

RESOLUTION OF APPROVAL

APPLICATION OF GLEN PAESANO

IN THE MATTER OF : ZONING BOARD OF ADJUSTMENT
GLEN PAESANO : BOROUGH OF POINT PLEASANT
: APPLICATION NO. #2017-37
: BLOCK 123, LOT 17
: 46 NIBLICK STREET

WHEREAS, Glen Paesano, has requested variances pursuant to N.J.S.A. 40:55D-70 (c)(2) to elevate the existing 1.5 story dwelling as well as construct 3 dormers within the existing roof area on the west side of the dwelling and add a rear yard deck with stairs to the property located at Block 123, Lot 17 on the tax map of the Borough of Point Pleasant Beach, being commonly known as 46 Niblick Street, Point Pleasant Beach, New Jersey, and said premises being in the SF5 Zone; and

WHEREAS, the Board held a public hearing on said application on December 7, 2017; and

WHEREAS, the applicant provided adequate notice of the hearing in accordance with N.J.S.A. 40:55D-12; and

WHEREAS, the Board heard the testimony and evidence presented by the applicant, and received no comments from the public.

NOW, THEREFORE BE IT RESOLVED, that the Board of Adjustment of the Borough of Point Pleasant Beach, County of Ocean and State of New Jersey, made the following findings of fact:

1. The Board found the application complete.
2. According to the application, the applicant is seeking the following variances:
 - A. For proposed front yard setback of 9.81 feet to Boston Avenue (pre-existing condition) whereas 25 feet is the maximum allowed.
 - B. For proposed front yard setback of 19.22 feet to Niblick Street (pre-existing condition) whereas 25 feet is the maximum allowed.
3. Based upon the sworn testimony of the applicant, Glen Paesano, the Board made the following findings of fact:

- A. The subject property was damaged by super storm Sandy. The applicants are proposing to make the dwellings FEMA compliant.
- 4. Based upon the sworn and qualified testimony of the applicant's Professional Planner, Gregory L. Cox, RA, PP, A.I.A., the Board made the following findings of fact:
 - A. After super storm Sandy, the subject property was damaged and the applicant is now proposing to elevate the dwellings and add a deck in the rear yard.
 - B. The proposed project will remain consistent with the character of the neighborhood.
 - C. The Board concluded that this proposal will create a visually appealing and attractive home, consistent with the character of the neighborhood as well as the height and scale of the surrounding homes.
- 5. The Board found that strict application of the zoning ordinance requirements would result in
- 6. The Board found that it was necessary to raise the structure to meet FEMA requirements. Raising the structure will benefit the community, as the proposal is code compliant and will improve public safety.
- 7. There are no substantial negative impacts arising from the proposal and will not impinge on the light, air, or privacy of the surrounding property owners.
- 8. The Board found that the purposes of the MLUL would be advanced by a deviation from the zoning ordinance requirements and that the benefits of this proposal outweigh its detriments.

CONCLUSIONS OF LAW:

WHEREAS, after careful deliberation, the Board determined that the relief requested may be granted in accordance with N.J.S.A. 40:55D-70 (c)(2) finding that the proposed structures will be safer, as it will be elevated above the base flood elevation, and will be more architecturally attractive and consistent with the character of the surrounding properties as described in N.J.S.A. 40:55D-2(a) "To encourage municipal

action to guide the appropriate use or development of all lands in this State, in a manner which will promote the public health, safety, morals, and general welfare;” and N.J.S.A. 40:55D-2(i) “To promote a desirable visual environment through creative development techniques and good civic design and arrangement;” and

WHEREAS, compliance with FEMA regulations drives the elevation of the structures which is a benefit as described in N.J.S.A. 40:55D-2(b) “To secure from fire, flood, panic and other natural and man-made disasters;” and

WHEREAS, the Board has determined that the relief sought can be granted without a substantial negative impact, provided all conditions of approval are satisfied or met; and

WHEREAS, the Board has determined that the relief sought does not impair the intent and purpose of the Master Plan or Zoning Ordinance of the Borough of Point Pleasant Beach.

NOW, THEREFORE, BE IT RESOLVED by the Board of Adjustment of the Borough of Point Pleasant Beach, in the County of Ocean and State of New Jersey, on the 7th day of December, 2017 that the application of Glen Paesano be granted, subject to the following terms and conditions:

1. The applicant shall be bound by all exhibits introduced, all representations made and all testimony given before the Board at its meeting of December 7, 2017.
2. The applicant shall provide all required Site Performance Bond and Inspection Fees in accordance with the Municipal Ordinance.
3. The applicant shall be responsible for obtaining any other approvals or permits from other governmental agencies, as may be required by law, including but not limited to the Municipality’s and State’s affordable housing regulations; and the applicant shall comply with any requirements or conditions of such approvals or permits.
4. The applicant must comply with the Development Fee Ordinance of the Borough of Point Pleasant Beach, if applicable, which Ordinance is intended to generate revenue to facilitate the provision of affordable housing.

5. Publication of a notice of this decision will be published in the Ocean Star.

VOTE ON ROLL CALL:

IN FAVOR: Spader, Kelly, DePolo, Davis and Reilly

OPPOSED: None.

CERTIFICATION

I, KAREN L. MILLS, Clerk of the Zoning Board of the Borough of Point Pleasant Beach, County of Ocean, State of New Jersey, do hereby certify the attached is a true copy of the Resolution for Application No. 2017-37 Approved by the Zoning Board at its regular meeting on December 7, 2017 and memorialized on January 18, 2018.

KAREN L. MILLS, SECRETARY
Point Pleasant Beach Board of Adjustment

OFFICE OF THE CONSTRUCTION OFFICIAL

Permit Options Report

Report Run from 01/01/2000 to 06/12/2019
Block No: 123 Lot No: 17

June 12, 2019 11:59:11AM

June 12, 2019 11:59:11AM													
Permit #	Permit Date	Block	Lot	Work Site Address		Control No.			Close Date	Owner	Type	Use Group	
BFee	EFee	FFee	PFee	MFee	VFee	DCA Fees	Cert Fees	Tot Fees		New Cost	Alt Cost	Dem Cost	
Description												Sq Footage	Cu Footage
2013737	06/14/2013	123	17	46 NIBLICK ST.			18850			GEORGE, CHARLES & JANI 3		R-5	
\$0.00	\$195.00	\$0.00	\$0.00	\$0.00	\$0.00	\$17.00	\$0.00	\$212.00		\$0.00	\$10000.00	\$0.00	
REPLACE FIXTURES AND SERVICE													
2017453	06/28/2018	123	17	46 NIBLICK ST.			23939	2/21/2019		GLEN PAESANO	3	R-5	
\$0.00	\$0.00	\$0.00	\$400.00	\$0.00	\$0.00	\$11.00	\$0.00	\$411.00		\$0.00	\$5800.00	\$0.00	
REPLACE 2 FURNACES & AC													
2017453	02/20/2018	123	17	46 NIBLICK ST.			23662	2/21/2019		GLEN PAESANO	3	R-5	
\$0.00	\$360.00	\$0.00	\$0.00	\$0.00	\$0.00	\$19.00	\$0.00	\$379.00		\$0.00	\$10000.00	\$0.00	
ELECTRIC													
2017453	02/15/2018	123	17	46 NIBLICK ST.			23651	2/21/2019		GLEN PAESANO	3	R-5	
\$0.00	\$0.00	\$0.00	\$300.00	\$0.00	\$0.00	\$10.00	\$0.00	\$310.00		\$0.00	\$5000.00	\$0.00	
PLUMBING													
2017453	02/15/2018	123	17	46 NIBLICK ST.			23650	2/21/2019		GLEN PAESANO	3	R-5	
\$880.00	\$0.00	\$75.00	\$0.00	\$0.00	\$0.00	\$76.00	\$0.00	\$1031.00		\$0.00	\$40000.00	\$0.00	
RECONSTRUCTION & DECK													
2017453	12/21/2017	123	17	46 NIBLICK ST.			23568	2/21/2019		GLEN PAESANO	3	R-5	
\$0.00	\$0.00	\$0.00	\$200.00	\$0.00	\$0.00	\$1.00	\$0.00	\$201.00		\$0.00	\$500.00	\$0.00	
WATER/SEWER RECONNECT													
2017453	11/03/2017	123	17	46 NIBLICK ST.			23478	2/21/2019		GLEN PAESANO	3	R-5	
\$199.00	\$0.00	\$0.00	\$75.00	\$0.00	\$0.00	\$17.00	\$75.00	\$366.00		\$0.00	\$9050.00	\$0.00	
House Lift- PARTIAL RELEASE													
2018289	08/02/2018	123	17	46 NIBLICK ST.			24010	10/16/2018		PAESANO, GLEN	3	R-5	
\$0.00	\$0.00	\$0.00	\$100.00	\$0.00	\$0.00	\$1.00	\$0.00	\$101.00		\$0.00	\$150.00	\$0.00	
Lawn Sprinkler													
Report Run For Borough Of Point Pleasant Beach													

Permit #	Permit Date	Block	Lot	Work Site Address			Control No.		Close Date	Owner	Type		Use Group		Sq Footage	Cu Footage
BFee	EFee	FFee	PFee	MFee	VFee	DCA Fees	Cert Fees	Tot Fees	New Cost	Alt Cost	Dem Cost	Sq Footage	Cu Footage			
\$1079.00	\$555.00	\$75.00	\$1075.00	\$0.00	\$0.00	\$152.00	\$75.00	\$3011.00	\$0.00	\$80500.00	\$0.00	0	0			
No of Permits : 8																