

Resolution prepared by:
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**RESOLUTION GRANTING
MINOR SITE PLAN APPROVAL
WITH BULK VARIANCE RELIEF**

**UNIFIED PLANNING BOARD
BOROUGH OF KEYPORT**

**BLOCK 134, LOT 14
Application # 26-03
JMC-108 CHURCH, LLC
220 SECOND STREET**

WHEREAS, JMC-108 Church, LLC has filed an application seeking Minor Site Plan approval with bulk variance relief for construction of a second-floor addition on an existing single-family residence located at 220 Second Street which is officially designated as Block 134, Lot 14 on the Borough of Keyport's Tax Map; 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 on the application was conducted on the within matter during a regularly scheduled meeting of the Unified Planning Board held on May 28, 2026; and

WHEREAS, the Board having carefully considered the evidence and exhibits presented by the applicant and the review of the Borough experts;

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

1. This application seeks Minor Site Plan approval with bulk variance relief to construct a second-floor addition to an existing single-family residence located at 220 Second Street which is officially designated as Block 134, Lot 14 of the Borough of Keyport's Tax Map.
2. The property is an interior lot (not a corner lot) located on the south side of Second Street between Stone Road and Fulton Street.
3. The property is located within the Borough's RA Residential Zoning District which permits the existing residence and the proposed improvements.
4. While the use is permitted, the following bulk variance relief, pursuant to the provisions of N.J.S.A. 40:55D-70(c), is required by for the application to be approved:

VARIANCE	PERMITTED	PROPOSED
Minimum Lot Area (square feet)	5,000 sq. ft.	3,231.5 sq. ft. (pre-existing)
Minimum Lot Width	50 feet	38.0 feet (pre-existing)
Minimum Front Yd. Setback	20 feet	18.6 feet (pre-existing)
Min. Side Yard/Total Side Yd. Setback	6/16 feet	5.2 / 12.4 feet (pre-existing)

5. As indicated above, all of the variance relief are pre-existing conditions. The applicant is only building up on top of what already exists, so none of the variance conditions are being increased.
6. During all portions of these proceedings, the applicant was represented by Salvatore Alfieri, Esquire of the law Cleary, Giacobbe, Alfieri, Jacobs, LLC which has offices located at 955 State Route 34, Suite 200, Matawan, New Jersey.
7. In support of the application, the following exhibits were marked into evidence:
 - Exhibit A-1 :** Application Package
 - Exhibit A-2:** Architectural Plans dated December 9, 2025 as prepared by Daniel Fortunato, J.R.A.
 - Exhibit A-3:** Plan of Survey dated October 4, 2019 as prepared by Richard S. Zinn, N.J.A.C.
 - Exhibit A-4:** Planning Exhibit (3 Photos and 1 Sheet of Architectural Drawings)
8. Beyond the exhibits marked into evidence by the applicant, the Board also marked its own exhibits into evidence as follows:
 - Exhibit B-1:** Engineering & Planning Review letter of Artheon dated May 5, 2026
9. In addition to the aforementioned exhibits, the applicant also presented sworn testimony from John Chadwick, the principal of the applicant who indicated he was looking to improve the existing dwelling by adding a second-story addition which would consist of approximately seventy-four (74) square feet in order to accommodate more bedroom space and a new bathroom. The remainder of the property would remain unchanged.
10. Mr. Chadwick indicated that he was also a licenced planner.
11. It was noted that the house currently has two (2) bedrooms and one (1) bathroom. After the improvements it would have two (2) bedrooms and two (2) full bathrooms.
12. Mr. Chadwick introduced a planning exhibit (**Exhibit A-4**) to demonstrate exactly what was being proposed and to establish that when looking at the house from the street you would not really able to tell anything had changed with the house.
13. It was noted that the property is clearly undersized, thus creating a natural hardship for the site which was out of the control of the applicant.
14. No one else testified with respect to the merits of the application.
15. One member of the public, Michael Lane of 51 First Street, did appear and voiced concern over whether the occupants of the house would be a single family or multi-family. He was concerned the occupants might not be related. The Board advised this was a single-family home and the blood relationship of the occupants was irrelevant pursuant to established New Jersey case law. (See for example YWCA vs. Bd. of Adjust of Summit, 134 NJ Super. 384 (1975))

16. After considering all the testimony and evidence, the Board finds that the applicant's property clearly suffers from a natural hardship as it is undersized. It is impossible for the applicant to acquire additional property to improve its lack of lot area and width.
17. With respect to the side yard setbacks, the Board notes that the subject house already exists and nothing the applicant is doing here increases those conditions whatsoever.
18. The Board agrees with the testimony of the applicant's planner that the variances required by this application will not create any negative impact upon anyone. In fact, you will not even be able to recognize from the street that there have been any changes to the house being all that is happening, as demonstrated in **Exhibit A-4**, is adding an additional section to the already existing second floor on top of an already existing first floor.
19. Based upon the evidence presented, the Board finds that the requested variance relief can be granted pursuant to the provisions of both N.J.S.A. 40:55D-70(c)(1) and (2) since the shape of the subject property creates a natural hardship for the applicants and the benefits of granting the variance and approving the entire project, thereby allowing for better livability within the home, far outweighs whatever benefit would be obtained by strictly adhering to the ordinance requirements.
20. Based upon all of the above, the Board finds the applicant has met its burden in establishing that it is entitled to the minor site plan and bulk variance relief requested. As such, the proposed application should be granted in its entirety.

NOW THEREFORE, be it further resolved by the Unified Planning Board of the Borough of Keyport that the application of JMC-108 Church, LLC, seeking minor site plan with bulk variance approval for premises located at 220 Second Street, which is officially known as Block 134, Lot 14 on the official tax map of the Borough of Keyport be granted subject to the following conditions:

1. Subject to substantial compliance with the plans submitted into evidence.
2. Subject to compliance with the comments raised with the review letter authored by the Board's Engineer. (**Exhibit B-1**)
3. All representations made under oath on behalf of the applicant, or by its agents, shall be deemed conditions of this approval, and any misrepresentations or actions by the applicant contrary to the representations which were made shall be deemed a violation of this approval.
4. 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.
5. Subject to any and all other approvals as may be required by the Borough, County, State or Federal regulations.
6. Subject to the payment of any fees, escrows and taxes as may be due the Borough, prior to the issuance of a building permit.

7. This approval shall be deemed void by abandonment if a building permit is not applied for within two years of the date hereof.
8. Subject to all laws and ordinances enacted by either the State or the Borough relative to Affordable Housing, including, but certainly not limited to, payment of any required fees.
9. 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.
10. 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.

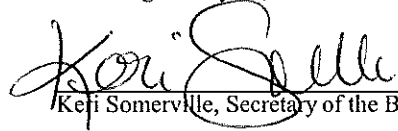
The foregoing was Moved by Mayor Araneo, seconded by A. Alfano and on Roll Call, the following vote was recorded:

Affirmative: Mayor Araneo, H. Aumack, A. Alfano, T. Burke, F. Occhuizzi

Negative:

Abstentions:

The foregoing is a true copy of a Resolution adopted by the Unified Planning Board of the Borough of Keyport as copied from the Minutes of its meeting on July 23, 2026.


Keri Somerville, Secretary of the Board