

Resolution prepared by:
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**RESOLUTION GRANTING APPROVAL TO
BUILD TWO STORY ADDITION TO
AN EXISTING SINGLE FAMILY HOME**

**UNIFIED PLANNING BOARD
BOROUGH OF KEYPORT**

BLOCK 136, LOT 38

**Application # 23-10
JEFFREY AND ARIA SLIPEK
253 FIRST STREET**

WHEREAS, Jeffrey and Aria Slipek have applied to the Unified Planning Board of the Borough of Keyport for approval to build a two story addition to their existing single family home located at 253 First Street which is officially designated as Block 136, Lot 38 on the Tax Map of the Borough of Keyport; and

WHEREAS, the applicant has provided notice to all property owners within two hundred feet and has caused notice to be published regarding said application in accordance with *N.J.S.A. 40:55D-1* et seq., this Board gaining jurisdiction thereunder; and

WHEREAS, a public hearing was held in the within matter at a regularly scheduled meeting of the Unified Planning Board held on July 27, 2023 during which all persons having an interest in said application were heard; and

WHEREAS, the Board having carefully considered the evidence and exhibits presented by the applicants;

NOW THEREFORE, be it Resolved by the Unified Planning Board of the Borough of Keyport that the following findings of facts and conclusions are made:

1. The applicants, Jeffrey and Aria Slipek, seek approval from the Board to construct a two story addition to their existing single family dwelling located at 253 First Street which is officially designated as Block 136, Lot 38 on the official Tax Map of the Borough. A single family home is a permitted use in the RA zoning district where the property is located.
2. The property consists of 2,123 square feet and is currently developed with a two-story single-family dwelling with front yard and backyard porches and a concrete patio. A concrete walkway and various fencing are also located on the property.
3. The proposal submitted by the applicant would improve the property by constructing a second-floor addition above the existing first floor kitchen and rear covered porch. The plans indicate that the addition will cantilever 2 feet over the end of the existing first floor rear porch.
4. The proposed addition consists of approximately 320 square feet and will contain a new master bedroom and bathroom.

5. In order to improve the property as proposed, the applicant would need certain bulk variance relief pursuant to the provisions of N.J.S.A. 40:55D-70(c). These variances, which are all pre-existing conditions, would be as follows:

Ordinance Provision	Requirement	Existing	Requested
Minimum Lot Area	5,000 square feet	2,123 square feet	(NC)
Minimum Lot Width	50 feet	27 feet	(NC)
Minimum Front Yard Setback (Principal Building)	20 feet	12.6 feet	(NC)
Minimum Side Yard Setback (Principal Building)	6 feet	0.8 feet	(NC)
Combined Side Yard	16 feet	4.4 feet	(NC)
Maximum Principal Building Coverage	30 %	33.86 %	(NC)
NC = Pre-existing Non-Conformity			

6. In support of the application, the following was offered into evidence:
- Exhibit A-1:** Application Package
- Exhibit A-2:** Plan of Survey dated October 4, 2017 as prepared by Charles O'Malley, P.L.S.
- Exhibit A-3:** Proposed Second Floor Addition Plans last revised June 27, 2023 as prepared by Kurt J. Ludwig, AIA.
7. Beyond the applicant's exhibits, the Board also marked its own Exhibit:
- Exhibit B-1:** Denial of Application Letter dated March 15, 2023
- Exhibit B-2:** Planning and Engineering Review Letter prepared T&M Associates dated June 2, 2023
- Exhibit B-3:** Police Department Review Letter dated May 6, 2023 (no comments)
- Exhibit B-4:** Special Flood Hazard Area Review letter prepared by Colliers dated June 13, 2023 finding property is not in flood hazard area
8. The applicants appeared at the hearing and advised that they were looking to expand their residence to provide additional living space for their family. Specifically, they were expecting a new child and wanted them to have their own bedroom.
9. The applicant presented further testimony from their architect, Kurt J. Ludwig, A.I.A., who walked the Board through the proposed improvements to the house as set forth within the architectural plans marked as **Exhibit A-3**.
10. Mr. Ludwig indicating that the proposed addition would not be visible from the street.
11. He further confirmed any water run-off created by the addition would be tied into the existing system. There would not be any run-off issues created by the improvements.
12. Mr. Ludwig confirmed the materials utilized for the addition would match those of the existing home so that the structure would appear to be seamless.

13. It was confirmed the existing fence at the site would remain. No new fencing, lighting or landscaping is proposed.
14. It was Mr. Ludwig's opinion that the architectural improvements were attractive and serve to increase the appeal of the existing home.
15. No one else testified on behalf of the applicant relative to the application.
16. In considering this application the Board has reviewed the materials and testimony submitted into evidence and finds that permitting the applicant to make the requested improvements will benefit the subject property by allowing additional living space. This will ensure the house continues to be appropriately maintained and improve the aesthetics of the structure, a result which would be beneficial to the neighborhood and community overall.
17. The Board notes that all of the variances necessary for this application are existing conditions which are not being impacted by this application. They are in fact a consequence of the size of the property itself which creates a natural hardship for the applicants which are beyond their control.
18. The Board cannot envision why the granting of the requested variance relief would negatively impact anyone and no one has appeared before the Board to present evidence that would establish otherwise.
19. Based upon all of the above, the Board finds that the required variance relief can be granted pursuant to the provisions of N.J.S.A. 40:55D-70(c)(1) and (2) since the property does present a natural hardship due to its configuration and the benefits of allowing the applicants to improve their existing home will allow for a better result than strict adherence to the Borough's zoning ordinance would otherwise allow.
20. The Board finds that the applicants have met both the negative and positive criteria necessary for obtaining variance relief and as such, this application may be granted.

NOW THEREFORE, be it further resolved by the Unified Planning Board of the Borough of Keyport, that the application of Jeffrey and Aria Slipek, seeking to improve their home located at 253 First Street, which is officially designated as Block 136, Lot 38, be granted subject to the following conditions:
 1. The improvements must be made pursuant to the architectural plans marked into evidence as **Exhibit A-3** and in conformance with the survey marked into evidence as **Exhibit A-2**.
 2. Subject to the condition that the exterior of the addition be made consistent with the existing home as to ensure it looks like one unified structure.
 3. Subject to the condition that the home's drainage system be installed in such a fashion so as to ensure there is no runoff onto any adjacent properties. Drainage must run to the front of the property.

4. Subject to the requirements of the Planning/Engineering review letter (**Exhibit B-2**).
5. Subject to all representations made by the applicant during the application.
6. This application is granted only in conjunction with the conditions noted herein and but for the existence of the same, the within application would not be approved.
7. Subject to any and all other approvals as may be required by the Borough, prior to the issuance of any permits.
8. Subject to the payment of any fees, escrows and taxes as may be due to the Borough, prior to the issuance of any permits.
9. This approval shall be deemed void by abandonment if a building permit is not applied for within two years of the date hereof.
10. The action of the Unified Planning Board in approving this application shall not relieve the applicant of responsibility for any damage caused by this project, nor does the Unified Planning Board or its reviewing professionals and agencies accept any responsibility for the structural design of the proposed improvements or for any damage that may be caused by the development.
11. The applicant must publish adequate notice of this Resolution in the official newspaper of the Borough of Keyport at their sole cost, within ten days, and provide proof of publication to the Board Secretary within thirty days.

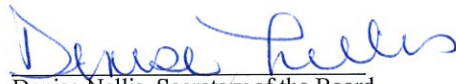
The foregoing was Moved by N. Vecchio, second by Mayor Araneo
and on Roll Call, the following vote was recorded:

Affirmative: Mayor Araneo, Chairman Sessa, N. Vecchio, J. Merla, J. Kovacs-Olsen

Negative:

Abstentions:

The foregoing is a true copy of a Resolution adopted by the Unified Planning Board
of the Borough of Keyport during its meeting on August 24, 2023.


Denise Nellis, Secretary of the Board