

TOWNSHIP OF MIDDLETOWN

Planning Board

One Kings Highway, Middletown, NJ 07748-2594

Physical Address: 900 Leonardville Road (Croydon Hall), Leonardo, NJ 07737

DAVID MERCES
Chairman



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Director of Planning

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Planning Board Secretary

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TECHNICAL MEMORANDUM

DATE: March 25, 2022
BOARD: Planning Board
APPLICATION: Richard Jennings Builder, LLC (#2021-108)
34 York Avenue
Block 250, Lot 9
Minor Subdivision with Variances for Lot Area, Lot Frontage
and Minimum Circle Diameter

PROJECT DESCRIPTION

The application is seeking approval to subdivide an existing, through lot, with frontages on Michigan and York Avenues. The subject lot area contains 10,000 square feet and proposed to be subdivided into two (2) new lots, Lot 9.01 and 9.02, for single family residential homes. The proposed lots will each contain 5,000 square feet.

Lot 9.01 will contain an existing two-story family dwelling, concrete patio to the rear, and concrete driveway with frontage on Michigan Avenue.

Lot 9.02 is proposed to contain a two-story family dwelling with frontage on York Avenue.

Variance relief is required for minimum lot area where 7,500 square feet is required and 5,000 square feet is proposed for each lot; minimum lot frontage where 75 feet is required and 50 feet is proposed for each lot; and minimum circle diameter where 50 feet is required and 30 feet is proposed for each lot.

PROPERTY DESCRIPTION, ZONING AND SURROUNDING LAND USE

The subject property, known as Block 250, Lot 9 is a through lot with frontage on Michigan and York Avenues within the Residential R-7 Zone. The subject lot is developed with a single family home, rear patio and driveway from Michigan Avenue. The surrounding properties contain single family homes in the R-7 Zone.

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

PLANNING COMMENTS

1. Variances

The applicant is proposing the following variance conditions:

- a. Lot Area- Section 540-916A.1.a requires a minimum lot area of 7,500 square feet where 5,000 square feet is proposed for each lot. Both Lot 9.01 and 9.02 will require variance relief pursuant to N.J.S.A. 40:55D-70(c).
- b. Lot Frontage- Section 540-916A.3.a requires a minimum lot frontage of 75 feet, where 50 feet is proposed for each lot. Both Lot 9.01 and 9.02 will require variance relief pursuant to N.J.S.A. 40:55D-70(c).
- c. Circle Diameter- Section 540-624.K.1 requires a minimum circle diameter of 50 feet, where a circle diameter of 30 feet is proposed for each lot. Both Lot 9.01 and 9.02 will require variance relief pursuant to N.J.S.A. 40:55D-70(c).

In making a case for variance relief pursuant to NJSA 40:55D-70(c), the applicant should provide testimony that there are specific physical characteristics such as lot shape or narrowness that cause difficulty with complying with the ordinance requirement. Testimony should be provided that the purposes of the Municipal Land Use Law would be advanced by the deviation from the zoning ordinance requirement, that the variance can be granted without substantial impact to the public good, and that the variance will not substantially impair the intent and purpose of the zone plan and zoning ordinance.

2. Additional Planning Comments

- a. Sidewalk - Section 540-634.A. requires sidewalk construction along existing street frontages. There is no sidewalk proposed on either frontage. Should the Board choose to waive sidewalk installation, then a contribution in lieu to the Township Sidewalk Trust Fund would be required.
- b. Street trees - Section 540-645.C. requires street trees every 30 feet on center and requires one street tree on York Avenue and one street tree on Michigan Avenue. The subdivision plan proposes two new street trees along York Avenue on proposed Lot 9.02, and no street trees for Lot 9.01.
- c. Building height - The applicant should confirm that the proposed dwelling unit on Lot 9.02 will conform to the maximum building height restrictions.
- d. Garage design - The applicant shall verify in testimony whether the single family home proposed on Lot 9.02 will contain a garage. Section 540-619.B.4 requires a side entry garages (if a garage is proposed).
- e. Driveway - The applicant shall indicate in testimony whether a driveway is proposed for Lot 9.02 and if so, plans shall be revised to show the improvements.

3. Miscellaneous

- a. All the proposed block and lot numbers must be approved by the Tax Assessor.
- b. Appurtenances such as condenser units and other equipment shall be fully screened from view.
- c. All utilities shall be installed underground in conformance with RSIS standards.

- d. Affordable Housing Trust Fund – Typically contribution to the Township Affordable Housing Trust Fund at time of issuance of certificates of occupancy, pursuant to Section 540-531.C.19. As the applicant is creating one lot, therefore, is exempt from this requirement.
- e. A road opening permit will be required from the Department of Public Works & Engineering for Lot 9.02 if a driveway is proposed.

4. Approving Agencies

Final approval or letter of no jurisdiction should be obtained from the following agencies and any other agencies having jurisdiction.

- Freehold Soil Conservation District
- TOMSA
- Middletown Township Fire Advisory Board

DOCUMENTS REVIEWED

- Subdivision Plan for Richard Jennings Builder, LLC, consisting of one sheet, prepared by Richard E. Stockton and Associates, Inc., dated July 4, 2021;
- Project narrative;
- Application for Development Permit;
- Zoning Officer Denial Letter;
- Certification of property taxes; and
- Deed for subject property.

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

Thank you,



Amy Citrano, PP AICP
Planning Director

LOCATION MAP

