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April 9, 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. 24-02**)  
James and Medeline Gardner  
150 Osborne Avenue; Block 1, Lot 42  
Borough of Bay Head, Ocean County, New Jersey  
Colliers Engineering & Design Project No. BAP-0264

Dear Chairman McGoey and Planning Board Members,

We have received a copy of the above-referenced Application for bulk variance approval. The subject of the Application is the renovation and expansion of the front stoop and steps on an existing 2-story single family dwelling. The 0.16-acre property is located on the westbound side of Osborne Avenue, approximately 350 feet west of Wyndham Drive, and is within the R-50 Single-family Residential Zone.

We have received and reviewed the following documents:

- "Topographic Survey for James and Madeline Gardner", consisting of 1 sheet prepared by Paul K. Lynch, PLS, and dated December 12, 2019;
- Site Plan for Gardner Residence, consisting of 1 sheet prepared by Peter D. Dorne, AIA, dated October 27, 2023;
- Zoning Permit Denial dated November 1, 2023;
- Completed Borough of Bay Head Development Application, dated February 26, 2024; and,
- Correspondence from the Applicant's Attorney dated February 27, 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 is the renovation and expansion of the front stoop and steps on an existing 2-story single family dwelling. The 0.16-acre property is located on the westbound

side of Osborne Avenue, approximately 350 feet west of Wyndham Drive, and is within the R-50 Single-family Residential Zone.

2. The property is bounded to the west, north and east by existing residential properties. There is also a detached one-car garage on the property.
3. According to the plan, the Applicant received approval for an addition and renovation to the dwelling under a separate permit. This current application is for renovations to, and expansion of, the front stoop, stairway, and sidewalk only.
4. There are several existing non-conforming conditions (\*), some of which are proposed to remain. Additional variance relief (\*\*) is also requested, as follows:

Description	Required	Existing	Proposed
Min. Lot Area (SF)	5,000	7,000	7,000
Min. Lot Width (Ft.)	50	50	50
Min. Lot Frontage (Ft.)	50	50	50
Min. Lot Depth (Ft.)	100	140	140
Min. Front Yard Setback (Ft.)	20	19.1 (Dwelling) * 15.4 (Landing) *	19.1 (Dwelling) * <b>14.8 (Landing) **</b>
Min. Rear Yard (Ft.)	10	72.0 (Dwelling) 56.0 (Deck)	72.0 (Dwelling) 56.0 (Deck)
Min. Side Yard (Ft.)	6	4.2 *	4.2 *
Min. Combined Side Yard (Ft.)	16	24.25	24.25
Maximum Height	2.5 Stories/35 ft	2 Stories/27.8 ft	2 Stories/27.8 ft
Max. Building Coverage (%)	35	28.3	29
Max. Lot Coverage by Str. (%)	50	30.5	32
Accessory Building (Garage)			
Side Yard Setback (Ft.)	4	3.75 *	3.75 *
Rear Yard Setback (Ft.)	4	41.5	41.5
Height (Ft.)	16	16.0	16.0

\* Existing variance      **\*\* Proposed variance**

5. The following existing non-conforming conditions are proposed to remain:
  - a. The front yard setback to the dwelling of 19.1 feet where a minimum of 20 feet is required.
  - b. Side yard setback to the dwelling of 4.2 feet (west side) where a minimum of 6 feet is required.
  - c. Accessory structure side yard setback to the garage of 3.75 feet where 4 feet is required.
6. The Applicant is requesting the following relief from Chapter 147, Attachment 1:
  - a. A front yard setback of 14.8 feet to the landing where a minimum of 20 feet is required.


The Applicant should provide testimony supporting the requested relief.

7. According to the plan, the proposed front stoop renovation/expansion will increase the building coverage by 34.8 square feet, or 0.5 percent. The proposed front sidewalk expansion will increase lot coverage by 80 square feet, or 1.1 percent. The resulting building and lot coverage percentages, respectively, will comply with the applicable ordinance requirements.
8. The Applicant should address the apparent fence encroachment on the west side of the property.
9. There are several setbacks (primarily rear yard setbacks) that are not shown or dimensioned on the plan. These should be added.
10. Should the application be approved, the Applicant will be required to obtain all necessary building permits.

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

Sincerely,

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



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

RAM/sh

cc: Darren Erbe, Planning Board Secretary (via email)  
Steven A. Zabarsky, Esq., Planning Board Attorney (via email)  
Paul Pogorzelski, PE, Zoning Officer (via email)  
James Gardner and Madeline Gardner, Applicants (via U.S. mail)  
William Gage, Esq., Applicant's Attorney (via email)  
Peter D. Dorne, AIA, Applicant's Architect, (via U.S. mail)

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