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December 20, 2024

**Chairman and Members**  
**Long Beach Township Land Use Board**  
6805 Long Beach Blvd.  
Brant Beach, NJ 08008

<b>Re:</b>	<b>Docket #:</b>	<b>LUB-14-24 – Bulk Variance</b>
	<b>Applicant:</b>	<b>Leonard &amp; Linda Giarraputo</b>
	<b>Block:</b>	<b>15.74</b>
	<b>Lot(s):</b>	<b>6</b>
	<b>Location:</b>	<b>5208 Ocean Boulevard</b>
	<b>OLA File No.:</b>	<b>LBLUB-24-GIARRAPUTO</b>

Dear Chairman and Members:

This office is in receipt of and has reviewed the Interpretation/Variance Application for the referenced site.

In addition to the Application with Exhibits A through E, the submission consists of the following:

- A. Pool Variance Plan, One (1) Sheet, prepared by R.C. Burdick, P.E., P.P., P.C., signed by Stanley Hans, Jr. P.P., P.L.S. The plans are dated 12/06/2023 with a revision date of 10/22/2024.
- B. Tax Map Sheet #19 with the subject property highlighted.
- C. Five (5) Property Photographs of the subject site.

The applicant seeks variance approval to retain the in-ground pool that was recently installed in the side yard area adjacent to E. 53<sup>rd</sup> Street. As stated in the application, the applicant was notified of a non-conforming side yard setback upon completion of the pool installation.

Based on our review of the submitted materials, the following comments are offered for the Board’s consideration:

- 1. **Zoning** - The subject site lies within the R-50, Single Family Residential Zone. Review of the above referenced materials indicates the following:
  - a. **Minimum Lot Area** – The lot is currently 4,378 SF, whereas 5,000 SF is required. As this is an existing non-conformity, a Variance is not required.
  - b. **Accessory Structure Setback** – A minimum setback of 4 FT for side yards is required for accessory structures, whereas 2.5 FT is proposed. A Variance is required. We note that the previously approved plot plan proposed a 6 FT setback to the pool.

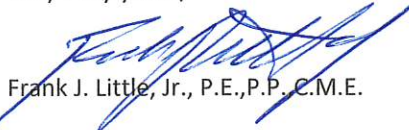
- c. **Front Yard Setback** – Code 205-11(E)(1)(a) - On any corner lot, the owner of such lot may determine upon which street he or she wishes the main building to front. The front yard shall have the minimum setback required provided that if the main building on the adjoining lot fronting on the street upon which street the owner wishes his or her main building to front provides for a front yard setback of less than that required by this section, the corner lot being developed may maintain the same front yard setback as the adjacent building; provided that such front yard shall not be less than 10 FT. The street not selected as the front yard shall be designated as the side yard. In this case, Ocean Boulevard is the front yard and E. 53<sup>rd</sup> Street is the side yard. The variance plan shall be amended accordingly.
- d. **Pool Equipment** - Although, the size of the equipment has increased from the approved pool plot plan, the pool equipment and pad are located at the rear of the structure and adhere to the minimum setback requirements of the Township Code. No Variances are required.
- e. **Pool Construction and Fencing** – The constructed pool is surrounded by a 4 FT high solid fence which is the minimum required on a lot fronting on a public street and extending from the property line to the building line, however, the fence must provide 50% opacity and a Variance is required. Also, the fence encroaches 3.2 FT beyond the property line, therefore an additional Variance is required.

We note the fencing and pavers associated with the pool extend over the property line into the right of way which is also a discrepancy from the approved pool plot plan and require Variance relief. More specifically, the pavers encroach approximately 2.5 FT into the Right-of-Way.

- 2. **Additional Approvals/Outside Agencies** – Should the Board approve this application, additional approval requirements will be as follows:
  - a. Any and all other outside agency approvals as may be required.

It is therefore recommended that should the Board approve this application, it be conditional upon consideration of the comments cited above and any other conditions the Board may wish to impose.

Very truly yours,



Frank J. Little, Jr., P.E., P.P. C.M.E.

FJL:ASI:hmh

Cc: Jackie Fife, Board Secretary ([jfife@longbeachtownship.com](mailto:jfife@longbeachtownship.com))