

June 24, 2021

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

**Re: Harary Residence
Block 34, Lot 1.02
2 Runyan Avenue
Borough of Deal
Our File: DPB 21-03**

Dear Board Members:

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

- An architectural plan consisting of four (4) sheets prepared by David H. Feldman, AIA of Feldman and Feldman Architects, dated March 12, 2021, with no revisions.
- A boundary survey consisting of one (1) sheet prepared by Eric V. Wilde of Colliers Engineering & Design, Dated February 22, 2021, 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.

1. Description of Property

- A. The property is located at house number 2 Runyan Avenue (Lot 1.02 in Block 34) with a total lot area of 47,742 square feet.
- B. The lot has an existing one-story dwelling with swimming pool, pool house and driveway.
- C. The Applicant is proposing the construction of a new rooftop deck on the pool house.

2. Zoning and Land Use

- A. The property is located in the R-1 Residential Zone District and single-family dwellings are a permitted principal use in this district.
- B. The swimming pool and pool house are permitted accessory structures.

- C. The proposed improvements require Planning Board approval for variances on roof top deck, rear yard setback to pool house and others as described in this report.

3. Variances and Waivers

A. Bulk Requirements for Yard Area and Principal Dwelling

- 1) An analysis of the bulk requirements of the R-1 District for the Yard Area and Principal Dwelling are as follows:

Bulk Requirements	Permitted	Existing	Proposed
Minimum Lot Area	18,750 sf.	47,742 sf.	No Change
Minimum Lot Frontage	150 ft.	190 ft.	No Change
Minimum Lot Width	150 ft.	185 ft.	No Change
Minimum Lot Depth	125 ft.	261 ft.	No Change
Minimum Front Yard Setback (Runyan Avenue)	50 ft. or average within 200 ft.	69.9 ft.	No Change
Minimum Front Yard Setback (Ocean Avenue)	50 ft. or average within 200 ft.	50 ft.	No Change
Minimum Side Yard Setback (20% Lot Width)	37.0 ft.	21.0 ft. (NC)	No Change
Minimum Rear Yard Setback (20% Lot Depth)	52.3 ft.	89 ft.	No Change
Maximum Building Coverage	20 %	14.8%	No Change
Maximum Impervious Coverage	40 %	41% (NC)	No Change

(V) indicates a variance is required

(NC) indicates an existing non-conformity

- 2) Bulk variances or existing non-conformities are indicated for the following items as noted.
- a) The minimum side yard setback area permitted in the R-1 Zoned District is 20% of the lot width (37.0 ft.). The existing side yard setback to the principal dwelling is 21.0 feet, which represents an existing non-conformity.
- b) The maximum impervious coverage permitted per the R-1 Zoned District is 40% on the lot area. The existing impervious coverage is 41%, which represents an existing non-conformity. The proposed improvements will not increase the impervious coverage.

B. Swimming Pool

- 1) Swimming pool construction shall comply with requirements of the Borough Swimming Pool Ordinance.

- 2) An analysis of the bulk requirements for swimming pools is as follows:

Swimming Pool	Permitted	Existing
Minimum Front Yard	Not Permitted	No
Minimum Side Yard Setback	30 ft.	40.2 ft.
Minimum Rear Yard Setback	30 ft.	54.5 ft.

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

- 3) The swimming pool complies with setback requirements.

C. Pool House

- 1) Pool houses are not listed as accessory structures but are noted in the swimming pool ordinance.

- 2) An analysis of the bulk requirements for the pool house are as follows:

Pool House	Permitted	Existing	Proposed
Minimum Front Yard	Not Permitted	No	No
Minimum Side Yard Setback	18 ft.	34.9 ft.	34.9 ft.
Minimum Rear Yard Setback	18 ft.	11.6 ft.(NC)	11.6 ft. (V)
Maximum Height (Accessory Use)	18 ft.	15 ft.	17.6 ft.

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

- 3) Bulk variance or existing non-conformities are indicated for the following items as noted:

- a) The minimum side yard setback permitted is 10 feet for an accessory structure and the building height may be 10 feet from grade to the highest point on the structure. For every one-foot increase in height, the structure will require a one-foot increase in setback. The maximum building height allowed is 18 feet.

The existing building height is 15 feet, which conforms. The existing rear yard setback is 11.6 feet, which represents an existing non-conformity.

The Applicant is proposing a roof top deck which will increase the building height to 17.6 feet, which conforms. The permitted rear yard setback for this structure is 17.6 feet. The rear yard setback is 11.6 feet. **A variance is required.**

- b) In accordance with Section 30-86.5.d, no roof top deck is permitted in any residential district. The Applicant is proposing a roof top deck on the pool house. **A variance is required.**

D. Fences and Walls

- 1) All fences or walls may be erected, altered or reconstructed to a height not exceeding three feet above ground level when located in any front yard and/or along the property line of any premises bordering the streets, avenues and highways of the Borough of Deal.

The existing fence height along Ocean Avenue is 5 feet, which represents an existing non-conformity.

- E. The existing jungle gym is located in the front yard along Ocean Avenue, which is not allowed. This represents an existing non-conformity.
- F. Generator must be within 6 feet of the dwelling when located in the side yard. The existing generator is not within 6 feet of the dwelling which represents an existing non-conformity.

4. General Comments

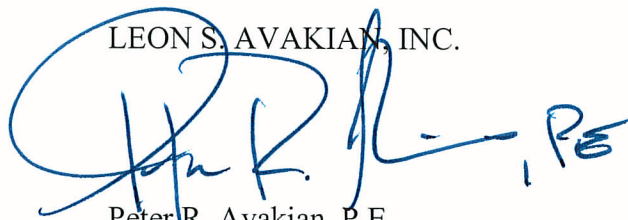
- A. The plan indicates that the existing curb and sidewalk along the frontage will be replaced, if found in poor condition.
- B. The Applicant should provide confirmation that taxes are currently paid.
- C. Granting of any required construction permits.

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 handwritten signature in blue ink, appearing to read 'Peter R. Avakian, P.E.', with a large circular flourish on the left and a 'PE' monogram on the right.

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

DMH:mcs/mfl

cc: Michael W. Egan, Board Secretary
Erik Anderson, Esq., Board Attorney
Stephen Carasia, Borough Administrator
Jessica L. Sweet, Esq., Applicant's Attorney
David H. Feldman, AIA, Applicant's Architect

D/PB/21/21-03