

LEON S. AVAKIAN, INC. *Consulting Engineers*

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February 1, 2023

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

**Re: 110 Monmouth Dr., LLC
Block 50, Lot 1
110 Monmouth Drive
Borough of Deal
Our File DPB 22-13**

Dear Board Members:

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

- A plot plan consisting of one (1) sheet prepared Douglas D. Clelland, P.E. of InSite Engineering, LLC, dated October 3, 2022, with the latest revisions dated November 16, 2022.
- A topographic and utility survey consisting of one (1) sheet prepared by Justin J. Hedges, P.L.S., C.F.S. of InSite Surveying, LLC, dated June 10, 2022, with the latest revisions dated August 4, 2022.

The application is deemed complete, and we offer the following comments regarding compliance with provisions of the Borough Ordinance and general engineering standards.

1. **Project Description**

- A. The property is located at house number 110 Monmouth Drive, (Lot 1, Block 50) with a total area of 12,344 square feet.
- B. The existing lot contains a single-family dwelling, with a detached garage, and driveway access.
- C. The Applicant is proposing an in-ground swimming pool with a new driveway. The Applicant is proposing to remove the detached garage.

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 proposed inground swimming pool is a permitted accessory structure, under the Swimming Pool, Tennis Court and Recreational Area Ordinance.
- C. The proposed improvements requires a variance for the swimming pool distance from Monmouth Drive Right-of-Way and other as noted 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-2 District for the yard area and principal dwelling are as follows:

| Bulk Requirements | Permitted | Existing | Proposed |
|---|------------|------------------|-----------|
| Minimum Lot Area | 18,750 sf. | 12,344 sf. (NC) | No Change |
| Minimum Lot Frontage | 150 ft. | 135.8 ft. (NC) | No Change |
| Minimum Lot Width | 150 ft. | ± 128 ft. (NC) | No Change |
| Minimum Lot Depth | 125 ft. | 95.2 ft. (NC) | No Change |
| Minimum Front Yard Setback | 50 ft. | 33.6 ft. (NC) | No Change |
| Minimum Front Yard Setback to Porch | 40 ft. | 22.3 ft. | No Change |
| Minimum Side Yard Setback (20% Lot Width) | 27.2 ft. | 56.3 ft. (north) | No Change |
| Minimum Rear Yard Setback (20% Lot Depth or 50 ft., whichever is less) | 19.0 ft. | 22.3 ft. | No Change |
| Maximum Building Coverage | 20% | 12.2% | No Change |
| Maximum Impervious Coverage | 40% | 31.6% | 36.11% |

(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 lot area permitted in the R-2 Zoned District is 18,750 square feet. The existing lot area is 12,344 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 128 feet, **which represents an existing non-conformity.**

- c) The minimum lot frontage permitted in the R-2 Zoned District is 150 feet. The existing lot frontage is 135.8 feet, **which represents an existing non-conformity.**
- d) The minimum lot depth permitted per the R-2 Zoned District is 125 feet. The existing lot depth is 95.2 feet, **which represents an existing non-conformity.**
- e) 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 33.6 feet, **which represents an existing non-conformity.**
- f) 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 12.2%, which conforms.
- g) The maximum impervious coverage permitted per the R-2 Zoned District is 40% of the lot area. The existing impervious coverage is 31.6%, which conforms. The Applicant is proposing an impervious coverage of 36.11%, which conforms.

B. Swimming Pool

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

| Swimming Pool | Permitted | Proposed |
|---------------------------|---------------|----------------|
| Front Yard | Not Permitted | No |
| Minimum Side Yard Setback | 30 ft. | 30 ft. (north) |
| Minimum Rear Yard Setback | 30 ft. | 30.02 ft. |

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

- 3) Swimming Pool: Bulk variance is required for the following items as noted.
 - No swimming pool shall occupy a portion of a side yard nearer to the street than the greater of 50 feet or the setback maintained by a majority of buildings within 250 feet on each side of the lot on which such pool is to be built. No swimming pool shall be nearer a side lot line than 30 feet. The Applicant is proposing a pool setback distance of 26.86 feet from the Monmouth Drive Right-of-Way. **A variance is required.**
- 4) The Applicant indicates the fence gates shall be equipped with a self-locking device in compliance with the Swimming Pool Code of New Jersey. The plot plan indicates two (2) fence heights of 4 and 5 feet, which conform.
- 5) Compliance with all other provisions shall be provided by the applicant, inclusive of the following:
 - No sound amplification system
 - Compliance with current Swimming Pool Code of New Jersey
 - Evergreen plant screening (Ord. Section 15-2.7(b))
- 6) The Applicant has not indicated if the pool area will be illuminated. If the Applicant is proposing any illumination, then the Applicant must follow Ordinance 892 Chapter XV Section 15-25.
- 7) The proposed pool equipment is in the rear yard and complies with the required side and rear yard setbacks.

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 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.



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

DMH:mfl

Stephen R. Carasia, Interim Board Secretary
Erik Anderson, Esq., Board Attorney
Jennifer S. Krimko, Esq., Applicant's Attorney
Douglas D. Clelland, P.E., Applicant's Engineer
D/PB/22/22-13 110 Monmouth