

**BOROUGH OF HIGHLANDS
ZONING BOARD MEETING
REGULAR MEETING
DECEMBER 7, 2006**

Mr. Mullen called the meeting to order at 7:32 P.M.

Mr. Mullen read the following statement: As per requirement of P.L. 1975, Chapter 231, notice is hereby given that this is a Regular Meeting of the Borough of Highlands Zoning Board and all requirements have been met. Notice has been transmitted to the Courier, The Asbury Park Press and The Two River Times. Notice has been posted on the public bulletin board.

ROLL CALL:

**Present: Mr. Duncan, Mr. Braswell, Mr. Mintzer, Mr. Francy, Miss Tierney,
Mr. Mullen, Mr. Fox, Mr. Anthony**

Absent: Ms. Ryan

**Also Present: Carolyn Cummins, Board Secretary
Greg Baxter, Esq., Board Attorney
Joseph May, P.E., Acting Board Engineer**

**ZB#2006-11 Monahan, Gary
Block 3 Lot 5 (74 Portland Road)
Application Review & Set P.H. Date**

**Present: Jeff Rosen, Esq., Applicants Attorney
Gary Monahan**

Mr. Rosen stated that this is a pre-existing nonconforming two-family and the applicant seeks a 740 square foot addition on the first and second floor. The applicant is seeking variances for lot area, lot depth, front yard setback, rear yard setback. The property does not front on a street.

The Board reviewed the application and the following was stated:

1. The Board questioned how the Zoning Officer established what is the front yard verses the side yard when there really isn't any street. Perhaps she used the access for what would be the front yard of 35 feet required and 32.4 feet is the dimension given.
2. On the Zoning Chart on the plan clarify if the applicant is providing 27-feet. Mr. Rosen stated that from the porch its 27-feet and it was determined that the board did not have the same plans that Mr. Rosen was using. The applicant must provide an updated survey.

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3. Provide proof of existing two-family status. The applicant should provide the Certificate of Occupancy for both units and establish when it became a two-family.
4. The shed in the rear of the property will remain.
5. The encroachment of the flower beds has to be corrected.
6. The applicants should provide photographs.
7. In the bulk and area requirements of the Zoning chart it appears that the minimum lot depth required is 200 and the existing is 90 and 100, so that is also a pre-existing variances.
8. This is an application to modify a structure that is a nonconforming use therefore this is a use variance application which requires five affirmative votes.
9. The applicant must provide an updated tax and sewer printout.
10. The applicant will have testimony from Katherine Franco at the public hearing.

The Board then reviewed its calendar to schedule this hearing and asked Mr. McGann, Esq., if his client Duane Realty will be ready for the January Meeting.

Mr. McGann explained that he is not sure at this time.

Mr. Baxter explained that there is a chance that if Duane Realty has there hearing in January then they probably wouldn't be heard that night but Monahan wanted to take a chance and be on the January Agenda. Mr. Baxter also advised them to submit the revised plans to the board at least 10-days prior to the hearing.

Mr. Mintzer offered a motion to schedule this matter for a public hearing on January 4, 2007, seconded by Mr. Duncan and approved on the following roll call vote:

ROLL CALL:

**AYES: Mr. Duncan, Mr. Braswell, Mr. Mintzer, Mr. Francy, Miss Tierney,
Mr. Fox, Mr. Mullen**

NAYES: None

ABSTAIN: None

Other Business

Mr. Duncan offered a motion to authorize the Board Attorney to prepare a Resolution commenting on the services of Carolyn Cummins, seconded by Miss Tierney and all were in favor.

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**ZB#2006-9Shute, Eugene
Block 59 Lot 35 (114 Shore Drive)
Unfinished Public Hearing**

**Present: Martin McGann, Esq.
Eugene Shute
Richard Stockton, Land Surveyor**

Martin questioned what the conflicts were with both Mr. Francy and Mr. Anthony.

Mr. McGann then questioned Mr. Francy and Mr. Francy stated the following:

1. He is a member of the Sea Tow franchise and Mr. Shute is a Sea Tow Franchise.

Mr. Shute stated the following:

1. He owns a franchise.
2. He has never done business with Mr. Francy.
3. This application is in his name not in Sea Tows name.

Mr. Anthony stated that he actually has a boat slip at Mr. Shute's marina.

Mr. McGann and Mr. Baxter both agreed that Mr. Francy does not have a conflict on this matter and since he was present at the entire meeting last month he is eligible to participate and vote on this matter.

Mr. Francy stated that he did hear the all of the testimony at the last meeting.

Conflicts: Mr. Anthony stepped down for this matter.

The following documents were marked into evidence:

A-12: Original Certificate of Occupancy and Fire Certificate dated 6/14/2000
(Copy was previously marked as Exhibit A-6);

NOTE: A-12 was returned to the applicant at the end of the hearing.

A-13: Original Certificate of Occupancy (Copy was previously marked as
Exhibit A-10);

NOTE: A-13 was returned to the applicant at the end of the hearing.

A-14: A copy of the 1989 Property Record Card;

A-15: A copy of the 2003 Property Record Card;

A-16: Radius Map;

A-17: Three Pages of Photographs colored of houses in the neighborhood.

Mr. Mullen stated that applicant is seeking a use variance for an expansion of a nonconforming use, front yard setback, vertical addition is greater than 80% of the first floor and building coverage in addition to the preexisting variances.

Mr. Stockton (previously sworn at the last meeting) stated the following during his testimony and response to questions from the board:

1. They took a look at all of the homes within 200-feet of the subject property to see how many homes within 200 feet were equal to or greater than 39% coverage. He then described Exhibit A-16 and stated that there are 40 lots within 200 feet. The green lots shown on A-16 have a lot coverage 39% or under. There were 16 homes marked in orange were at 39% or more. The aerial photo that he used was obtained from the Monmouth County GIS and he followed this up with field investigation.
2. Looking at this property from above the second floor creates the footprint because of the cantilever area on the second floor. The second floor is mostly an enclosed area for living space and the eastern portion is an outside balcony.
3. Storm water runoff – the property basically drains mostly to the north and the rear portion of this property drains toward Valley Avenue. The elevations of Shore Drive indicate that the flow of the water would be towards the left front corner of the structure and off towards Valley Avenue. So essentially it would be water running off of the building which is good quality water in terms of NJDEP standards.
4. Looking at the tax map and looking at the survey, one says that this property as it meets Valley Avenue is 3.9 and the other says 3.1. Mr. Stockton stated that 3.1 is the actual measurement.
5. In terms of the front setback we have a corner lot so we have two front setbacks. The front setback off of Valley is a preexisting condition of 4.3 feet. The setback off of Shore Drive is 17 feet measured from the foundation and 12 ½ feet to the second story over hang.
6. The property line from the Shore Drive curb is approximately 14 feet and from the property line to the house is an additional 12 1/2 feet which he further explained. So the visual perception from Shore Drive would be roughly 26 feet which helps in terms of the setback in terms of perception. The Valley Avenue setback is a fixed position and is not changing.
7. The house is being raised to meet the flood regulations.
8. The existing foundation had been damaged and he believes that the applicant will be replacing it.

Mr. Shute stated the following:

1. He is replacing the entire foundation and will reposition the foundation in the same location. So the setback from Valley Avenue will not change.

The Board discussed with the applicant the possibility of changing the location of structure to minimize the relief but that discussion did not result in the changing of the location of the foundation.

Mr. Stockton continued his testimony as follows:

9. In terms of purposes of the Municipal Land Use Law the applicant is providing for the elimination of flood conditions by raising the house which falls under D2-b which he further described. The application provides for some area and open space within this neighborhood which he further explained.

10. There is a deck on the top floor which is shown on the plan and the stairways go up to a platform and a very small deck. There are two front doors close together and two rear doors further apart that's why there is one stairway on Shore and two stair ways on Second.

11. Under D2-i this rehabilitation would promote a visual desirable environment which he further explained.

12. This is particularly suited for this site and its good to get out of the flood zone and the addition will not adversely impact the character of the neighborhood.

13. The existing square footage is 1107 square feet that is the foot print of the structure and 31.6% building coverage. The new square footage would be, the second floor over hang accounts for 243 square feet bringing the total to 1350 square feet, the basement and first level would be the same 1107. The total habitable square footage would be 2,457 square feet.

14. If the board were to grant the variance he does not feel that it would be a substantial detriment. It's basically a two family home today and it will be a two family home when it's raised, they are not adding more people to the neighborhood.

15. He believes that housing needs over the years have gone towards driving house sizes up and 1100 square feet for a two family by today's standards is too low.

17. There is enough space to have four off street parking spots on site, so they meet the required parking requirements.

Mr. Mullen asked if there were any questions from the public for Mr. Stockton; there were none.

Eugene Shute (previously sworn in) stated the following during his testimony and response to questions from the board.

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1. He described Exhibit A-17 and stated that he took these photographs today and then described the photographs of homes in the neighborhood and stated that they are marked in green on Exhibit A-16. The photographs essentially depict two-story homes which he described.
2. He is attempting to improve living conditions and raise the living areas out of the flood zone and create a more contemporary way of living in terms of square footage.
3. The proposed will not be out of character with the neighborhood.
4. The reasons for the variance for the second floor addition which exceeds 80% of the first floor footprint is to make rooms sizes more of a standard/normal size, bring house up to code and to provide himself with room to live in so that he can stay here in town.
5. The existing bedroom sizes are 9 by 10, 9 by 13 and in the one bedroom unit the bedroom is 10 by 10.
6. He and his family will occupy the dwellings.
7. He has lived in the Borough of Highlands for 21 years and his business is located in the Borough of Highlands.

Mr. Mullen asked if there were any questions from the public for Mr. Shute but there were none.

Mr. Mullen asked if there were any comments on the Shute application but there were none.

Mr. Duncan offered a motion to close the public portion on the Shute hearing, seconded by Mr. Mintzer and all were in favor.

Mr. Mintzer commented on the size of the downstairs of this structure as being too small for a two-family and he feels more comfortable approving this application after hearing the testimony.

Mr. Mullen stated that he would vote to approve this application because of the degree of the lot coverage is very close to the requirement where 33 is required and they are asking for 39% but if you take the borough property in front there is actually a 35% which is a 2% change. So the overhang that he has is diminished somewhat in that regard. He has maintained the spirit of what we are trying to do with the deck that he has at the end, so that 40% of the second floor is open space, which he feels is a good thing. He also thinks that taking the house of the flood zone is a substantial improvement to the borough.

Mr. Fox spoke favorably about the application.

Mr. Francy stated that the applicant is raising the house out of the flood zone and you can't expect him to not upgrade the standards of the bedrooms and the sizes of the living rooms. He needs to make the house bigger and if he violates the 80% veridical addition ordinance than he thinks that it's a small impact.

Mr. Mintzer offered a motion to approve the application as presented, seconded by Mr. Fox and approved on the following roll call vote:

ROLL CALL:

**AYES: Mr. Duncan, Mr. Braswell, Mr. Mintzer, Mr. Francy, Mr. Fox,
Mr. Mullen**

NAYES: None

ABSTAIN: None

Mr. Anthony returned to the meeting table.

**ZB#2006-3 Gordon, Gary & Patricia
Block 19 Lot 21.04 (S. Peak Street)
Hearing on New Business**

**Present: Henry Wolffe, Esq.
Jeffrey McEntee, A.I.A.
Patricia Gordon**

Mr. Baxter stated that the Board has previously taken jurisdiction on this matter.

Mr. Wolffe stated that tonight he will have the Architect testify and he will provide plans which he will offer into evidence.

Mr. Mullen questioned Mr. Wolffe as to if he has seen the old subdivision resolution for this property.

Mr. Wolffe stated that he has seen the old subdivision resolution and he obtained the subdivision map today from Mr. Stockton who prepared it.

The following exhibits were marked into evidence:

- A-1: Variance Application dated 4/19/2006
Item 9 – Mr. Wolffe amended this item to “yes” it has been separated from a larger tract of land. If so, when – should be amended to 4/23/1987.

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- Has the Planning Board approved the subdivision – amended to “yes”;
- A-2: Zoning Officers Denial dated 4/11/06 with a bulk and area chart and copy of the steep slope ordinance;
 - A-3: Survey prepared by Thomas A. Finnegan dated 2/23/06;
 - A-4: Planning Board Subdivision Resolution dated 4/23/87;
 - A-5: Richard Stockton Subdivision Map dated 7/31/86 with six revisions Last dated 10/12/87 (Board Attorney has possession of this map);
 - A-6: Architectural Plans prepared by
- B-1: John Truhan, P.E. Planning Board Engineer letter dated 3/26/87 Re: the Hall Subdivision;
 - B-2: T & M Associates Board Engineer letter dated 7/27/06.

Mr. Wolffe stated that the testimony tonight will be fairly limited. They understand that they have to address the site plan, grading and steep slope issues and they are prepared to do that but not tonight. He will muddle through with Mr. McEntee tonight with regard to the proposed structure and then they will have to reschedule this for another evening when he can bring the engineer in.

Mr. Mullen stated that he was curious about this application because there is already a resolution on this matter that sets some of the requirements for which this applicant is seeking relief.

Mr. Baxter explained that it goes toward the proofs as to if the board should consider them.

Mr. Wolffe – it appears that in 1987 the board approved a structure with a footprint of 30 by 30 and this application is for a 40 by 30 foot structure, so there is a difference but many of the setbacks will not be enlarged.

Mr. Baxter swears in the following:

Jeffrey McEntee, A.I.A. of 32 Highlands Trail, Denville, NJ.
Joseph May, P.E. of Schoor DePalma, 262 23rd Avenue, Brick, NJ.

Mr. McEntee stated the following during his testimony and response to questions from the board:

1. He is a licensed Architect in the State of New Jersey.
2. He reviewed the survey and topographical map that was prepared by T. Finnegan and the bulk ordinances of Highlands in connection with his Architectural Plans.

3. He then distributed his architectural plans to the board which were marked as exhibit A-6.

Mr. Mullen stated that it makes it very difficult for the board when plans are not submitted in advance of the meeting.

4. He described his architectural plans marked A-6 and stated that the design intent was for a two and a half story single family residence. The first floor area totals 1,164 square feet which is to be used for the general living area of the house, the second floor totaling 1,181 square feet consisting of four bedrooms and two bathrooms for a total floor area of the residence being 2,345 square feet.

5. He stated that the property slopes from the east to the west. At the building envelope it slopes roughly four feet from left to right before it hits the steeper slope at the western edge of the property.

6. The overall height of the residence is measured from their average grade plain to the average roof height, it's approximately 29 feet 10 inches and it is their intent to design this in accordance with the building height ordinance.

Mr. Mullen – isn't our ordinance pre-construction grade?

Mr. McEntee continued as follows:

7. The bottom line is that we will not be requesting a height variance.

8. The footprint is 1,164 square feet which is about 19 ½ % of building coverage. The 1,164 fitting within the 40 by 30 foot envelope as marked on the site plan.

9. There will be a single car garage on the left hand side and then the remainder of the lower level will be a basement and some of that basement will be below grade.

10. They will design the foundation after they receive the soil reports.

11. There is a one car garage and a parking space in front of the garage to meet the parking requirements.

12. There is no problem with adjusting the roof pitch to meet the height requirements.

Mr. Wolffe stated that Maser & Maser will be preparing a site plan and it will be delivered to the board well in advance of the next hearing.

Mr. Mullen explained that variances were previously granted by the Planning Board for this property. We thought that the applicant needed a front yard of 20 feet where 35 is required and a rear yard variance of 17 feet where 20 feet is required and lot area 5,000 where 14,000 is required. A lot of the variances seeking appear to have been granted in this previous subdivision resolution. Another item needed is the steep slope because the applicant is within 15 feet of the top of hill for disturbance and 25 feet for a structure.

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Mr. Wolffe agreed with Mr. Mullen and stated that the applicant is proceeding on the basis that are going to ask for relief from the provisions of the subdivision resolution because the proposed structure is 10 feet wider than the 30 by 30 that was approved in 1987. So to that extent they are asking for that relief and the other issue is whether they need a variance for what was granted in 1987, if they do they will present testimony showing hardship. The extra 10 feet of the building increases the non-conformity.

Mr. Baxter stated that the previous approval did not give them relief from the steep slope ordinance because the steep slope ordinance is fairly new.

Mr. Duncan stated that the applicant is going to have to provide engineering testimony with regard to the steep slope.

Mr. Mullen asked if there were any questions from the public for Mr. McEntee.

Jody Bower of 9 South Peak Street questioned the setbacks and stated that she wants to see the site drawings of the neighborhood. She also questioned how they will resolve water runoff and drainage problems. She then described her water runoff problems to the board.

Mr. Mullen stated that a site plan that is being prepared by an engineer and that is usually when drainage is addressed. With regard to setbacks in the area Mrs. Bower makes a good point that it would be beneficial to have some information of the neighborhood.

Mr. Wolffe stated that he is considering having a Professional Planner and perhaps they could provide information on the neighborhood.

Mary Wood Schneider of 55 Grand Tour stated that she wanted to see the plan for the wall and water management plan.

Joseph McFadden who resides above the subject lot questioned the stability of the slope and encroachment of an easement.

Mr. Wolffe stated that there will be no encroachment onto the driveway easement and this will be shown on the site plan. They understand that they have to respect the easement so they will change the driveway so that it does not encroach on the easement.

Mr. McFadden also stated that at the corner of the house it's very close to the driveway, it's about three or four feet away and that seems a bit to close.

There were no further questions from the public.

Mr. Wolffe stated that he does not believe that they will be ready by the next meeting in January and agreed to a March Meeting date and waived any time requirements for the board through the March Meeting.

Mr. Duncan offered a motion to carry this public hearing to the March 1, 2007, seconded by Miss Tierney and approved on the following roll call vote:

ROLL CALL:

**AYES: Mr. Duncan, Mr. Braswell, Mr. Mintzer, Mr. Francy, Miss Tierney,
Mr. Fox, Mr. Mullen**

NAYES: None

ABSTAIN: None

Mr. Mullen advised the public that this matter has just been carried to the March 1, 2007 meeting and that no further public notice will be given.

Review of 2006 Zoning Board Annual Report

The Zoning Board reviewed the following report:

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.

Variations 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.

Variances 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.

Variances 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.

**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

**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

**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

**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

**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

**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.

Variations 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.

Mr. Mullen advised the board that if any board member had any comments for recommendations to the Governing Body that they should forward them onto the Board Secretary so that she can prepare a letter of recommendation.

The Board then discussed the annual report and items that needed to be looked into.

Approval of Minutes

Mr. Mullen offered a motion to approve the November 2, 2006 Zoning Board Meeting Minutes contingent upon a correction being made on page 9, second paragraph from the bottom should be changed to The board engineer stated second floor should be 1350 and the top floor is 1194 over the 1090 existing floor, seconded by Mr. Francy and all eligible members were in favor and Miss Tierney abstained.

Mr. Francy offered a motion to adjourn the meeting, seconded by Mr. Mullen and all were in favor.

The meeting adjourned at 10:04 P.M.

CAROLYN CUMMINS, BOARD SECRETARY

