
Project Number: _____
Fee: \$45

Denial of Application

Date: 8/4/2020

To: ROSETTA ARCE
49 SAGAMORE AVE
OCEANPORT, NJ

CC: APP EMAIL [REDACTED]

RE: 49 SAGAMORE AVE
BLOCK: 11 LOT: 25 QUAL: ZONE: R-3

DEAR ROSETTA ARCE,

Your request is hereby denied based upon the following requirements:

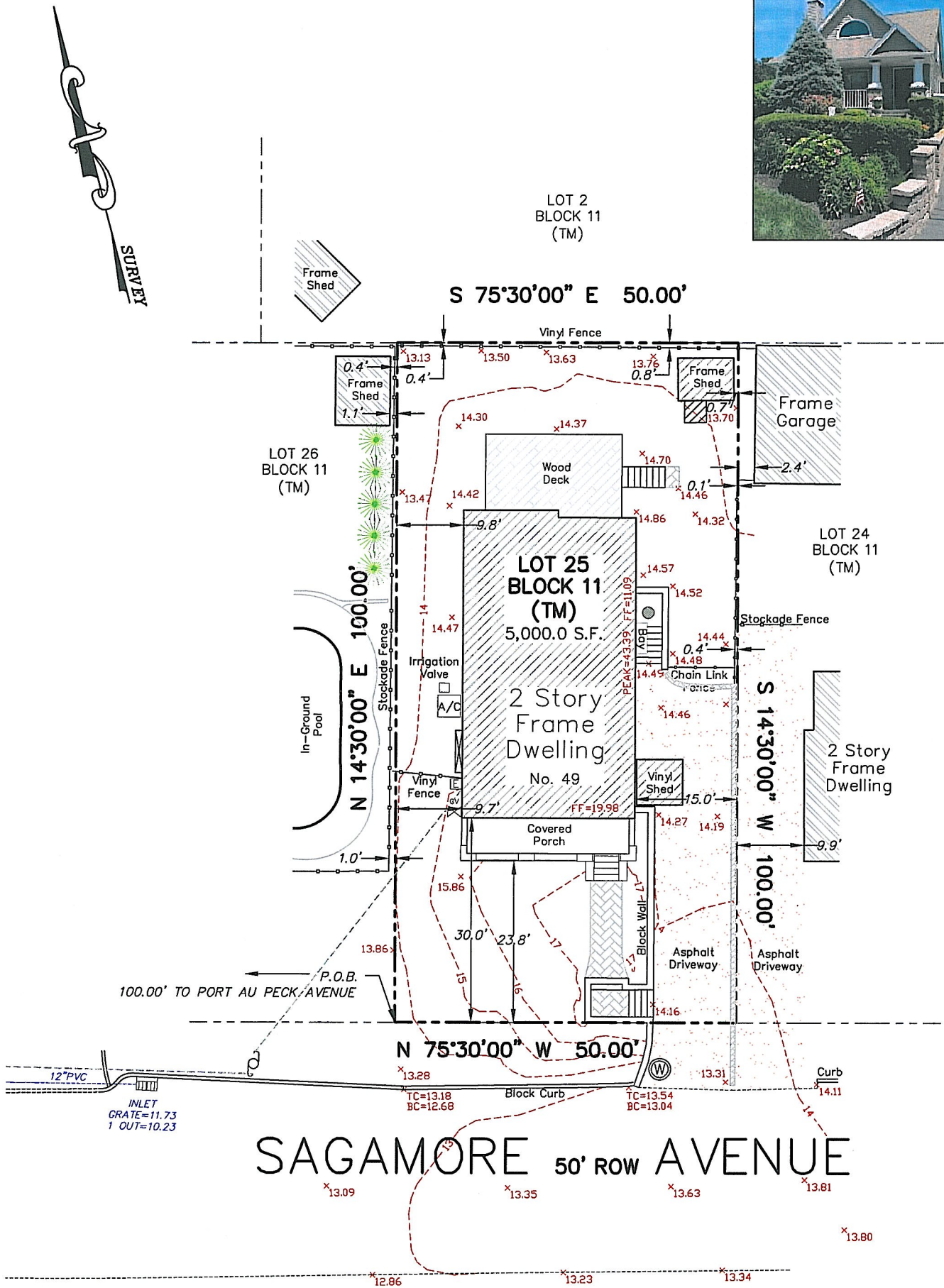
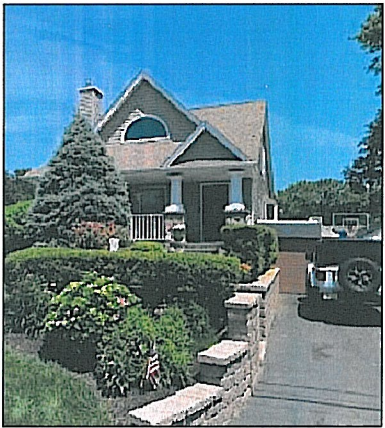
Proposed pool does not meet the required side, rear or dwelling setbacks of 10'. Proposed impervious coverage of 57.84% exceeds the allowed 37%. Proposed pool equipment does not meet the required 10' set back. Proposed pool exceeds the maximum allowed accessory coverage of 5%.

Existing sheds to remain do not meet required setbacks no proof of ever receiving zoning approval.

denial text

Sincerely,

JOHN JOHNSON, ZONING OFFICER



This survey certified to:
Jose Arce and Rosetta Caruso Arce

This survey references:
Deed Book 9066 Page 1898
Survey Prepared by Azimuth Land Surveying Co., Inc.

Notes:
Field Survey Performed on 06/19/2020
Vertical Datum NAVD88
Subject to an accurate title search
Subject to documents of record
Survey performed without the benefit of a complete title search and subject to
municipal restrictions, easements of record and other facts that a title search
may disclose.

I declare that this plan is based on actual field survey performed by Lakeland Surveying, Inc., under my direct supervision, in accordance with N.J.A.C. 13:40-5.1 and to the best of my professional knowledge, information and belief, correctly represents the conditions found on the date of the field survey, except such easements, if any, below the surface of the lands not visible. This declaration is given solely to the above named parties for this transaction only and is not transferrable. Survey is valid only if print has original raised seal of the undersigned professional.

Lakeland
Surveying

4 West Main Street | Rockaway | NJ
Ph: (973) 625-5670 | Fx: (973) 625-4121
www.LakelandSurveying.com
Certificate of Authorization #24GA28090000

PROJECT NUMBER
201525
REFERENCE NUMBER

SCALE
1"=20'

DATE
06/23/20

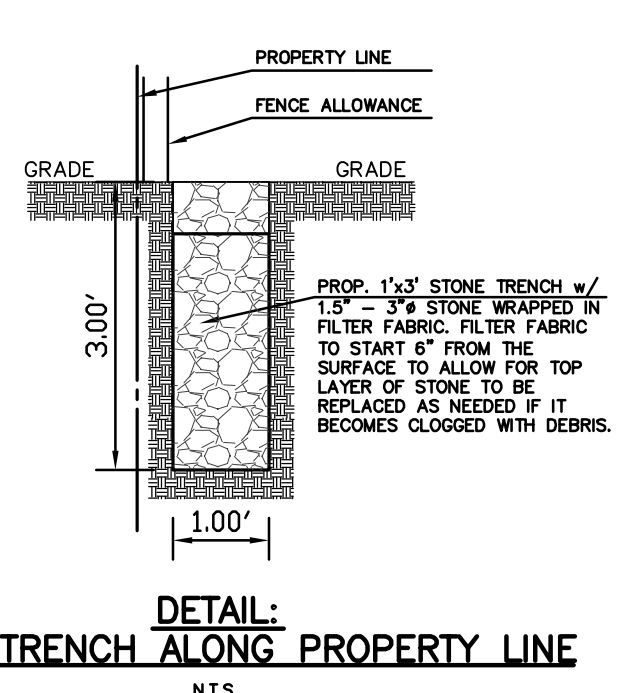
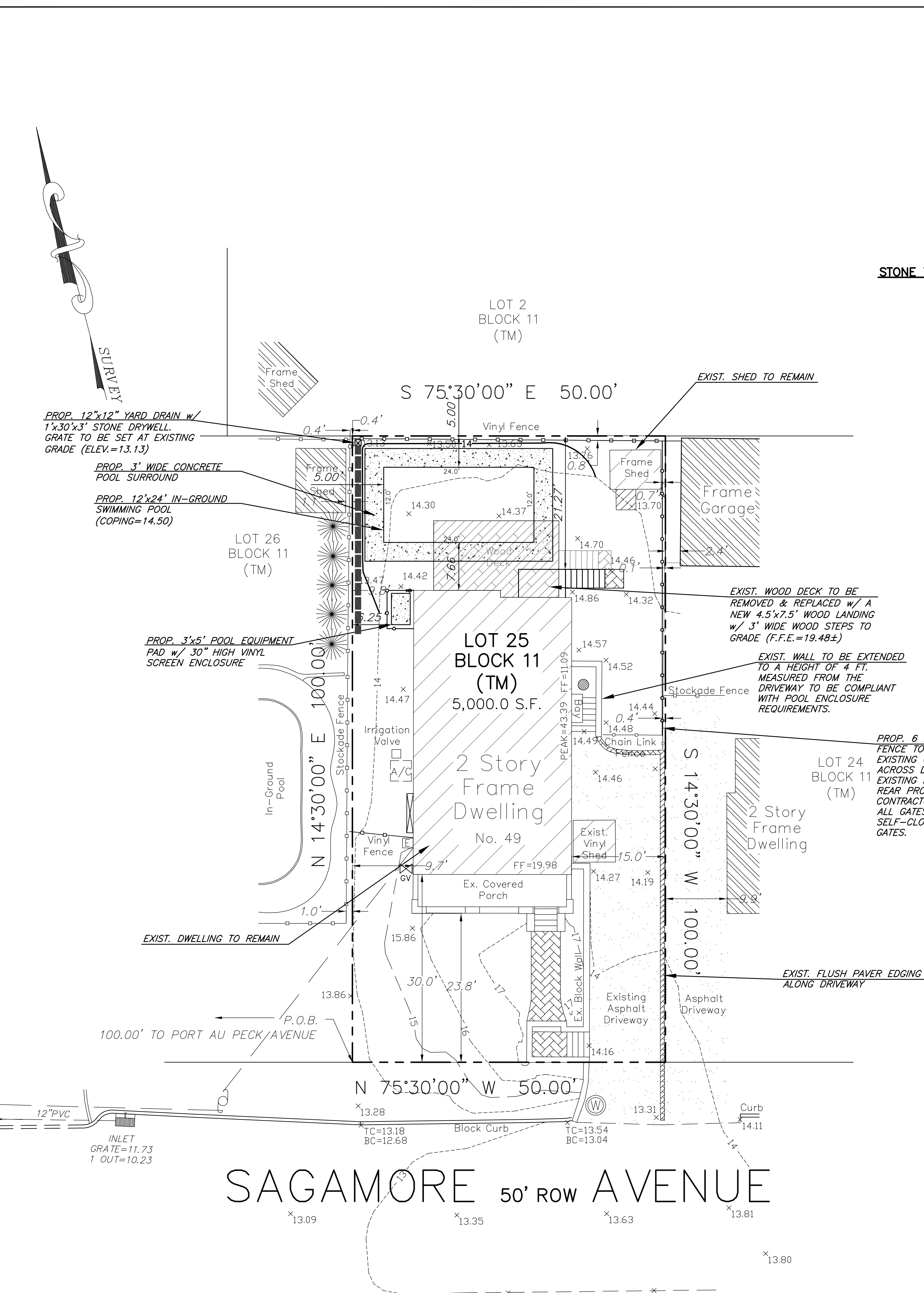
FIELD:
JRS

DWN BY:
JES

CHECKED:
JSG

TOPOGRAPHIC SURVEY OF PROPERTY
Tax Lot 25 - Block 11
49 Sagamore Avenue, Borough of Oceanport
Monmouth County, New Jersey

MARC J. CLEONE, Professional Land Surveyor N.J. Lic. No 24GS04132900
JEFFREY S. GRUNN, Professional Land Surveyor N.J. Lic. No 24GS04339900



EXIST. IMPERVIOUS COVERAGE

EXIST. DWELLING	1,134 S.F.
EXIST. FRONT COVERED PORCH	159 S.F.
EXIST. FRONT WALKWAY & WALL	17.50 S.F.
EXIST. DRIVEWAY	619.25 S.F.
EXIST. VINYL SHED	45.25 S.F.
EXIST. FRAME SHED	51.50 S.F.
EXIST. SHED LANDING	10.50 S.F.
EXIST. BASEMENT STEPS	54.50 S.F.
EXIST. REAR DECK & STEPS	252.25 S.F.
EXIST. DECK PAVR LANDING	6.25 S.F.
EXIST. CHIMNEY	6.5 S.F.
EXIST. A/C UNIT	11 S.F.
TOTAL	2,527 S.F.

PROP. IMPERVIOUS COVERAGE

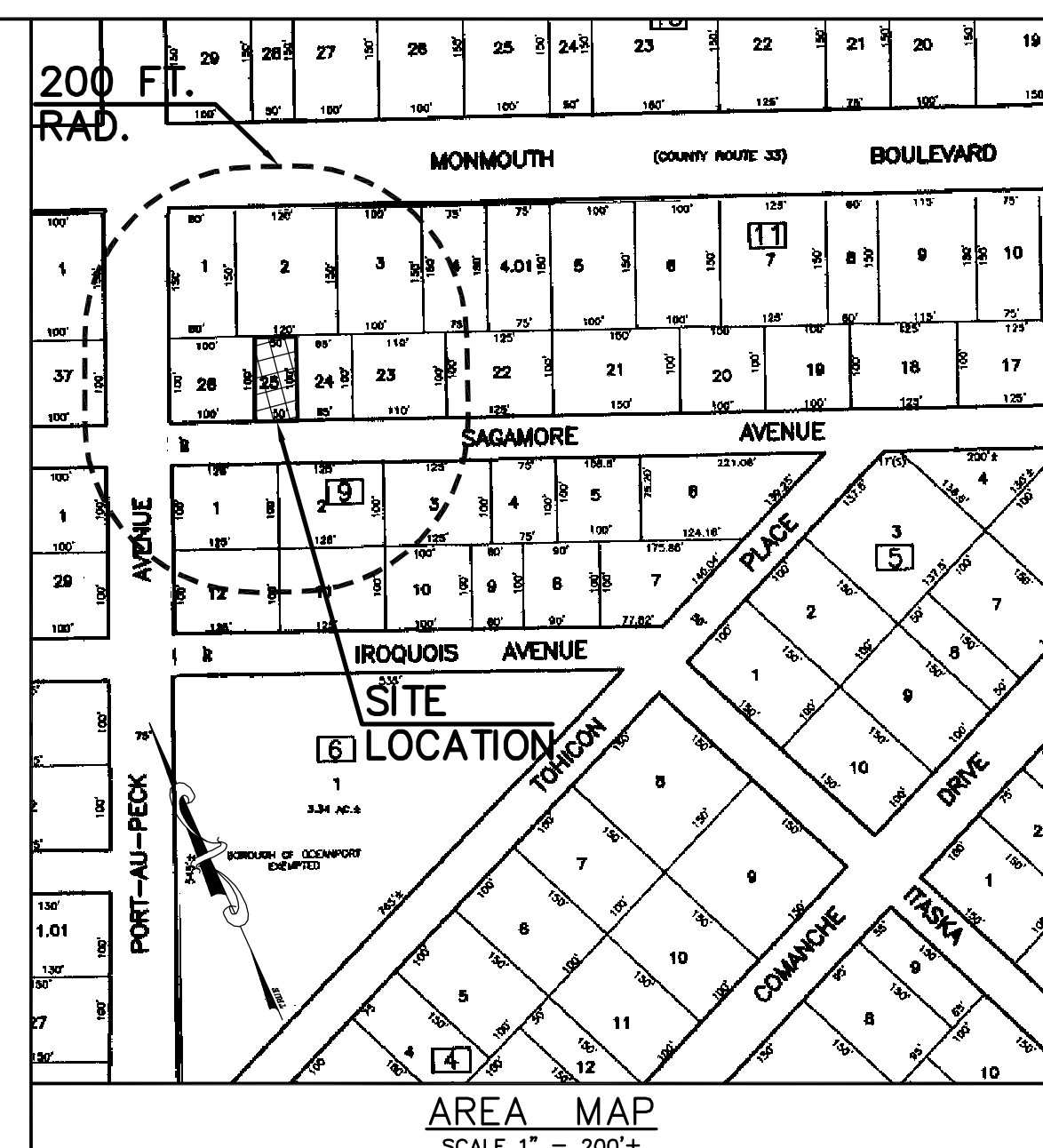
EXIST. DWELLING	1,134 S.F.
EXIST. FRONT COVERED PORCH	159 S.F.
EXIST. FRONT WALKWAY & WALL	17.50 S.F.
EXIST. DRIVEWAY	619.25 S.F.
EXIST. VINYL SHED	45.25 S.F.
EXIST. FRAME SHED	51.50 S.F.
EXIST. SHED LANDING	10.50 S.F.
EXIST. BASEMENT STEPS	54.50 S.F.
PROP. REAR LANDING & STEPS	9 S.F.
EXIST. DECK PAVR LANDING	6.25 S.F.
EXIST. CHIMNEY	6.5 S.F.
EXIST. A/C UNIT	11 S.F.
PROP. POOL	288 S.F.
PROP. POOL SURROUND	252 S.F.
PROP. POOL EQUIPMENT PAD	15 S.F.
TOTAL	2,891.75 S.F.

EXIST. PRINCIPAL BUILDING COVERAGE

EXIST. DWELLING	1,134 S.F.
EXIST. REAR DECK	234 S.F.
EXIST. FRONT COVERED PORCH	159 S.F.
TOTAL	1,527 S.F.

PROP. PRINCIPAL BUILDING COVERAGE

EXIST. DWELLING	1,134 S.F.
PROP. REAR LANDING	34 S.F.
EXIST. FRONT COVERED PORCH	159 S.F.
TOTAL	1,327 S.F.



GENERAL NOTES

PROPERTY ID KNOWN AS BLOCK 11, LOT 25 AS SHOWN ON SHT 27 OF THE OFFICIAL TAX MAPS OF THE BOROUGH OF OCEANPORT, MONMOUTH COUNTY, NEW JERSEY.

PROPERTY IS LOCATED IN THE R-3 RESIDENTIAL ZONE AND CONTAINS A TOTAL OF 0.1148± ACRES.

OWNER/APPLICANT: JOSE & ROSETTA ARCE
49 SAGAMORE AVENUE
OCEANPORT, NJ 07757

APPLICANT PROPOSES TO CONSTRUCT AN IN-GROUND SWIMMING POOL & ASSOCIATED REAR YARD IMPROVEMENTS

ZONE R-3 (INTERIOR)

DESCRIPTION	REQUIRED/PERMITTED	EXIST.	PROP.
BUILDING USE	SINGLE FAMILY	SINGLE FAMILY	SINGLE FAMILY
MIN. LOT AREA	12,000 S.F.	* 5,000 S.F.	** 5,000 S.F.
MIN. LOT WIDTH	120 FT.	* 50 FT.	(1) 50 FT.
MIN. LOT DEPTH	100 FT.	100 FT.	100 FT.
MIN. FRONT YARD SETBACK (DWELLING)	30 FT.	30 FT.	30 FT.
(COVERED PORCH)	24 FT.	* 23.8 FT.	* 23.8 FT.
MIN. SIDE YARD SETBACK (EACH)	10 FT.	* 9.7 & 15 FT.	* 9.7 & 15 FT.
(COMBINED)	20 FT.	24.7 FT.	24.7 FT.
MIN. REAR YARD SETBACK	25 FT.	(2) 14 FT. (DECK)	** 21.27 FT. (DECK)
MAX. BUILDING HEIGHT (CROWN=13.35)	35 FT. (2.5 STORIES)	EXISTING (2 STORIES)	EXISTING (2 STORIES)
MAX. PRINCIPAL BLDG. LOT COVERAGE	25 % (1,250 S.F.)	(2) 30.54 % (1,527 S.F.)	** 26.54 % (1,327 S.F.)
MAX. ACCESSORY BUILDING LOT COVERAGE	5 % (250 S.F.)	1.94 % (97 S.F.)	1.94 % (97 S.F.)
MIN. ACCESS. BLDG. SIDE SETBACK (SHED)	10 FT.	* 0.7 FT.	** 0.7 FT.
MIN. ACCESS. BLDG. REAR SETBACK (SHED)	5 FT.	* 2.2 FT.	** 2.2 FT.
MIN. POOL SIDE YARD SETBACK	10 FT.	N/A	** 5 FT.
MIN. POOL REAR YARD SETBACK	10 FT.	N/A	** 5 FT.
MIN. POOL DISTANCE TO DWELLING	10 FT.	N/A	** 7.66 FT.
MAX. IMPERVIOUS COVERAGE	37 % (1,850 S.F.)	* 50.54 % (2,527 S.F.)	** 57.84 % (2,891.75 S.F.)
MIN. POOL EQUIPMENT SETBACK	10 FT.	N/A	** 6.25 FT.

* - INDICATES EXISTING NON-CONFORMITY
** - INDICATES VARIANCE REQUESTED
(1) - INDICATES VARIANCE PREVIOUSLY GRANTED 10-26-05
(2) - INDICATES VARIANCE PREVIOUSLY GRANTED 1-14-09. BLDG. COVERAGE VARIANCE WAS ISSUED FOR 29.6 % & REAR SETBACK VARIANCE ISSUED FOR 14 FT. FOR REAR DECK THAT WAS CONSTRUCTED.

DRAINAGE NOTES

EXISTING ROOF LEADERS AND SUMP PUMP DISCHARGE PIPES GO UNDERGROUND AND DAYLIGHTED THROUGH THE CURB. THERE ARE NO CHANGES BEING PROPOSED TO ALTER THE EXISTING FLOW OF THIS WATER

GENERAL NOTES

GRADES SHOWN BASED ON NAVD 1988 DATUM

PROPERTY SHALL BE SERVICED BY EXISTING PUBLIC SEWER AND WATER SERVICES

OUTBOUND & TOPOGRAPHIC INFORMATION TAKEN FROM A MAP ENTITLED "TOPOGRAPHIC SURVEY OF PROPERTY, TAX LOT 25 - BLOCK 11, 49 SAGAMORE AVENUE, BOROUGH OF OCEANPORT, MONMOUTH COUNTY, NEW JERSEY", PREPARED FOR JOSE ACRE & ROSETTA CARUSO ARCE, PREPARED BY JEFFREY S. GRUNN, PROFESSIONAL LAND SURVEYOR, NEW JERSEY LICENSE No. 246S04339900, ON BEHALF OF LAKE LAND SURVEYING, DATED 6/23/20.

FEMA PRELIMINARY FIRM BFE ZONE 'X' - UNSHADED (JANUARY 30, 2015)

FEMA FIRM EFFECTIVE BFE ZONE 'X' - UNSHADED, PANEL 34025C0184G (JUNE 20, 2018)

8/11/20 - REVISED ZONING TABLE

ARCE GRADING PLAN
49 SAGAMORE AVENUE
BLOCK 11 - LOT 25
BOROUGH OF OCEANPORT
MONMOUTH COUNTY, N.J.

R.C. ASSOCIATES
Consulting, Inc.
Valley Park Professional Center
2517 Route 35 Building J Suite 102
Manasquan, New Jersey, 08736
Ph. 732-528-0141 • Fax 732-528-1060

RAY CARPENTER P.E.

PROFESSIONAL ENGINEER, N.J. Lic. No. GE23223

C.A. #24GA28108800

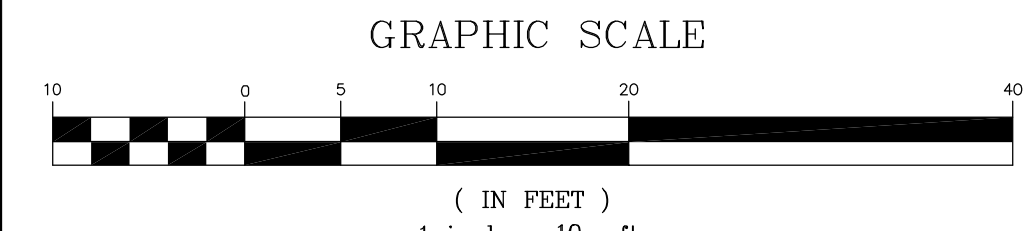
DRN BY: WAM

DATE: 7/22/20

SCALE: AS SHOWN

JOB #: 2020.108

SHEET: 1 OF 1



APPROVED BY
BOROUGH OF OCEANPORT PLANNING BOARD

CHAIRMAN _____ DATE _____

SECRETARY _____ DATE _____

ENGINEER _____ DATE _____