

# Memorandum

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To: City Council  
CC: All Planning Board Members  
From: Kelly Kaufmann, Zoning Board Secretary  
Date: February 9, 2004  
Re: **2002 Annual Report**

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Enclosed is a copy of the 2002 Annual Report adopted by the Zoning Board of Adjustment on September 8, 2003. There is also a copy of the resolution. If you have any questions, please feel free to call me at (732) 222-7000 ext. 5432.

# Long Branch Zoning Board of Adjustment Final 2002 Annual Report

## ALL PROJECTS HEARD

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Prepared By:  
E. M. Waltherburg & Associates

APPLIC	NAME	ZONE	BLOCK	LOT	VARIANCE REQUESTED	STATUS
ZB 02-07 Carried	Garcia 192 Belmont Ave.	C-1	280	17	Use Variance for operation of a Laundromat at the site of an existing apartment building; waiver of site plan approval requested (Laundromat was previously at the site)	Heard on August 12 <sup>th</sup> ; Heard on October 28 <sup>th</sup> ; On 01/13/03 agenda
ZB 02-08 Carried	E&L Paving 63 Community Pl.	C-2 & 1	237	Various	Use Variance & Site Plan Approval for the operation of an asphalt paving company with ancillary activities including temporary storage	Heard on August 12 <sup>th</sup> & October 28 <sup>th</sup> ; On 02/10/03 agenda
ZB 02-23 New	Mahlof 183 Lincoln Sq.	C-3	11	6	Use variance to expand the pre-existing non-conforming use of a 2 family unit with a 2nd floor addition; Application written for R-1 but is in C-3 and request re-submittal with correct Zoning	Technically Incomplete; Letters sent 12/23/02 and 01/09/03; No meeting date set
ZB 00-15	Disakias Lincoln Court	C-3	11	15-18	Seeking Final Site Plan review for residential Apartment Building; Preliminary Site Plan Approval received April 23, 2001	Resolution Approved February 11 <sup>th</sup>
ZB 99-05	D & D Landscaping West Ave.	C-3	158	20 & 21	Revised Site Plans meet all technical aspects of the approval conditions; 6 sets of plans submitted	Plans signed at March 11 <sup>th</sup> meeting
ZB 02-19 Carried	Fragale 198-200 Westwood Ave.	C-3	196	12	Interpretation Only; Wishes Adjudication that the Pre-existing non-conforming use for a 2 family dwelling is lawful	Heard on 10/28/02; On 01/13/03 agenda
ZB 02-06	Cayne 60 Lincoln Ave.	R-1	3	2	Variance to install a Tennis Court and ornamental gate along frontage of property	Resolution Approved August 12 <sup>th</sup>
ZB 01-09	Schneider 6 Lincoln Gardens	R-1	4	10	Bulk Variances to add an addition to south side of existing home	Resolution Approved March 11 <sup>th</sup>
ZB 01-03	Konvitz 47 Lincoln Ave.	R-1	18	1	Bulk variance relief to permit the demolition of the existing single-family residence at the premises and construct a new single-family dwelling	Resolution Approved January 7 <sup>th</sup>
ZB 02-10 Carried	Horowitz 3 Plaza Court	R-1	60	3	Bulk Variance (Height) for 2-1/2 story wood frame addition and covered front porch with second floor deck	Heard on 09/09/02 & 11/25/02; Carried to 03/10/03
ZB 00-32	Rudy #5 Plaza Court	R-1	60	6	Requested an extension through November 8, 2002	Resolution Approved October 28 <sup>th</sup>

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APPLIC	NAME	ZONE	BLOCK	LOT	VARIANCE REQUESTED	STATUS
ZB 02-20 New	Lery 955 Woodgate Ave.	R-2	31	1	Bulk Variance for a second story addition and site improvements	No Reviews performed; Asked for extension; On 03/24/03 agenda
ZB 99-11	Bressler 668 Westwood Ave.	R-2	101	11.01	Preliminary & Final Site Plan approval for a residence/office on the same lot	Resolution Approved July 8 <sup>th</sup>
ZB 02-15 New	Bressler 668 Westwood Ave.	R-2	101	11.01	Variance to install a pool; Application submitted August 27, 2002 (July 19, 2002 revision date) as a condition of July 8 <sup>th</sup> Resolution for Bressler ZB 99-11	Reviewed and discussed at a hearing; On 02/10/03 agenda
ZB 00-26	Palala Ainsdale Ave.	R-3	450	5	Bulk Variance relief to permit the construction of a single-family dwelling on a vacant, undersized lot	Dismissed
ZB 02-09	Sourlis 192 Kingsley Steel	R-3	453	8.03	Use variance to widen existing driveway	Resolution Approved September 9 <sup>th</sup>
ZB 02-21 New	Patella 101 Avery Unit 1	R-4	145	7	Bulk & sub-division variances requested for a single family home on undersized lot	Extension granted; review required by end of February; On 03/24/03 agenda
ZB 02-04	Ferraina 107 Matilda Place	R-4	147	11	Use variance to convert an existing garage into an apartment and a lot coverage variance for a new in-ground swimming pool	Resolution Approved May 13 <sup>th</sup>
ZB 98-10	Bennar Bath Ave.	R-4	153	2.03, 3.01/3.02	Use Variance; Preliminary & Final Site Plan Approval for Ocean Breeze Assisted Living Facility	Resolution Approved January 7 <sup>th</sup>
ZB 01-07	H.R. Marcus A 408 Second Ave.	R-4	153	19	Applicant appealed Zoning Officer's denial in order to continue use as a 4-family home	Resolution Approved April 22 <sup>nd</sup>
ZB 01-08	H.R. Marcus B 414 Second Ave.	R-4	153	21		Withdrawn
ZB 00-38	Brown 681 Gerard Ave.	R-4	167	19	Preliminary & Final Site Plan; Variance for reconstruction of a 2-story home, block garage and porch addition	Resolution Approved May 13 <sup>th</sup>
ZB 02-11	Groeger 393 Bath Ave.	R-4	182	3	Bulk variance for an in-ground pool	Resolution Approved October 28 <sup>th</sup>
ZB 01-06	Beechwoods 274 Bath Ave.	R-4	185	6	Interpretation/Revision regarding fencing along east and west sides of site which was a condition of approval granted 20 years ago by the Zoning Board	Resolution Approved February 11 <sup>th</sup>
ZB 02-22 New	Rodriguez Hillside Ave.	R-4	194	20	Bulk variance to construct a single family home and seeks variances for frontage reqmts.	Technically Complete; Letter sent 12/23/02; On 01/13/03 agenda

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APPLIC	NAME	ZONE	BLOCK	LOT	VARIANCE REQUESTED	STATUS
ZB 02-05	Rego 169 Morris Ave.	R-4	229	27	Use/Interpretation of an existing 6-family dwelling and certification	Resolution Approved June 17 <sup>th</sup>
ZB 02-18 New	Throckmorton Myrtle Avenue	R-4	243	37, 65 & 66	Minor Sub-Division; Subdivide 3 existing lots into 3 usable lots; Dismissed from Planning Board via 7/23/02 letter	Extension granted; review required by end of February; On 03/24/03 agenda
ZB 02-16 New	Genignani 44 Cypress Street	R-4	243	75.01 & 73.01	Minor Sub-Division; Sub-Divide lot with two-family home to build additional single family	Extension granted; review required by end of February; On 03/24/03 agenda
ZB 02-03	Morrell 618 Irving Place.	R-4	251	13.01	Bulk Variance for 12'x12' Patio Enclosure over an existing deck	Resolution Approved June 17 <sup>th</sup>
ZB 02-14 Carried	Honyman 169 Chelsea Ave.	R-4	278	3	Use Variance & Minor Site Plan approval required to modify an existing 4-family home into a 3-family dwelling	Heard 10/18/02; On 01/13/03 agenda
ZB 99-10	Rymer-Bell 264 Branchport Ave.	R-4	355	23, 24, 25	Preliminary & Final Site Plan approval to continue the use of the poultry market, garden center, residence and storage facility	Resolution Approved May 13 <sup>th</sup>
ZB 00-05	Wilkow 344 Liberty Street	R-4	378	12	Use Variance for an existing 3-family home to remain as a permitted use in a single family zone	Withdrawn; See Application ZB 01-05
ZB 01-05	Wilkow 344 Liberty Street	R-4	378	12	Use variance to have an existing 3-family home remain as a permitted use in a single-family zone	Dismissed - home was converted back to 1 family
ZB 02-01	Cedar & Greens 112 Cedar Ave.	R-5	84	1	Appeal/Interpretation to continue use of property as an 11-unit apartment building	Resolution Approved March 11 <sup>th</sup>
ZB 02-12	Gomes 63 S. Fifth Ave.	R-5	231	24	Bulk Variances for a proposed accessory garage, wood deck and shed	Resolution Approved September 9 <sup>th</sup>
ZB 00-21	Covenant Church Joline Ave. and Spruce Street	R-5	328	5.19	Received Use Variance for Conditional Use in R-5 Zone; Seeking Site Plan Approval	Need Final Application for project close-out
ZB 02-02	Belloni 500 West Street	R-6	466	5	Bulk variance to install a 6' fence and 18' round pool in backyard	Resolution Approved April 8 <sup>th</sup>
ZB 02-13 Carried	Collett 290 Ocean Blvd.	R-8	221	6 & 7	Variance for 6' stockade fence and 4' block wall to remain	Heard 10/28/02; On 01/13/03 Agenda
ZB 00-39 Carried	DeLuca 266 Ocean Ave.	RC-1	418	7	Bulk variances (height) to construct a single-family home	Objectors to continue 03/10/03

# Long Branch Zoning Board of Adjustment Final 2002 Annual Report

## SUMMARY OF RESOLUTIONS APPROVED

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Prepared By:  
E.M. Waterbury & Associates

APPLIC.	NAME	ZONE	BLOCK	LOT	VARIANCE REQUESTED	DATE APPROVED
ZB 00-15	Disakias Lincoln Court	C-3	11	15-18	Seeking Final Site Plan review for a Residential Apartment Building; Preliminary Site Plan Approval received April 23, 2001	February 11 <sup>th</sup>
ZB 02-06	Cayne 60 Lincoln Ave.	R-1	3	2	Variance to install a Tennis Court and ornamental gate along frontage of property	August 12 <sup>th</sup>
ZB 01-09	Schneider 6 Lincoln Gardens	R-1	4	10	Bulk Variances to add an addition to south side of existing home	March 11 <sup>th</sup>
ZB 01-03	Konvitz	R-1	18	1	Bulk variance relief to permit the demolition of the existing single-family residence at the premises and construct a new single-family dwelling	January 7 <sup>th</sup>
					Requested an extension through November 8, 2002	October 28 <sup>th</sup>
ZB 00-32	Rudy #5 Plaza Court	R-1	60	6	Preliminary & Final Site Plan approval for a residence/office on the same lot	July 8 <sup>th</sup>
ZB 99-11	Bressler 668 Westwood Ave.	R-2	101	11.01	Use variance to widen existing driveway	September 9 <sup>th</sup>
ZB 02-09	Sourlis 192 Kingsley Steel	R-3	453	8.03	Use variance to convert an existing garage into an apartment and a lot coverage variance for a new in-ground swimming pool	May 13 <sup>th</sup>
ZB 02-04	Ferraina 107 Matilda Place	R-4	147	11	Use Variance; Preliminary & Final Site Plan Approval for Ocean Breeze Assisted Living Facility	January 7 <sup>th</sup>
ZB 98-10	Bennar Bath Ave.	R-4	153	2.03, 3.01/3.02	Applicant appealed Zoning Officer's denial in order to continue use as a 4-family home	April 22 <sup>nd</sup>
ZB 01-07	H.R. Marcus A 408 Second Ave.	R-4	153	19	Preliminary & Final Site Plan; Variance for reconstruction of a 2-story home, block garage and porch addition	May 13 <sup>th</sup>
ZB 00-38	Brown 681 Gerard Ave.	R-4	167	19	Bulk variance for an in-ground pool	October 28 <sup>th</sup>
ZB 02-11	Greger 393 Bath Ave.	R-4	182	3		

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Annual Report - Summary of Resolutions Approved

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ZB 01-06	Beechwoods 274 Bath Ave.	R-4	185	6	Interpretation/Revision regarding fencing along east and west sides of site which was a condition of approval granted 20 years ago by the Zoning Board	February 11 <sup>th</sup>
ZB 02-05	Rego 169 Morris Ave.	R-4	229	27	Use/Interpretation of an existing 6-family dwelling and certification	June 17 <sup>th</sup>
ZB 02-03	Morrell 618 Irving Place	R-4	251	13.01	Bulk Variance for 12'x12' Ratio Enclosure over an existing deck	May 13 <sup>th</sup>
ZB 99-10	Rymer-Bell 264 Branchport Ave.	R-4	355	23, 24, 25	Preliminary & Final Site Plan approval to continue the use of the poultry market, garden center, residence and storage facility	March 11 <sup>th</sup>
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ZB 02-12	Gomes 63 S. Fifth Ave.	R-5	231	24	Bulk Variances for a proposed accessory garage, wood deck and shed	April 8 <sup>th</sup>
ZB 02-02	Belloni 500 West Street	R-6	466	5	Bulk variance to install a 6' fence and 18' round pool in backyard	

**RESOLUTION ADOPTING  
THE 2002 ANNUAL REPORT OF  
THE ZONING BOARD OF ADJUSTMENT  
OF THE CITY OF LONG BRANCH**

WHEREAS, the Municipal Land Use Law requires that the Zoning Board of Adjustment shall, at least once a year, review its decisions on applications and appeals for variances and prepare and adopt by resolution a report on its findings on zoning ordinance provisions which were the subject of variance requests and its recommendations for zoning ordinance amendments or revisions, if any; and

WHEREAS, the Board has prepared its annual report in this regard for the calendar year 2002 and said report reviews the decisions of the Board on applications and appeals as required by the Municipal Land Use Law, and further sets forth findings of the Board on zoning ordinance provisions which were the subject of variance requests as well as the recommendations of the Board, if any, as may be set forth in said report, regarding zoning ordinance amendments and/or revisions;

NOW, THEREFORE, the Board hereby adopts said Annual Report, and the Board hereby further respectfully submits said Annual Report along with this Resolution adopting same, to the governing body and Planning Board of the City of Long Branch.

**ROLL CALL VOTE**

The above resolution was moved by Frank Fischedick, seconded by

Jeffrey Ging, and on a roll call, the following vote was recorded:

THOSE IN FAVOR: 6

THOSE OPPOSED: 0

THOSE ABSTAINING: 0

THOSE ABSENT: 2

**CERTIFICATION**

I, KELLY KAUFMAN, Secretary of the Zoning Board of Adjustment of the City of Long Branch, do hereby certify that the foregoing is a true copy of a Resolution duly adopted by the Zoning Board of Adjustment at its regular meeting held on September 8, 2003.

DATED: 12/8/03

Kelly Kaufman  
KELLY KAUFMAN, Secretary