

Borough of West Long Branch Zoning Board of Adjustment 2019 Annual Report

LITIGATION

- *The Board was involved in Litigation in the Superior Court of New Jersey regarding the denial of the application made by Jack Gabbay, to sanction the build-out of living space into the third-floor attic of the single-family dwelling located at 376 Norwood Avenue, which build-out had been undertaken without required permits or approvals (see further reference to the Gabbay application in the R-22 zone, below). The Superior Court upheld the Board's denial of this application, and dismissed the complaint.*

INTERPRETATION/APPEALS

None

ADMINISTRATIVE

None

APPLICATIONS

R-22 (Low Density Residential) Zone

- ***CELINE DOS SANTOS (ZB 2019-02); 74 Summers Ave. (Block 72, Lots 5 & 6): GRANTED bulk variance relief for excess lot coverage to allow installation of an in-ground pool and setback variance for a storage shed.***
- ***PATRICK MARTIN (ZB 2019-06); 32 Lloyd Ave. (Block 73, Lot 3): GRANTED bulk variance relief to permit expansion of the existing single-family dwelling at the property; the relief pertained to the existing deficient lot area and existing front yard setback deviations, as well as additional relief for front yard setback deviation for a new front porch and side yard setback relief for building additions.***
- ***SAM CHIRA (ZB 2019-07); 32 Mount Dr. (Block 57, Lot 9.01): GRANTED bulk variance relief to allow installation of a fence exceeding permitted height in a front yard area at the subject property.***
- ***JACK GABBAY (ZB 2019-09); 376 Norwood Ave. (Block 28, Lot 82): DENIED variance relief to sanction the build-out of living space into the third-floor attic of the single-family dwelling, which build-out had been undertaken without required permits or approvals.***
- ***FRANK ROSANO (ZB 2019-11); 47 Arlene Ave. (Block 67, Lot 20): GRANTED bulk variance relief to permit expansion of the existing single-family dwelling at the subject property; the relief included proposed side yard setback deviation and proposed total combined side yard setback deviations.***

- **JOHN TERLECSKY & LAURA TERLECSKY (ZB 2019-15); 74 Brookwillow Ave. (Block 29, Lot 1.01):** GRANTED bulk variance relief to allow installation of fences at the subject property that exceed permitted fence height.
- **KEVIN DONOHOE & PAM DONOHOE (ZB 2019-20); 46 DeForrest Pl. (Block 19, Lot 16):** GRANTED front yard setback variance relief to permit the addition of a covered front porch to the existing single-family dwelling.

R-15 (Moderate Density Residential) Zone

- **DIEGO CIPRIANO & ALICIA CIPRIANO (ZB 2019-04); 36 Orchard St. (Block 98, Lot 23):** GRANTED bulk variance relief to permit expansion of the existing single-family residence at the subject property; the relief included variances for vertical exacerbation of the existing front yard setback deficiency for a second floor addition, and front yard setback deviation for the proposed covered front porch.
- **MONMOUTH REALTY DEVELOPMENT LLC (ZB 2019-16); 123 Hollywood Ave. (Block 22, Lot 26):** GRANTED bulk variance relief to permit installation of a proposed tennis court fence exceeding the ordinance fence height limitation (10 feet proposed; 6 feet maximum allowed).
- **STEPHEN & KERRY BRAY (ZB 2019-17); 30 Community Drive (Block 15, Lot 65):** GRANTED bulk variance relief for excess lot coverage to permit installation of a pool and patio at the subject property.
- **DON JENGO & AMY JENGO (ZB 2019-18); 68 Locust Ave. (Block 81, Lot 20):** DETERMINED that the proposal would constitute creation of a two-family dwelling in the single-family zone at issue, and DENIED D(1) use variance relief for same.

R-10 (Medium-High Density Residential) Zone

- **STACY CANNAN (ZB 2019-01); 19 Chestnut Pl. (Block 79, Lot 12):** GRANTED bulk variance relief to permit expansion of the existing single-family dwelling at the subject property, which relief included variances for existing deficient lot area, existing deficient lot width, exacerbation of deficient side yard setbacks, proposed excess lot coverage, and front yard setback deviation for proposed front porch.
- **ADALBERTO DEMELLO (ZB 2019-08); 36 Victor Ave. (Block 6, Lot 6.01):** GRANTED bulk variance relief to permit construction of a two-car garage at the subject property, which relief pertained to the existing deficient lot width, and proposed side yard setback and rear yard setback deviations for the garage.
- **LEONARDO ALMEIDA (ZB 2019-10); 45 Lakeview Ave. (Block 70, Lot 8):** GRANTED bulk variance relief to permit the excess height and deficient side yard setback of the cabana (“pool house”) constructed at the site.

- **TIFFANY COLELLI (ZB 2019-12); 10 Halsey St. (Block 78, Lot 27):** *GRANTED* variance relief to permit the existing deficient lot area and lot width, as well as the front yard setback deviation pertaining to the proposed covered front porch.

SH (Senior Housing) Zone

None

SH-1 (Senior Housing Residential Overlay) Zone

None

MF (Multi-Family Housing) Zone

None

MF-1 (Multi-Family Housing-1) Zone

None

MF-2 (Multi-Family Housing-2) Zone

None

MF-3 (Multi-Family Housing-3) Zone

None

MF-4 (Multi-Family Housing-4) Zone

None

RP (Residential/Professional) Zone

None

HC (Highway Commercial) Zone

None

NC (Neighborhood Commercial) Zone

None

OP (Office/Professional) Zone

None

I (Institutional) Zone

None

BOARD RECOMMENDATIONS

- *The Board notes that structures such as patios, sport courts, and the like, that are flat to the ground surface, currently require a zero setback from property lines; the Board recommends that the*

Governing Body and Planning Board consider ordinance amendment to require appropriate setbacks for same.

- *The Board notes that there is apparently no requirement for covered parking space(s) (i.e., a garage) in residential zones. This may lead to conversion of attached garages to living space, requiring vehicles to then be parked in front yard areas or on the street. The Board recommends that the Governing Body and Planning Board consider whether it would be appropriate to amend the ordinance with regard to this issue.*