

2006 Zoning Board Annual Report

Prepared by: Carolyn Cummins, Board Secretary

Date: November 30, 2006

ZB#2005-5 Coleman, Janet
Block 49 Lot 8 (53 Shrewsbury Avenue) R-2.02 Zone
Approved – 6/1/06

The Board approved the application to renovate the first floor and construction of a second story addition to home.

Variances Granted – (a) side yard – 8 inches/6 inches

ZB#2005-7 234 Bay Avenue, LLC
Block 69 Lot 1 (234 Bay Ave) R-2.02 Zone
Denied 2/2/06
NOTE: This application has been remanded back to the board.

The Board denied the application for a use variance to construct a two-story, with ground level parking below, condominium building of three units. Though a resolution approving this application was approved, the requested use variance was denied because of failure to obtain five affirmative votes.

ZB#2005-8 Knox 400, LLC
Block 108 Lot 2.01 (460 Hwy 36) B-1 Zone
Approved 7/6/06
NOTE: This application is currently being appealed by an objector.

The Board approved the application for a proposed two-story addition to the existing building, the creation of a health fitness club in the entire first floor and a portion of the second floor, the continued use of a renovated two-two-bedroom apartment upstairs and the continued use of the cellular monopole facility in the left rear of the property.

Variances Granted:

- (a) Use Variance for health & fitness Club
- (b) Rear Yard
- (c) Side Yard
- (d) Out Door Living Space
- (e) Height – For Free Standing Sign

- (f) Parking – Current parking requirements do no address fitness centers.
Applicant proposes 39 spaces and under Middletown’s requirement a total of 46 spaces would be required for this application including all uses on site.
- (g) Area of Freestanding Sign

Final Site Plan approval was also granted for this application.

**ZB#2005-9 Palatial Homes, Inc.
Block 63 Lot 19.01 (231 Bay Ave) R-2.02 Zone
Denied 8/3/06**

The Board denied the application for a use variance, height, setbacks, building coverage variances for a 4-unit residential development.

**ZB#2005-10 Branin, Gary
Block 48 Lot 3 (39 Cornwall Street) R-2.02 Zone
Approved 5/4/06**

The Board approved the application to construct a second-story addition to their home.

Variations Granted:

- (a) Front Yard – 13.42, where 20 feet is required
- (b) Side Yard – 5.62 feet, where 6 feet/8 feet are required
- (c) Rear Yard – 5 feet, where 20 feet is required
- (d) Building Coverage – 40%, where 33% is allowed
- (e) 100% Addition on same foot print, which is a variance from Ord. 21-98.A-2.

**ZB#2006-1 Duane Realty, LLC
Block 94 Lots 1 & 16 (326 Waterwitch Ave) B-1 Zone
PENDING**

This is an application to demolish existing building and construct a mixed use with commercial use on first floor and 18 one-bedroom apartments spread over floors 2,3 & 4.

Variations Requested - “d” variance associated with floor area ratio and height and bulk variances for lot, building coverage and parking.

**ZB#2006-2 Worthington Capital, LLC
Block 9 Lots 6 & 7 (1 South Bay Ave) WC-1 Zone
Denied 10/5/06**

The Board denied this application for a use variance to construct five town homes with attendant bulk variances and site plan approval.

**ZB#2006-3 Gordon, Gary & Patricia
Block 19 Lot 21.04 (S. Peak Street) R-1.01 Zone
PENDING**

The applicant is seeking variances to allow for construction of a residential dwelling:

- (a) Lot Depth – 65 feet, where 100 feet is required
 - (b) Front Yard – 20 feet, where 35 feet is required
 - (c) Side Yard – 20 feet, where 35 feet is required
 - (d) Rear Yard – 15.6 feet, where 25 feet is required
 - (e) Steep Slope Variance for disturbance.
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ZB#2006-4 Alvator, Michael & Diane
Block 70 Lot 5 (49 Cedar Street) R-2.02 Zone
Approved 9/7/06

The Board approved the application to add a two-story addition to the rear of the home.

Variances Granted:

- (a) Lot Size - 3,756 feet, where 4,000 feet is required (pre-existing)
 - (b) Front Yard – 13.12 feet, where 20 feet is required (pre-existing)
 - (c) Side Yard – 1.7 feet/25 feet, where 6 feet/8 feet are required
 - (d) Rear Yard – 2 feet, where 20 feet is required
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ZB#2006-5 Hamilton, Anne
Block 72 Lot 39 (3 Seadrift Ave) R-2.01 Zone
Approved 10/5/06

The board approved the application to add 220 square feet to the second floor of the existing dwelling and an additional 99 square feet to the deck at the rear of the second floor.

Variances Granted:

- (a) Lot Area – 1,750 square feet, where 3,750 is required (pre-existing)
 - (b) Lot Width – 25 feet, where 75 feet is required (pre-existing)
 - (c) Lot Depth – 70 feet, where 75 feet is required (pre-existing)
 - (d) Front Yard – 8.36 feet, where 20-feet is required (pre-existing)
 - (e) Side Yard - .62 feet/1.84 feet, where 6 feet/8 feet is required (pre-existing)
 - (f) Parking – 0 on-site parking spaces, where 2 are required (pre-existing)
 - (g) Rear Yard – 13 feet, where 20 feet is required
 - (h) Bldg Coverage – 54%, where 33% is allowed
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ZB#2006-6 Bahrs, Craig
Block 66 Lot 8 (52 Fifth Street) WT-C Zone
PENDING

The applicant is appealing the Zoning Officers denial for the following: Applicant is proposing to abandon an existing four-family bungalow and convert same to two detached single-family homes for a total of two year round units.

ZB#2006-7 Dorin, Joseph
Block 35 Lots 10 & 11 (102 Valley Avenue) R-1.01 Zone
Approved 10/5/06

The Board approved the application to construct a 12-foot by 20-foot one-car garage addition to the existing home.

Variances Granted:

- (a) Lot Depth – 95 feet, where 100 feet is required (pre-existing)
 - (b) Side Yard – 6 feet/73 feet, where 8 feet/12 feet is required (pre-existing)
 - (c) Front Yard – 11 feet, where 35 feet is required
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**ZB#2006-8 Kurtz, Robert & Doreen
Block 36 Lot 2 (5 Woodland Street) R-1.01 Zone
Approved 11/2/06**

The Board approved the application to add a kitchen to the rear of their home, remove the large existing deck and replace it with a new deck and add a deck above the kitchen, at their home.

Variances Granted:

- (a) Front Yard – 20.7 feet, where 35 is required (pre-existing)
 - (b) Lot Size – 4,957 square feet, where 5,000 square feet is required (pre-existing)
 - (c) Lot Depth – 71.5 feet, where 100 feet is required (pre-existing)
 - (d) Rear Yard – 10 feet
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**ZB#2006-9 Shute, Eugene
Block 59 Lot 35 (114 Shore Drive) R-2.02 Zone
PENDING**

This is an application to construct a second story addition consisting of 3 bedrooms, 2 bathrooms, 1 laundry room and a 258 square foot deck. The site is presently occupied with a single-story framed dwelling (duplex).

Variances Requested:

- (a) Building Coverage – 39%, where 33% is allowed
 - (b) Expansion of a non-conforming use
 - (c) Vertical Addition exceeds 80% of the original footprint.
 - (d) Lot Depth – 70 feet, where 75 feet is required (pre-existing)
 - (e) Front Yard – 4.3 feet, where 20 feet is required
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**ZB#2006-10 Hall, George
Block 116 Lots 12 & 13 (410 Navesink Ave) B-1, R-2.03 Zone
PENDING**

This is an application to allow for a non-profit organization to utilize existing building for a boxing/training center/school. The applicant is seeking a use variance for proposed use and site plan approval.

**ZB#2006-11 Monohan, Gary
Block 3 Lot 5 (74 –Portland Road)
PENDING**

This is an application to construct an addition of 721 square feet.

Variances Requested:

- (a) Front Yard
- (b) Rear Yard
- (c) Lot Size

All deficiencies are pre-existing and this is a two-family which is a pre-existing non conforming use.