

# TOWNSHIP OF MIDDLETOWN

## Zoning Board of Adjustment and Appeals

One Kings Highway  
Middletown, NJ 07748-2594

WILLIAM HIBELL  
Chairman



AMY CITRANO, P.P., A.I.C.P.  
Director of Planning

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Board Secretary

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### TECHNICAL MEMORANDUM

**DATE:** January 15, 2026  
**BOARD:** Zoning Board of Adjustment and Appeals  
**APPLICATION:** Jennifer & Alexander Rossano (#2025-030)  
20 Park Way (Block 779.01, Lot 48.01)  
R-45 Zone & Water Witch Club Historic District  
"Planning" Variance for Building fronting upon a street not improved to Township standards

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### PROJECT DESCRIPTION & VARIANCE SUMMARY

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The applicant proposes to replace the existing second story 133 sf wood deck with a fiberglass deck to the rear of the existing dwelling and the enclose the ground floor area beneath the deck for storage; enlarge the existing second story 408 sf deck to construct a 657 sf fiberglass deck to the rear of the existing dwelling; install a 560 sf patio in the rear yard and a stone retaining structure; remove the existing shed; and associated stormwater management systems including a rain garden and swale.

A "Planning" Variance is required for a building fronting upon a street not improved to Township standards.

The subject property contains the following pre-existing nonconforming conditions:

- Minimum Lot Area where 45,000 sf is required and 25,724.9 sf exists;
- Minimum Front Yard Setback where 50' is required and 22.9' exists;
- Minimum Rear Yard Setback where 50' is required and 11.9' exists;
- Minimum Accessory Front Yard Setback where 50' is required and 4.2' exists; and
- Minimum Accessory Rear Yard Setback where 25' is required and 0' exists.

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### PROPERTY DESCRIPTION, ZONING AND SURROUNDING LAND USES

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The subject property is undersized for the zone in which it is located and contains 25,724.9 sf in area. The subject property contains a two-story single family dwelling, two (2) sheds, wood decks, stone driveway, and walkways.

The subject property contains significant environmental features, including steep slopes.

The subject property is located in the Water Witch Club Historic District and the structure is non-contributing to the district. The subject property is located within the R-45 Zone. The property is surrounded by Monmouth County Hartshorne Woods Park to the south and single family uses to the north, west and east.

### **Many Neighborhoods. One Middletown!**

Belford ◊ Chapel Hill ◊ Fairview ◊ Harmony ◊ Leonardo ◊ Lincroft ◊ Locust ◊ Middletown Village  
Monmouth Hills ◊ Navesink ◊ New Monmouth ◊ North Middletown ◊ Nut Swamp ◊ Oak Hill ◊ Port Monmouth ◊ River Plaza

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## PLANNING COMMENTS

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1. Planning Variance – The applicant is seeking what is commonly referred to as a “Planning Variance.” The Planning Board may grant a variance to permit the construction of a building that fronts upon a street that has not been improved to Township standards - as long as the following conditions are satisfied:
  - a. Adequate access for firefighting equipment, ambulances and other emergency vehicles is provided to ensure the protection of health and safety. We defer to the Fire Advisory Board review; and
  - b. The future street layout shown on the official Township map is preserved.

Additionally, the applicant must demonstrate to the Board that the circumstances of the case do not require the residences to be related to a street, or that disallowing the construction of a residence on the subject lot will entail practical difficulty or unnecessary hardship.

2. Steep Slopes – The applicant proposes to regrade the rear yard and install a 560 sf patio and retaining wall, which will disturb steep slopes as defined in Ch. 540-624. The applicant shall indicate in testimony compliance with Ch. 540-636, the Township’s slope regulations. For slopes between 10-15%, a maximum of 30% of the total area in this slope category may be used for construction purposes. For slopes of 15% or greater, the applicant shall demonstrate that the disturbance is essential to the reasonable use of the property. We defer additional steep slope comments to the Board Engineer.
3. Tree Removal- The applicant shall indicate in testimony whether tree removal is required to accommodate the proposed additions. If the proposal is approved, the applicant must comply with Ch. 423 Tree Removal/Replacement Regulations.
4. Retaining Wall – The applicant shall confirm in testimony the height of the proposed retaining wall. As per Ch. 540-616I, retaining walls within a required setback area shall not exceed 3 ft in height.

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## MISCELLANEOUS

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1. Middletown Landmarks Commission approval was obtained on September 18, 2025.
2. Grading plan review and approval from the Township Engineer shall be made a condition of approval.
3. Freehold Soil review and approval shall be made a condition of approval.
4. Fire Advisory Board review and approval is required.

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## DOCUMENTS REVIEWED

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- Proposed Variance for The Rossano Residence, consisting of two (2) sheets, prepared by Anthony M. Condouris, dated July 11, 2025;
- Variance Plan & Steep Slope Plan, consisting of two (2) sheets, prepared by KBA Engineering Services, LLC, dated June 9, 2025;
- Project Description, prepared by Jennifer Rossano, dated September 19, 2025;
- Approval of Landmarks Commission Application for Certification of Appropriateness, dated September 18, 2025;
- Verification that property taxes are current;
- Deed for subject property;

- Zoning Officer Denial; and
- Development Permit Application.

I reserve the right to make additional comments based upon the submission of additional documents or testimony presented to the Board.

**Report Prepared by:**

*Amy H. Citrano*

Amy H. Citrano, PP, AICP  
Director of Planning

*Patricia Dunkak*

Patricia Dunkak  
Sustainability Coordinator

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**LOCATION MAP**

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