

TOWNSHIP OF MIDDLETOWN

Planning Board

One Kings Highway, Middletown, NJ 07748-2594

DAVID MERCES
Chairman



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

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TECHNICAL MEMORANDUM

DATE: March 27, 2023
BOARD: Planning Board
APPLICATION: Sacco – 611 Monmouth Avenue
(Block 29, Lots 8 and 9)
R-7 Zone
Minor Subdivision with Variances
Application #: 2022-105

PROJECT DESCRIPTION

The applicant proposes to subdivide an existing 13,717 square feet lot into two new lots, Lots 8 and 9.

Proposed Lot 8 contains 8,729 square feet and 87.5' of street frontage on Monmouth Avenue. The lot will contain an existing single family home, shed and driveway Monmouth Avenue.

Proposed Lot 9 will maintain 50' of frontage on Brainard Avenue and contains 4,988 square feet. No construction is proposed at this time.

Relief is required from the following standards:

- 540-401A Minor Subdivision approval.
- 540-916A(1)(a) Minimum lot area: 7,500 s.f. required, where 4,988 s.f. is proposed for Lot 9.
- 540-916A(3)(a) Minimum lot frontage: 75 ft. is required, where 50 ft. is proposed for Lot 9.
- 540-624K Minimum circle diameter: 50 ft. is required, where 30 ft. is proposed for Lot 9.

Proposed Lot 8 contains existing non-conforming conditions for side yard setback of the dwelling where 10' is the required minimum and 7.6' exists; and side yard setback for the shed where 10' is the required minimum and 0.4' exists.

PROJECT DESCRIPTION, ZONING AND SURROUNDING LAND USE

The subject property is a through lot and maintains frontage on Monmouth Avenue and Brainard Avenue, and contains a single-family dwelling, shed, and asphalt driveway from Monmouth Avenue. The property

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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

is currently located within the R-7 Residential Single Family Zone District, and Flood Zone AE (EL 11). The property is surrounded by residential uses in the R-7 Zone.

PLANNING COMMENTS

1. Bulk Variances

- a. Proposed Lot 9 requires variance relief for lot area where 4,988 s.f. is proposed and 7,500 s.f. is the minimum required; lot frontage where 50' is proposed and 75' is the minimum required; and circle diameter where 30' is proposed and 50' is the minimum required.

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. Driveway setback – As per 540-612E no driveway shall be located within 5' of a side property line for single family dwellings. This shall be made a condition of approval for the lot fronting Brainard Avenue.
3. Architectural Design – No construction is proposed at this time for the lot fronting Brainard Avenue. Architectural review by the Planning Office shall be required prior to issuance of a building permit.
4. Sidewalk – Sidewalk exists along both frontages. We defer to the Board Engineer for any necessary repairs.
5. Street Trees – As per Section 540-645C, one street tree is required along the lot frontage on Brainard Avenue, and at least two (2) street trees along the frontage on Monmouth Avenue. The required amount of street trees shall be provided, and installed prior to the issuance of a Certificate of Occupancy for the lot with frontage on Brainard Avenue.
6. Flood Zone - The subject property is located within Flood Zone AE (EL 11). New home construction on the lot fronting Brainard Avenue shall be in accordance with federal/state regulations. Middletown Township Flood Zone Administrator review and approval is required prior to issuance of a building permit.
7. Grading plan approval from Middletown Engineering will be required for the lot with frontage on Brainard Avenue prior to issuance of a building permit.
8. New lot numbering shall be subject to review and approval by the Tax Assessor.
9. 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
 - NJDEP Flood Hazard Area
 - TOMSA
 - Middletown Township Engineering

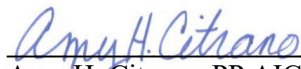
- Middletown Township Flood Zone Administrator
- Middletown Township Fire Advisory Board

DOCUMENTS REVIEWED

- Minor Subdivision Plan, consisting of one sheet, prepared by Morgan Engineering, dated June 15, 2021;
- Survey of the subject property, prepared by Morgan Engineering, dated December 11, 2019;
- Zoning Officer denial letter;
- Proof of current taxes; and
- Affidavit of ownership.

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, PP AICP
Planning Director

LOCATION MAP

