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January 29, 2024

VIA EMAIL

Chairman Richard J. McGoey
Borough of Bay Head Planning Board
82 Bridge Avenue, P.O. Box 248
Bay Head, New Jersey 08742

Application for Bulk Variances (**PBA No. 23-11**)
Pamela Rew
62 Strickland Street Place; Block 69, Lot 4
Borough of Bay Head, Ocean County, New Jersey
Colliers Engineering & Design Project No. BAP-0262

Dear Chairman McGoey and Planning Board Members,

We've received a copy of the above-referenced Application for bulk variance approval. The subject of the Application includes the renovation of an existing enclosed front porch, construction of a second story open front porch, and addition of a dormer and roof deck to the upper half story. The 0.11-acre property is located on the north side of Strickland Street, approximately 150 feet west of Clayton Avenue, and is within the R-50 single-family Residential Zone.

We've received and reviewed the following documents:

1. Plans entitled "Rew Residence", consisting of seven (7) sheets prepared by Pamela Rew, FAIA, dated November 15, 2023, and last revised December 13, 2023;
2. FEMA Elevation Certificate, prepared by Justin Hedges, PLS and dated July 23, 2021;
3. Zoning Permit Denial dated November 27, 2023; and,
4. Completed Borough of Bay Head Development Application (undated).

Subsequent to an initial review and ensuing request to the Applicant, we received the following documents on January 23, 2024:

1. Boundary and Topographic Survey, prepared by Insite Surveying, dated February 2, 2021, and last revised July 23, 2023;
2. "Area Calculations for Proposed Second Floor and Proposed Upper Floor", prepared by Pamela Rew, FAIA, dated November 15, 2023, and last revised January 22, 2024; and,
3. "Proposed Floor Plans", prepared by Pamela Rew, FAIA, dated November 15, 2023, and last revised January 22, 2024.

Based on our review of the submitted information and the requirements of Section 147-44.B, the Application can be deemed **complete** as of this date.

We have reviewed the Application for compliance with the Borough ordinances and offer the following comments for the Board's consideration:

1. The subject of the Application includes the renovation of an existing enclosed front porch, construction of a second story open front porch, addition of a dormer with a roof deck and a new window dormer to the upper half-story. The 0.11-acre property is located on the north side of Strickland Street, approximately 150 feet west of Clayton Avenue, and is within the R-50 single-family Residential Zone.
2. There are several existing non-conforming conditions (*) that are proposed to remain.

Description	Required	Existing	Proposed
Min. Lot Area (SF)	5,000	5,008	5,008
Min. Lot Width (Ft.)	50	50.8	50.8
Min. Front Yard (Ft.)	20	10.1 *	10.1 **
Min. Rear Yard (Ft.)	10	42	42
Min. Side Yard (Ft)	6	1.8 *	1.8 *
Min. Combined Side Yard (Ft)	16	16.3	16.3
Maximum Height	2.5 Stories/35 ft	2.5 stories/32.3 ft	3 stories **/ 32.3 ft
Max. Building Coverage (%)	35	35	35
Max. Lot Coverage by Str. (%)	50	37	37
Accessory Min. Side Yard (Ft)	4	2.57 *	2.57 *
Accessory Min. Rear Yard (Ft)	4	2.66 *	2.66 *
Accessory Structure Height *Ft.)	16	17.4 *	17.4 *

* Existing variance **** Proposed variance**

3. The following existing non-conforming conditions are proposed to remain:
 - a. Front yard setback to the dwelling is 10.1 feet where 20 feet is required.
 - b. Side yard setback to the dwelling on the west side is 1.8 feet where a minimum of 6 feet is required.
 - c. Side and rear yard setbacks to the existing garage are 2.57 and 2.66 feet, respectively, where a minimum of 4 feet is required for each.
 - d. The height of the existing garage is 17.4 feet where a maximum of 16 feet is permitted.
 - e. The existing upper story exceeds the allowable floor area per the "half-story" definition and is therefore non-conforming.

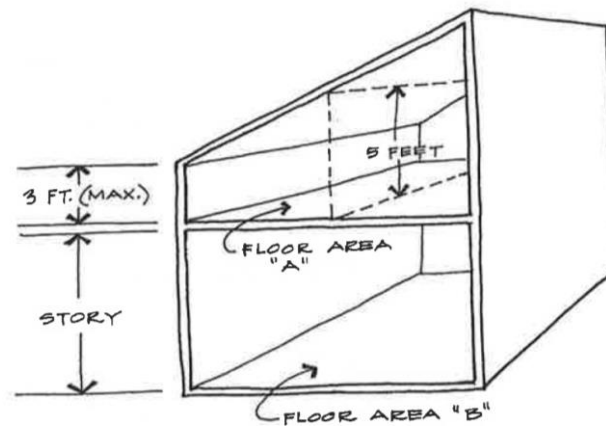
We note that the side yard setbacks on the east side of the dwelling are not shown on the plan, nor is the plan drawn to scale. Those dimensions should be added to the plan and the Zoning Table revised accordingly. We also note that the Zoning Table on the Cover Sheet of the plan set is not the latest version and should be updated.

4. The Applicant is requesting the following relief:

- a. Chapter 147, Attachment 1, requires a front yard setback of 20.0 feet. With the proposed second story open/roofed front porch, the existing non-conforming front yard setback of 10.1 feet will be exacerbated by the placement of additional structure with the required setback.
- b. Chapter 147, Attachment 1, requires a side yard setback of 6 feet. The proposed second story dormer on the southwest portion of the sloped roof will result in additional structure within the required setback as it is located within 4.6 feet of the property line.
- c. The proposed second story open/roofed porch will also exacerbate the existing side yard setback variance conditions due to the placement of additional structure within the required 6-foot setback. The dimensions from the side property line, however, should be added to the plan.
- d. Pursuant to the definition in Section 147-2, a "half-story" is a space under a sloping roof in which the space the possible floor area with headroom of five feet or less (Area "A" on sketch below) occupies at least 40% of the total floor area of the story directly beneath (Area "B" on sketch below).

The existing upper story exceeds the allowable floor area per the "half-story" definition and is therefore non-conforming. The proposed dormer will add 28 square feet of floor area with headroom greater than 5 feet to existing upper story floor area, resulting in a further exceedance of the allowable floor area. Based on the information provided, the upper floor area will be 471 square feet, or approximately 64.3% of the total floor area of the story directly beneath (734 square feet).

In this case, Floor Area "A" occupies only 35.7% of the total floor area of the story directly beneath it and the associated relief is required.



IF FLOOR AREA "A" IS AT LEAST
40% OF FLOOR AREA "B" -
THEN "A" IS A HALF STORY.

It is further noted that Section 147-15A (2) states that no nonconforming building shall be enlarged, extended, or increased unless the enlargement is conforming.

The Applicant should provide testimony supporting the requested relief.

5. There are several inconsistencies within plans with respect to the area of the proposed second story dormer. The Zoning Table on Sheet C says 30 square feet; the "proposed upper floor" detail on Sheet A2 says 28 square feet; the "area calculations for proposed upper floor" on the revised Sheet A2 says 27 square feet.
6. We also note a discrepancy regarding the area of the proposed upper story deck. The initial Sheet A2 shows 60 square feet. Based on the dimensions provided on revised Sheet A2, the deck area is 69.0 square feet. We note that Section 147-6H (5) limits such a deck to an area of 75 square feet.
7. The existing building and lot coverage percentages are compliant, and no changes are proposed.
8. Should the application be approved, the Applicant will need to obtain all applicable building permits.

Should you have any questions or require any additional information, please do not hesitate to contact me directly.

Sincerely,

Colliers Engineering & Design, Inc.
(DBA Maser Consulting)



Robert A. Mullin, P.E., P.P., CME, CPWM
Planning Board Engineer

RAM/slh

cc: Darren Erbe, Planning Board Secretary (via email)
Steven A. Zabarsky, Esq., Citta, Holzapfel & Zabarsky (via email)
Paul Pogorzelski, P.E., Zoning Officer (via email)
Pamela Rew, Applicant, (via U.S. Mail)
William Gage, Esq., Applicant's Attorney (via email)
Charles E. Lindstrom, P.E., Lindstrom, Diessner & Carr, P.C., Applicant's Engineer (via email)

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