

February 17, 2021
Revised June 25, 2021

Borough of Deal Planning Board
190 Norwood Avenue
Deal, NJ 07723-1234

**Re: Betesh Residence
Block 63, Lot 3
11 Lakeview Road
Borough of Deal
Our File DPB 21-01**

Dear Board Members:

Our office has received and reviewed an application submitted for Planning Board approval in connection with the above referenced project. Submitted with the application are the following:

- *A pool variance plan consisting of one (1) sheet prepared by William E. Jensen, Jr., P.E., of Jensen Design Group, dated May 27, 2021, with no revisions.*
- An architectural plan consisting of two (2) sheets prepared by Thomas Giegerich, R.A. of Thomas Giegerich Architect, LLC, dated March 25, 2020, with no revisions.
- A location survey map consisting of one (1) sheet prepared by Rodolfo Pierri, P.L.S. of Shark River Land Surveying, LLC, dated November 6, 2019, with no revisions.

The application is deemed complete, and we offer the following comments regarding compliance with provisions of the Borough Ordinance and general engineering standards. The Applicant submitted the revised plan to remove some of the variance conditions. Additional comments with regard to the revised plans are in ***bold italic type***. Our original review comments remain as noted in the letter dated February 17, 2021.

1. Project Description

- A. The property is located at house number 11 Lakeview Road (Lot 3, Block 63) with a total lot area of 14,156 square feet. The lot is a unique corner lot.
- B. The existing lot contains a two and one-half story dwelling with a driveway, patio and detached garage.

- C. The Applicant is proposing a swimming pool and patio in the front yard. *The Applicant received approval for the one-story addition to the dwelling on April 7, 2021.*

2. Zoning and Land Use

- A. The property is located in the R-2 Residential District and single-family dwellings are a permitted principal use in this district.
- B. The swimming pool is a permitted accessory structure in the R-2 Residential District.
- C. The proposed improvements require Planning Board Approval for variances on the front yard setback to the swimming pool, location of the pool and pool patio in the front yard, fence height, pool equipment location, *pool equipment setbacks*, and others as described in this report. The lot has an existing non-conformity with the lot width, lot depth, and lot area.

3. Variances and Waivers

- A. Bulk Requirements for Yard Area and Principal Dwelling
1. An analysis of the bulk requirements of the R-2 District for the yard area is as follows:

Bulk Requirements	Permitted	Existing	Proposed
Minimum Lot Area	18,750 sf.	14,156 sf. (NC)	No Change
Minimum Lot Width	150 ft.	99.3 ft. (NC)	No Change
Minimum Lot Depth	125 ft.	117 ft. (NC)	No Change
Minimum Front Yard Setback	50 ft. or average	49.6 ft. (NC) (Lakeview Road)	No Change
		23.7 ft. (NC) (Monmouth Drive)	See comment below
Minimum Front Yard Setback to Porch	40 ft.	40 ft.	No Change
Minimum Side Yard Setback (20% Lot Width)	19.8 ft.	9.1 ft. (NC)	See comment below
Minimum Rear Yard Setback (20% Lot Depth)	23.4 ft.	22.1 ft. (NC)	2.8 ft. (VG)
Maximum Building Coverage	20%	12.4%	16.0%
Maximum Impervious Coverage	40%	30.3%	33.3%

(V) indicates a variance is required (NC) indicates an existing non-conformity (VG) Variance granted

2. Bulk variances or existing non-conformities are indicated for the following items as noted.
 - a) The minimum lot area permitted in the R-2 Zoned District is 18,750 square feet. The existing lot area is 14,156 square feet, **which represents an existing non-conformity.**
 - b) The minimum lot width permitted per the R-2 Zoned District is 150 feet. The existing lot width is 99.3 feet, **which represents an existing non-conformity.**
 - c) The minimum lot depth permitted in the R-2 Zoned District is 125 feet. The existing lot depth is 117 feet, **which represents an existing non-conformity.**
 - d) The minimum front yard setback permitted per the R-2 Zoned District is 50 feet or the average alignment of the existing buildings within 200 feet of the lot. The existing front yard setbacks are 49.6 feet along Lakeview Road and 24.4 feet along Monmouth Drive. The front yard setback along Lakeview Road and Monmouth Drive **represents an existing non-conformity.**

The Applicant is proposing no change to the front yard setback along Lakeview Road. The Applicant is proposing a front yard setback of 32.3 feet to addition along Monmouth Road. **A variance was granted.**

The garage is now part of the principal dwelling and must comply with the setback for the principal dwelling. The front yard setback to the attached garage is 23.7 feet. **A variance was granted.**

- e) The minimum side yard setback permitted per the R-2 Zoned District is 20% of the lot width (19.8 feet). The existing side yard setback is 9.1 feet, **which represents an existing non-conformity.** The Applicant is proposing a side yard setback of 6.6 feet to the addition. **A variance was granted.**

The garage is now part of the principal dwelling and must comply with the setback to the principal dwelling. The front yard setback to the attached garage is 1.7 feet. **A variance was granted.**

- f) The minimum rear yard setback permitted per the Zoned District is 20% of the lot depth (23.4 feet). the existing rear setback is 22.1 feet, **which represents an existing non-conformity**. The proposed rear yard setback is 2.8 feet to the attached garage. **A variance was granted.**
- g) The maximum building coverage permitted per the R-2 Zoned District is 20% of the lot area. Building coverage in the R-2 Zoned District applies to the principal dwelling only. The existing building coverage is 12.4%, which conforms. The Applicant is proposing a building coverage of 16.0%, which conforms.
- h) The maximum impervious coverage permitted per the R-2 Zoned District is 40% of the lot area. **The Applicant is proposing an impervious coverage of 33.3%, which conforms.**

B. Swimming Pool

- 1. Swimming pool construction shall comply with the requirements of the Borough Swimming Pool Ordinance.
- 2. An analysis of bulk requirements for swimming pools is as follows:

Swimming Pool	Permitted	Proposed
Minimum Front Yard Setback	Not Permitted	See Comment Below
Minimum Side Yard Setback	30 ft.	N/A
Minimum Rear Yard Setback	30 ft.	N/A

(V) indicates a variance is required **(NC)** indicates an existing non-conformity

- 3. Bulk variances or existing non-conformities are indicated for the following items as noted.
 - a) No portion of swimming pool, swimming pool area, accessories or fence shall occupy any portion of the front yard. The lot is unique with frontages. The proposed swimming pool, pool patio and pool equipment are in the front yard. **A variance is required.**
 - b) The swimming pool is setback **25.2 feet** from Monmouth Drive, where 50 feet is permitted. **A variance is required.**

- c) The swimming pool is setback **55.0 feet** from Lakeview Road, where 50 feet is permitted. ***The Applicant relocated the swimming pool to remove the variance condition. The proposed swimming pool setback along Lakeview Road complies.***
 - d) The pool patio is setback **11.6 feet** from Monmouth Drive, where 50 feet is permitted. **A variance is required.**
 - e) The pool patio is setback **50.0 feet** from Lakeview Road, where 50 feet is permitted. ***The Applicant relocated the pool patio to remove the variance condition. The proposed pool patio setback along Lakeview Road complies.***
 - f) The Applicant is proposing the pool equipment setback of **2.9 feet** from Monmouth Drive, where 50 feet is required. **A variance is required.**
4. The fence gates shall be equipped with a self-locking device in compliance with the Swimming Pool Code of New Jersey.
 5. Compliance with all other provisions shall be provided by the Applicant, inclusive of the following:
 - Pool discharge-filter backwash location. (Ord. Section 15-2.4)
 - No sound amplification system
 - Compliance with current Swimming Pool Code of New Jersey
 6. The Applicant has not indicated if the pool area will be illuminated. If the Applicant is proposing some illumination, then the Applicant must follow Ordinance 892 Chapter XV Section 15-25.
 7. ***The Applicant is proposing to pool equipment to have a rear yard setback of 1.5 feet, whereas 10 feet is required. A variance is required.***

C. Walls and Fences

All fences or walls may be erected, altered or reconstructed to height not to exceed three feet above ground level in the front yard. The Applicant is proposing a fence height of 4 feet in the front yard. **A variance is required.**

4. General Comments

- A. A General Note should be added to the plan indicating the existing curb and sidewalk along the frontage will be replaced if found in poor condition.
- B. The Applicant should provide information that taxes are currently paid.
- C. Granting of any required construction permits.

Our office reserves the right to provide additional comments upon receipt of revised development plans.

If you have any questions, or require additional information on this matter, please do not hesitate to contact our office.

Very truly yours,

LEON S. AVAKIAN, INC.

A large, stylized handwritten signature in blue ink, appearing to read 'Peter R. Avakian', followed by a smaller signature or initials 'PE' to the right.

Peter R. Avakian, P.E.
Planning Board Engineer

DMH:mfl

cc: Michael Egan, Board Secretary
Erik Anderson, Esq. Board Attorney
Stephen R. Carasia, Borough Administrator
Robert D. Farber, Esq., Applicant's Attorney
William E. Jensen, Jr., P.E., Applicant's Engineer
Thomas Giegerich, R.A., Applicant's Architect

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