

March 15, 2023  
*Revised May 3, 2023*

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

**Re: 49 Norwood, LLC  
Block 12, Lot 7.02  
Borough of Deal  
Our File DPB 22-14**

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:

- An architectural plan consisting of one (1) sheet prepared by Jason Peist, AIA of Jason Peist Architect, LLC, dated November 15, 2022, with the latest revisions dated March 28, 2023.
- A survey of property consisting of one (1) sheet prepared by Charles Surmonte, P.E. & P.L.S., dated September 30, 2022, with no revisions.

**The Applicant bifurcated the application to only consider the improvements relating to the principal dwelling at the prior public hearing. The Applicant has submitted revised plans to now address the accessory structure.**

*Additional comments with regard to the revised plans are noted in bold italic type. Our office's original comments remain as noted in the letter dated March 15, 2023. The plan has been revised and we report as follows:*

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 49 Norwood Avenue, (Lot 7.02, Block 12) with a total area of 8,594 square feet.

- B. The existing lot contains a two-story single-family dwelling, with a one-story detached garage.
- C. *The Applicant received approval of the third-floor habitable attic space to the principal dwelling. The Applicant is proposing a one-story accessory structure which includes a hangout and recreational space.*

2. **Zoning and Land Use**

- A. The property is located in the R-2 Residential District and the existing single-family dwelling is a permitted principal use in this district.
- B. The existing detached garage is a permitted accessory use.
- C. *The proposed improvements require variances for impervious coverage, side and rear yard setback to the accessory structure, and others as described in the report.*

3. **Variances and Waivers**

A. **Accessory Structure (Recreational Facility)**

- 1) *Accessory Structure (Recreational Facility) is not listed as accessory structures but are noted in the swimming pool ordinance.*
- 2) *An analysis of the bulk requirements for Accessory Structure (Recreational Facility) is as follows:*

<i>Accessory Structure (Recreational Facility)</i>	<i>Permitted</i>	<i>Proposed</i>
<i>Minimum Front Yard</i>	<i>Not Permitted</i>	<i>No</i>
<i>Minimum Side Yard Setback</i>	<i>18 ft.*</i>	<i>3.6 ft. (north) (V)</i>
<i>Minimum Rear Yard Setback</i>	<i>18 ft.*</i>	<i>2.5 ft. (V)</i>
<i>Maximum Height (Accessory Use)</i>	<i>18 ft.*</i>	<i>13.33 ft.</i>
<i>Maximum Rear Yard Coverage</i>	<i>35%</i>	<i>19.75%</i>

*(V) Indicates a variance is required (NC) Indicates an existing non-conformity  
 \*See comment 3)a)*

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 building height for the new use is 13.33 feet, which conforms. The permitted side and rear yard setback are 13.0 feet. The side yard setback is 3.6 feet on the north side for the new use. A variance is required.*

*The rear yard setback is 2.5 feet for the new use. A variance is required.*

B. 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:

<b>Bulk Requirements</b>	<b>Permitted</b>	<b>Existing</b>	<b>Approved</b>
Minimum Lot Area	18,750 sf.	8,594 sf. (NC)	No Change
Minimum Lot Frontage	150 ft.	63.67 ft. (NC)	No Change
Minimum Lot Width	150 ft.	62.88 ft. (NC)	No Change
Minimum Lot Depth	125 ft.	135.0 ft. (NC)	No Change
Minimum Front Yard Setback	50 ft.	46.4 ft. (NC)	56 ft.
Minimum Front Yard Setback to Porch	40 ft.	35.8 ft. (NC)	No Change
Minimum Side Yard Setback (20% Lot Width)	12.58 ft.	11.9 ft. (north) (NC)	11.9 ft. (VG)
		8.5 ft. (NC)	28 ft.
Minimum Rear Yard Setback (20% Lot Depth or 50 ft., whichever is less)	27 ft.	52 ft.	52 ft.
Maximum Building Coverage	20%	18.47%	<b>No Change</b>

(V) Indicates a variance is required

(NC) Indicates an existing non-conformity

(VG) Variance granted

2) *The above bulk requirements were reviewed and approved by the Board on March 28, 2023.*

- 3) The maximum impervious coverage permitted per the R-2 Zoned District is 40% of the lot area. The existing impervious coverage is 46.12%, which represents an existing non-conformity. ***The Applicant is proposing 9 square feet of new impervious coverage for the air conditioning unit. The proposed impervious coverage is 46.23%. 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 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 black ink, appearing to read 'Peter R. Avakian, P.E.', with a stylized flourish at the end.

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

DMH:mfl

cc: Stephen R. Carasia, Board Secretary  
Erik Anderson, Esq., Board Attorney  
Jason Peist, AIA, Applicant's Architect  
Rachel Franco, Applicant

D/PB/22/22-14b