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ENGINEERING • PLANNING • LAND USE & DEVELOPMENT

October 26, 2020

West Long Branch Zoning Board of Adjustment  
c/o Ms. Chris Ann DeGenaro, Zoning Board Secretary  
965 Broadway  
West Long Branch, NJ 07764

File No. WLBZB 2020-05

Re: Engineering Review No.1  
Vonella (ZB 2020-07)  
Bulk Variance Application  
37 Oceanport Avenue  
Block: 108 Lot: 11; Zone: R-10

Dear Board Members:

As requested, I have received the following as it relates to the referenced application:

- Completed Variance Application form including Checklist and completed for the referenced project, Stamp date September 1, 2020;
- Zoning Denial for the referenced project dated February 5, 2020 (attached to application);
- Survee prepared by William Poznak PE, PLS dated June 8, 1971 consisting of one (1) sheet.

The property contains an existing single-family dwelling. The property is located on the corner of Oceanport Avenue and North Linden Avenue. Vehicle access to the site is from North Linden Avenue, however the house faces Oceanport Avenue. The applicant requests relief to construct a 6' high fence in the front yard. The property is located within the R-10 Zone. The fence use is permitted in the zone.

I offer the following for the Board's consideration.

1.0 Completeness Review

The applicant has submitted a completed checklist for review. Items have been noted as provided, not required or waiver. Based on my review of the above referenced documents, the applicant has submitted all of the required checklist items, with the exception of the following:

- 1.1 Checklist Item B4- Title Block Denoting Tax Map Sheet- Requires the tax map sheet number be provided in the title block. This information is not provided in the title block. I have no objection, from an engineering point of view to a waiver being granted for this item based on the nature of the application. I note the project is located on the Borough tax map sheet no. 3.
- 1.2 Checklist Item B5- Key Map- Requires a Key Map be provided. A key map is not provided with the application. I have provided at the end of this report an aerial view of the property with the location shown. I have no objection to a waiver of this item provided the applicant confirms the location map provided on this map attached to this report is accurate and that the list of property owners within 200' is provided at the hearing. Due to the nature of the application, I have no objection to the waiving for completeness of this item.



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- 1.3 Checklist Item B9- Payment of Taxes-Proof of payment of taxes current is required prior to the application being scheduled for a public hearing.
- 1.4 Checklist Item C12 -Environmental Commission Site Plan Review-Requires a completed Environmental Commission Site Plan Review application be submitted. The checklist has requested a waiver from this item. I have no objection to this being waived for completeness based on the nature of the application.
- 1.5 Checklist Item C13 -Building Elevation and Floor Plans-Requires building elevations and floorplans be provided. The applicant does not propose to construct a building; therefore, this item is not required.

I have indicated I have no objection from an engineering point of view to submission waivers being granted by the Board for items noted above. I note however, that item B9 requiring payment of taxes being current is required prior to a public hearing before the Board. The application is incomplete until additional information is provided and/or the Board determines they accept the waiver requests noted by the applicant. Please note, the granting of waivers of checklist items for completeness purposes does not prohibit the Board from requesting the information during the hearings.

2.0 Fee Determination

2.1 Following is a fee determination in accordance with Section 18-14.3 of the Borough ordinances and Ordinance O-19-5. Based on the ordinance, the fees are as follows:

*Non-refundable Application Fee: \$250.00*  
*Escrow Fee: \$850.00*

- a. Non-Refundable Application Fee –
 

Hardship or bulk variance for single-family residential uses –	
\$25.00 per variance (\$75.00 min)	
Minimum fee controls	= \$ 75.00
Stenographer fee	= <u>\$175.00</u>
Total	\$250.00
- b. Escrow Fee – per Ordinance O-19-5
 

Bulk “C” Variance	= <u>\$850.00</u>
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3.0 Zoning

- 3.1 Section 18-7.29c indicates that “Fences may be erected, altered or reconstructed to a height not to exceed three (3’) above ground level when located within the required front yard setback. The applicant proposes a fence height of six (6’) feet. A variance is required.
- 3.2 Section 18-7.29f indicates that “All fences must be erected within the property lines, and no fences shall be erected so as to encroach upon a public right-of-way.” The fence located along Oceanport Avenue is shown on the 1971 survey as being located within the public right-of-way. The applicant should address if the new fence is located in the same location. The fence should be located in the applicant’s property.



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3.3 Zoning relief noted above relates to the proposed application for the fence height and does not address any nonconformities that may exist on the property that are not impacted by the nature of the application. Besides principal building front yard setback, the accessory garage location does not conform.

4.0 General Comments

4.1 The property is located on a corner property. The access to the garage is from North Linden with the front of the dwelling facing Oceanport Avenue. The survey submitted indicates that in 1971 there was a wire fence located within the front yard of both North Linden Avenue and Oceanport Avenue. The applicant should address the height of the wire fence. As can be seen on the attached Google Maps street view the applicant has replaced the fence is both frontages with a six (6') feet high stockade fence. The applicant should address if the new fences have been installed in the same location as shown on the submitted survey. I offer the following:

- a. The frontage on North Linden Avenue appears to be used as a side yard. The fence location on the attached survey is in line with the building and would not impact the view of vehicles exiting the drive. However, the street view suggests the fence is located forward of the garage. The actual location should be provided on the plan. I am concerned about the six (6') feet height of the solid fence will block the view of vehicles exiting the driveway. If the height of the fence is allowed to remain, I recommend that areas within the sight triangle for the drive be conforming in height, or the fence be relocated outside of the sight triangle for the drive.
- c. The Oceanport frontage appears to be used as the front yard of the property. The applicant should address the need for the non-conforming height of the fence along Oceanport Avenue. As noted in comment 3.2 above the applicant should address if the fence has been constructed in the right-of-way where the prior wire fence was located. The actual location should be provided on the plan.
- d. The street view indicates a wider gate has been provided on Oceanport Avenue. The applicant should address if this is to provide larger equipment or vehicle access to that side of the yard. The access to the gate requires traversing the sidewalk which is designed to only handle pedestrian loads.

4.4 A shop cut or detail of the fence indicating the type of fence and the height should be provided to the Board.

I reserve the right to make additional comments once the above information is requested. If you have any questions or require additional information, kindly advise.

Very truly yours,

Elizabeth M. Waterbury, P.E., P.P.  
West Long Branch Zoning Board Engineer

cc: Michael A. Irene, Esq., via email  
Anna Marie Vonella via regular mail



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2020 Aerial View from Google Maps



2019 Oceanport Avenue Street View from Google Maps



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2018 North Linden Avenue Street View from Google Maps



Tax map Sheet 3 with property marked