

LEON S. AVAKIAN, INC. *Consulting Engineers*

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February 15, 2023

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

**Re: Bawabeh Residence  
Block 66, Lot 2  
8 Lakeview Road  
Borough of Deal  
Our File: DPB 23-01**

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 nine (9) sheets prepared by David Collins, R.A., of Feltz Collins Architecture, LLC, dated November 22, 2022, with the latest revisions dated February 2, 2023.
- A survey of property consisting of one (1) sheet prepared by Charles Surmonte, P.E. & P.L.S., dated May 20, 2022, 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. **Project Description**

- A. The property is located at house number 8 Lakeview Road, (Lot 2, Block 66) with a total area of 9,750 square feet.
- B. The existing lot contains a single-family dwelling, with a covered front porch and detached carriage house.
- C. The Applicant is proposing renovations and additions to the principal dwelling with an in-ground swimming pool and no patio for the pool. The Applicant is also removing a portion of the driveway.

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 require variances for the side yard setback to the dwelling, building coverage, the side yard setbacks to the swimming pool, and others as noted in this letter. The property and dwelling have existing non-conformities with lot area, lot frontage, lot width, side setback, and impervious coverage.

### 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.	9,750 sf. (NC)	No Change
Minimum Lot Frontage	150 ft.	65 ft. (NC)	No Change
Minimum Lot Width	150 ft.	65 ft. (NC)	No Change
Minimum Lot Depth	125 ft.	150 ft.	No Change
Minimum Front Yard Setback	50 ft.	50 ft.	No Change
Minimum Front Yard Setback to Porch	40 ft.	40 ft.	No Change
Minimum Side Yard Setback (20% Lot Width)	13 ft.	10.2 ft. (east side) (NC)	10.2 ft. (V)
		12.6 ft. (west side) (NC)	12.6 ft. (V)
Minimum Rear Yard Setback (20% Lot Depth or 50 ft., whichever is less)	30 ft.	61.42 ft.	61.25 ft.
Maximum Building Height at 64' end Right-of-Way	42 ft.	31.75 ft.	39.9 ft.
Maximum Building Coverage	20%	18.0%	20.0%
Maximum Impervious Coverage	40%	43.6% (NC)	35.7%

(V) Indicates a variance is required

(NC) Indicates an existing non-conformity

- 2) Principal Dwelling: Bulk variances are required, 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 9,750 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 65 feet, **which represents an existing non-conformity.**
- c) The minimum lot frontage permitted per the R-2 Zoned District is 150 feet. The existing lot frontage is 65 feet, **which represents an existing non-conformity.**

- d) The minimum side yard setback permitted per the R-2 Zoned District is 20% of the lot width (13 feet). The existing east side yard setback is 10.2 feet, which represents an existing non-conformity. The existing west side yard setback is 12.6 feet, which represents an existing non-conformity. The Applicant is proposing an east side yard setback of 10.2 feet for the first story addition under the existing second floor. This is an expansion of existing non-conformity. **A variance is required.** The Applicant is proposing a west side yard setback of 12.6 feet for the first story addition to the rear of the dwelling. This is an expansion of an existing non-conformity. **A variance is required.**
- e) The maximum building coverage permitted per the R-2 Zoned District is 20% of the lot area. The existing building coverage is 18.0%, which conforms. The Applicant is proposing a building coverage of 20%, which conforms.
- f) The maximum impervious coverage permitted per the R-2 Zoned District is 40% of the lot area. The existing impervious is 43.6%, **which is an existing non-conformity.** The Applicant is reducing the impervious coverage to 35.7%, which conforms.
- B. A proposed swimming pool requires a grading plan. The Applicant is requesting a waiver from the requirement of a grading plan at this time. The Applicant will submit a grading plan during resolution compliance. **A waiver is required.**

C. 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.	20.21 ft. (east) (V) 30 ft. (west)
Minimum Rear Yard Setback	30 ft.	30 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.
  - a) The minimum side yard setback permitted for a swimming pool is 30 feet. The Applicant is proposing a west side yard setback of 30 feet, which conforms. The Applicant is proposing an east side yard setback of 20.21 feet. **A variance is required.**
- 4) The Applicant did not indicate a fence around the pool. The pool fence height should be provided and complies with the Ordinance fence height requirements. Also, all 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:
  - 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 along side of the cabana. The pool equipment complies with side and rear setbacks.

4. **General Comments**

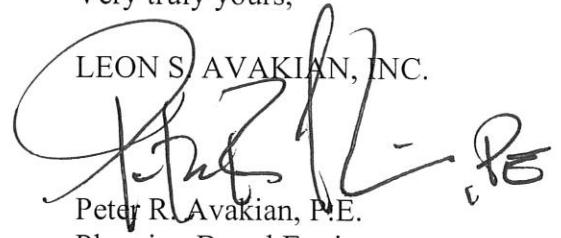
- A. A General Note should be added to the plan indicating the existing curb and sidewalk along the frontage will be replaced if found in poor condition.
- B. The Applicant should provide confirmation that taxes are currently paid.
- C. Granting of any required construction permits.

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

cc: Stephen R. Carasia, Interim Board Secretary  
Erik Anderson, Esq., Board Attorney  
Jennifer Krimko, Esq., Applicant's Attorney  
David Collins, R.A., Applicant's Architect

D/PB/23/23-01a