

**RESOLUTION OF THE SEA BRIGHT PLANNING/ZONING BOARD
GRANTING BULK VARIANCE APPROVAL
RE: HEATHER GORMAN
13 NEW STREET
BLOCK 13 LOT 5**

WHEREAS, Heather Gorman (the "Applicant"), owner of premises commonly known as 13 New Street, Block 13 Lot 5, Sea Bright, New Jersey have applied to the Planning/Zoning Board for bulk variance approval to build a new rear deck with staircase to create an exit from the second floor; and

WHEREAS, the applicant has provided due notice to the public and all surrounding properties as required by law in accordance with N.J.S.A. 40:55D-1, et seq., this Board gaining jurisdiction therein and the public hearing having been held on this matter on November 10, 2020 at which time all persons having an interest in said application were given an opportunity to be heard; and

WHEREAS, the Applicant appeared and marked into evidence the following:

- A-1** Jurisdictional Packet
- A-2** Site Plan prepared by Parallel Architectural Group dated 10-20-2020
- A-3 A & B** 2 photos

WHEREAS, the Board having considered the evidence presented it does hereby make the following findings of fact and conclusions:

1. The subject property is located in a R-3 Zone.
2. Applicant is requesting permission to add a new rear deck which will provide egress from the second floor.

3. Applicant is seeking the following bulk variances: Minimum lot area where 1,800 s.f. is required and 1,367 is existing and proposed (pre-existing variance); lot depth where 60' is required and 54.4 ft is existing and proposed (pre-existing variance); maximum building coverage where 50% is permitted and 54% is existing and proposed (pre-existing variance); maximum lot coverage where 70% is permitted and 71% is existing and proposed (pre-existing variance); and a new bulk variance for rear yard setback where 15' is required, 7'5" is existing and 3'6" is proposed.

4. Applicant testified that currently the only means of ingress and egress is through the first floor. If occupants were on the third floor in an emergency, they would have to descend all the way down to the first floor entrance/exit. The proposed deck and stairway will provide another means of ingress and egress from the second floor.

5. The Board agreed that a second means of ingress/egress provides for a much safer condition in the event of an emergency. If the first floor entrance/exit was inaccessible during an emergency, occupants would become trapped.

6. The Board agreed that the new deck was aesthetically pleasing and provided the benefit of an additional means of ingress/egress.

7. The Board found that the variance relief sought can be granted without substantial detriment to the public good and will not substantially impair the intent and purpose of the Master Plan, Zone Plan and Zoning Ordinance. The proposed deck and stairway will improve the safety conditions of the residence.

NOW, THEREFORE, BE IT RESOLVED by the Planning/Zoning Board of the Borough of Sea Bright based upon the findings of fact set forth hereinabove, that the bulk variance request for the new

rear deck with stairway be granted subject to the following general and specific conditions:

General Conditions

1. The applicant shall submit proof of payment of all real estate taxes applicable to the property and payment of all outstanding and future fees and escrow charges, posting of all performance guarantees, if any, in connection with the review of this application prior to and subsequent to the approval of this application.

2. The applicant must obtain the approval of all necessary and appropriate governmental agencies including but not limited to CAFRA and compliance with all governmental regulations except those specifically waived or modified in this Resolution.

3. The applicant shall comply with all building, FEMA and fire codes including but not limited to, entrances and exits.

4. The accuracy and completeness of the submission statements, exhibits and other testimony filed with or offered to the Board in connection with this application, all of which are incorporated herein by reference and specifically relied upon by the Board in granting this approval. This condition shall be a continuing condition, which shall be deemed satisfied unless and until the Board determines (on Notice to the applicant) that a breach thereof.

5. All stipulations agreed to on the record, by the applicant.

6. In the event that any documents require execution in connection with the within approval, such documents shall not be released until all of the conditions of the approval have been satisfied unless otherwise expressly noted.

7. The Applicant shall pay to the municipality any and all sums outstanding for fees incurred by the municipality for services rendered by the municipality's professionals for review

of the application for development, review and preparation of documents, inspections of improvements and other purposes authorized by the MLUL.

8. The Applicant shall furnish such Performance Guarantees and/or Maintenance Guarantee as may be required pursuant to the MLUL and the Sea Bright Ordinances.

9. No site work shall be commenced or plans signed or released or any work performed with respect to this approval until such time as all conditions of the approval have been satisfied or otherwise waived by the Board.

BE IT FURTHER RESOLVED that this Resolution memorializes the action taken by the Planning/Zoning Board at its meeting of November 10, 2020; and

BE IT FURTHER RESOLVED that the Chairman and Board Secretary are hereby authorized to sign any and all documents necessary to effectuate the purpose of this Resolution; and

BE IT FURTHER RESOLVED that the Board Secretary is hereby authorized and directed to cause a certified copy of this Resolution to be sent to the Applicant, the Borough Clerk, the engineer and the zoning officer and to make same available to all other interested parties and to cause notice of this Resolution to be published in the official newspaper at the Applicant's expense.

I certify the foregoing to be a true copy of a Resolution by the Sea Bright Planning/Zoning Board memorialized on December 8, 2020.

Candace B. Mitchell
Candace Mitchell, Secretary
Sea Bright Planning/Zoning Board

Adopted on a roll call on a motion by Board member Councilman
Marc Leckstein
and Seconded by Board Chairman Lance Cunningham

Roll call vote:

Bills - Aye, Cashmore - Aye, Cunningham - Aye,
DeGiulio - Absent, DeSio - Aye, Kelly - Abstain,
Leckstein - Aye, Nott - Absent, Smith - Absent, Wray - Abstain,
Gorman - Abstain, Booker - Aye

C. Lance Cunningham

C. Lance Cunningham, Chairman
Sea Bright Planning/Zoning Board