

**Borough of Highlands  
Zoning Board of Adjustment  
Regular Meeting  
April 3, 2008**

Mr. Mullins called the meeting to order at 7:34 P.M.

Mr. Mullins asked all to stand for the Pledge of Allegiance.

Mr. Mullen made the following statement: As per requirement of P.L. 1975, Chapter 231, notice is hereby given that this is a Regular Meeting of the Mayor and Council of the Borough of Highlands 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. Braswell, Mr. Francy, Ms. Ryan, Mr. Anthony, Mr. Mullen**

**Absent: Mr. Fox, Mr. Gallagher, Mr. Britton**

**Also Present: Carolyn Cummins, Board Secretary  
Greg Baxter, Board Attorney**

Mr. Mullen announced that Mr. Mintzer submitted a letter of resignation as a member of the Zoning Board.

The Board briefly discussed what a dedicated member Mr. Mintzer was and how he will be missed.

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**ZB#2007-7 231 Bay Ave, LLC  
Block 63 Lot 19.01, 231 Bay Ave  
Request for Postponement to May 1, 2008**

Mr. Mullen stated that the board received a letter requesting a postponement of this hearing to the May 1, 2008 meeting.

The Board discussed that fact that this is the fourth request for an adjournment for this applicant and that he will be second on the May 1, 2008 agenda.

Mr. Francy offered a motion to carry the 231 Bay Ave, LLC public hearing to the May 1, 2008 meeting without the need for further public notice, seconded by Mr. Anthony and all were in favor.

Mr. Mullen advised the public that this hearing has been carried to the May 1, 2008 meeting and that no further public notice will be given.

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**ZB#2007-9 Magrans, Michael  
Block 46 Lots 2 & 3, 111 & 123 Bay Avenue  
Request for Postponement to June 5, 2008**

Mr. Mullens stated that he has a conflict on this matter.

Mr. Baxter stated that the applicant has requested a postponement to the June Meeting.

Mr. Braswell offered a motion to carry this public hearing to the June 5, 2008 meeting, seconded by Mr. Francy and approved on the following roll call vote:

**ROLL CALL:**

**AYES: Mr. Braswell, Mr. Francy, Ms. Ryan, Mr. Anthony**

**NAYES: None**

**ABSTAIN: None**

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**ZB#2008-1 Blaskovich, Matthew  
Block 100 Lot 26.42 – 42 Gravelly Point Road  
Approval of Resolution**

Mr. Mullen read the title of the following Resolution for approval:

Mr. Francy offered the following Resolution and moved on its adoption:

**RESOLUTION APPROVING BULK VARIANCES  
FOR BLASKOVICH AT 42 GRAVELLY POINT ROAD**

**WHEREAS**, the applicant, MATTHEW BLASKOVICH, is the owner of a single-family home at 42 Gravelly Point Road, Highlands, New Jersey (Block 100, Lot 26.42); and

**WHEREAS**, the owner filed an application to add a second story addition to his home; and

**WHEREAS**, all jurisdictional requirements have been met, and proper notice has been given pursuant to the Municipal Land Use Law and Borough Ordinances, and the Board has jurisdiction to hear this application; and

**WHEREAS**, the Board considered the application at a public hearing on March 6, 2008; and

**WHEREAS**, the Board heard the testimony of the applicant, MATTHEW BLASKOVICH, and no one appeared in opposition or to ask questions about the application; and

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**WHEREAS**, the applicant submitted the following documents in evidence:

- A-1: Variance application (3 pages);
- A-2: Zoning permit application dated 9/10/07;
- A-3: Second zoning permit application dated 1/31/08;
- A-4: T&M flood plain review letter dated 11/8/07;
- A-5: Second T&M flood plain review letter dated 2/1/08;
- A-6: DEP letter dated 2/15/08, advising that a flood hazard area permit is not required;
- A-7: Architectural plans by ANTHONY CONDOURIS dated 1/25/07 (3 pages);
- A-8: Gravelly Point survey by RICHARD STOCKTON dated 9/30/98.
- A-9: Location survey by RICHARD STOCKTON dated 8/29/07;
- A-10: 2/10/08 letter from Gravelly Point Beach Association advising of no objection to application;
- A-11: 2 photographs of property, sub-lettered a & b;
- A-12: 6 photographs of neighboring properties, sub-lettered a through f.

**WHEREAS**, the Board also received in evidence:

- B-1: 3/4/08 Board Engineer review letter.

**WHEREAS**, the Board, after considering the evidence and testimony, has made the following factual findings and conclusions:

1. The applicant is the owner of property located in the R-2.03 Zone.
2. The site currently contains a single-story one-family home.
3. The applicant seeks to add a second story addition, as a result of which there will be stairs added from the first to the second floor, the front bedroom on the first floor will be removed, and the second floor will contain two bedrooms, a study area and one full bath; for a total of three bedrooms.
4. The house currently has an A-frame roof, and has a walk-in attic. The attic will be removed when the second story is constructed.
5. The proposed addition will add approximately 500 square feet.
6. This property originally belonged to the applicant's grandfather, who purchased the same in or about 1972. The applicant acquired the property in or about 2000. There has been no work done on the property since approximately 1993.

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7. The neighbor's home to the rear is approximately 20 feet inside the fence which separates the properties.

8. The neighboring home to the north (water side) of the subject is approximately six feet away from the subject. It is a one-story single-family home.

9. To the south of the property is an open lot used for parking.

10. There is a shed in the right rear of the property, which was there at the time of the applicant's purchase of the property. That shed is within the 3-foot setback requirement.

11. Parking is in a stacked formation.

12. Because of the house being as small as it is, it requires upgrading to provide reasonable living space.

13. The applicant also testified that he will be re-siding the house, which will give it more of a new home look and be more aesthetically pleasing to the neighborhood.

14. The applicant requires five variances, three of which are for pre-existing conditions: 2-foot front yard setback, where 3 feet is required; .3-foot rear yard setback, where 3 feet is required; and building coverage of 39.6%, where a maximum of 35% is allowed.

15. The applicant also requires a variance for height. The proposed height of the new structure will be 21.5 feet, where only 20 feet is permitted.

16. The applicant also requires a variance for the shed, which is within the 3-foot setback requirement.

17. The Board determined that this was a *de minimus* application, in that the variances requested were very minor (i.e., three for preexisting conditions, a 1.5-foot height variance, and a variance for the long-existing shed).

18. The Board referred to Ordinance 21-86(4)(b) and its subsections, which sets forth the requirements for existing bungalow colonies. As a result, the Board determined that no other variances were required.

19. The proposed second story addition will not be a substantial impairment to the intent and purpose of the zone plan and zoning ordinance and, based upon the testimony, the Board is empowered to grant this variance pursuant to N.J.S.A. 40:55d-70c(2). In fact, the Board felt that the proposed addition would be an enhancement and improvement to the home and neighborhood.

**WHEREAS**, the application was heard by the Board at its meeting on March 6, 2008, and this resolution shall memorialize the Board's action taken at that meeting;

**NOW, THEREFORE, BE IT RESOLVED** by the Zoning Board of Adjustment of the Borough of Highlands that the application of MATTHEW BLASKOVICH to add a second story addition in accordance with his application and the plans submitted be and the same is hereby approved. Variances are hereby granted for the preexisting conditions of front yard, rear yard and building coverage, as more fully set forth above. A variance is also granted for height,

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permitting a height of 21.5 feet. A variance is also granted for the existing shed in the right rear of the property.

Seconded by Ms. Ryan and adopted on the following roll call vote:

**ROLL CALL:**

**AYES: Mr. Francy, Ms. Ryan, Mr. Mullen**

**NAYES: None**

**ABSENT: None**

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**Approval of Minutes**

Mr. Mullen offered a motion for the approval of the March 6, 2008 Zoning Board Meeting Minutes, seconded by Mr. Francy and all eligible board members were in favor.

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

The Meeting adjourned at 7:53 P.M.

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**CAROLYN CUMMINS, BOARD SECRETARY**