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Frank J. Little, Jr., P.E., P.P., C.M.E.
Douglas F. Klee, P.E., P.P., C.M.E.
William J. Berg, P.L.S.

February 21, 2023

Ship Bottom Land Use Board

1621 Long Beach Blvd.
Ship Bottom, NJ 08008

Re: Applicant:	Kim R. & Mary G. Obermair
Block(s):	9
Lot(s):	5
Address:	209 W. 28th Street
Type of Application:	Minor Subdivision/Bulk Variance Application
Docket No.:	2022-25
OLA File No.:	SBLU-22-OBER

Dear Chairman and Members:

Our office is in receipt of the following for review as it relates to the above-referenced application:

- A. Minor Subdivision, One (1) Sheet, prepared by Horn, Tyson & Yoder, Inc., signed by Leon J. Tyszka PLS. The plan is dated 02/28/2022 with no revisions.

The subject property is presently developed with a single family dwelling. The applicant proposes to subdivide the property into two (2) single family lots. The existing dwelling will remain with modifications to the decks on the westerly side.

Based on this review, the following variances and existing non-conforming conditions exist:

1. **Zoning** –The subject site lies within the R-3, Single- and Two-Family Residential Zone. Our review of the plans indicates the following:
 - a) **Minimum Lot Area- 16.32.010(D3)**- Minimum Lot Area of 5,000 SF is required for new subdivisions, whereas 4,999.65 SF is proposed for New Lot 5.01. A variance is required.
 - b) **Minimum Lot Area- 16.32.010(D3)**- Minimum Lot Area of 5,000 SF is required for new subdivisions, whereas 4,999.65 SF is proposed for New Lot 5.02. A variance is required.
 - c) **Minimum Front Yard Setback- 16.32.010(D)**- Minimum Front Yard Setback of 15 FT is required, whereas 3.7 FT exists on New Lot 5.02. This is an existing non-conformity, no change is proposed.
 - d) **Minimum Side Yard Setback- 16.32.010(D)**- Minimum Side Yard Setback of 10 FT is required, whereas 4.2 FT is proposed for New Lot 5.02. A variance is required.

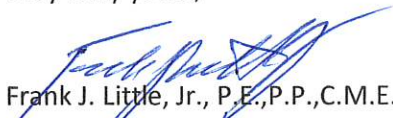
443 Atlantic City Blvd.
Beachwood, NJ 08722
732-244-1090
Fax 732-341-3412
www.owenlittle.com
info@owenlittle.com

- e) **Minimum Accessory Rear Yard Setback- 16.32.010(D)** Minimum Accessory Rear Yard Setback of 5 FT is required, whereas 4.8 FT exists. This is an existing non-conformity, no change is proposed.
- f) **Filling of Lots West of Long Beach Boulevard- 15.23.010**- Any new construction on any lands West of Long Beach Boulevard shall be raised 16 inches above the centerline of the road grade, at the midpoint of the lot for interior lots. The plan does not indicate proposed grades for the fill on New Lot 5.01. A variance is required.
- g) **Driveway Openings- 16.52.080**- Each lot developed with a detached single family dwelling unit, or a two-family building shall be permitted only one curb cut per lot frontage and each curb cut shall be 12 FT wide except where access is provided to a two-car garage, a 20 FT curb cut may be provided and the curb cut and access drive shall be located on the side property line.
- Existing 17 LF of depressed curb along the frontage of New Lot 5.02 is to remain. As the single-family dwelling does not provide a two car garage, only 12 FT is permitted. This is an existing non-conformity, no change is proposed.
 - Existing 29 LF of depressed curb along the frontage of New Lot 5.01 will be modified to comply with ordinance requirements.
2. **Architectural Plans**- No architectural plans have been submitted as part of this application. A waiver is required as New Lot 5.01 does not comply with minimum ordinance requirements.
3. **Onsite Parking** – New Lot 5.02 currently provides two (2) parking spaces which complies with ordinance requirements. Should the future construction on New Lot 5.01 consist of more than four (4) bedrooms, additional on-site parking will be required per RSIS.
4. **Utilities**- Water and sewer services currently service the single family dwelling that will become New Lot 5.02. No increase in demand is expected. New water and sewer services are shown to be installed for New Lot 5.01. Review by the Water and Sewer Department will be required.
5. **Flood Zone**- The property lies within Flood Zone AE, Elevations 8 as shown on the Preliminary FEMA Firm Map #34029C0518H and Flood Zone AE, Elevation 8 as shown on Effective FEMA Firm Map #34029C0518G. The property is located within the Coastal “A” Zone. All construction shall adhere to the most stringent FEMA flood requirements.
6. **Additional Approvals** –
- a. Verification of proposed lot numbers with the Borough of Ship Bottom’s Tax Assessor’s office prior to filing.
 - b. Ocean County Planning Board approval.
 - c. Ocean County Soil Conservation District.
 - d. Ship Bottom Borough Water and Sewer Department.

- e. Filing with the County Recording Office in accordance with the New Jersey Map Filing Law.
- f. All other outside agency approvals as may be required.
- g. Monuments shall be set in accordance with the New Jersey Map Filing Law.

It is therefore recommended that should the Board approve this application, it be conditional upon consideration of the comments cited above and any other conditions the Board may wish to impose.

Very truly yours,


Frank J. Little, Jr., P.E., P.P., C.M.E.
Land Use Board Engineer

FJL:ASI:CMB:caa

Cc: Sara Dela Cruz, Land Use Board Secretary (sdelacruz@shipbottom.org)
J. Coronato, Esq. Land Use Board Attorney (joesr@coronatolaw.net)
Richard Visotcky, Esq (kvlaw@kvlawfirm.com)
James D. Brzozowski, PE (jimb@htyoder.com)
Leon J. Tyszka, PLS (nelketyszka2@gmail.com)
Kim R. & Mary G. Obermair, Applicants

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