

**RABAN & RABAN**

— LLC —

*Attorneys at Law*

**11710 Long Beach Blvd.  
Haven Beach, NJ 08008**

REGINALD J. RABAN (Retired)  
JAMES S. RABAN\* ▲

MEMBER OF NJ BAR \*  
MEMBER OF PA BAR ▲

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March 25, 2021

Via Hand Delivery

Christine Lisiewski  
Borough of Harvey Cedars  
7606 Long Beach Boulevard  
Harvey Cedars, NJ 08008

Re: Ward Bulk Variance  
Block 39, Lot 11, Borough of Harvey Cedars  
6403E Long Beach Blvd., Harvey Cedars, NJ 08008

Dear Ms. Lisiewski:

Enclosed please find the following with regard to the above referenced matter:

- (x) 18 copies of Land Use Development Application
- (x) 18 copies of Architect Plans prepared by Michael Strunk of Strunk, Architecture, LLC
- (x) 18 copies of Variance Plans prepared by Leon Tyszka, of Nelke Tyszka Land Surveyors
- (x) Public Notice
- (x) Application Fee 2158 check # Amount \$500.00
- (x) Attorney Escrow 2159 check # Amount \$650.00

Please consent and/or approve for public hearing on April 15, 2021 at 7:00 p.m.

Thank you for your courtesies and attention to this matter. If you have any questions, please do not hesitate to contact me.

Very truly yours,

  
JAMES S. RABAN

JSR/dh  
Encl.

Christine Lisiewski  
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Cc: Mr. & Mrs. Kevin Ward (via email)  
Mike Strunk, A.I.A. (via email)  
Leone Tyszka (via email)



APPLICANT IS RESPONSIBLE FOR PAYMENT OF ALL PROFESSIONAL REVIEW FEES, INCLUDING THE ENGINEERING AND ATTORNEY. ALL ENGINEERING AND LEGAL FEES MUST BE PAID BEFORE CONSTRUCTION OR ZONING PERMITS CAN BE ISSUED.

4. If owner (s) is other than the applicant, provide the following information on the Owner (s):

Owner's Name Same as Applicant

Address

Telephone Number: Home: Work: Local:

Relationship of the applicant to the property in question

Owner  Lessee  Purchaser Under Contract  Other

**5. PROPERTY INFORMATION:**

Deed restrictions, covenants, easements, rights of way, association by-laws, or other dedication existing or proposed on the property:

Yes (attach copies)  No

Note: All Deed Restrictions, Covenants, Easements, Rights of Ways, Association By-Laws, or other dedications existing and proposed must be submitted for review.

Site Plan and / or conditional use applicants: N/A

Proposed for: New Structure  Expanded Area  Alteration

Expansion of Structure  Change of Use  Sign

Other (please specify)

Has this property been the subject of any prior application (s) to the Planning Board or Zoning Board of Adjustment? Yes  No  If so, please attach the date (s), the relief sought, the disposition of the case and a copy of the resolution (s).

Is the subject property located on:

A County Road: Yes  No  ; A State Road: Yes  No  ;  
within 200 feet of a municipal boundary: Yes  No

Present use of the premises: Single-family dwelling

6 Applicant's Attorney: James S. Raban, Esq.

Address: 11710 Long Beach Blvd., Haven Beach, NJ 08008

Telephone Number: 609-492-0533 E-Mail jraban@regraban.com

7. Applicant's Engineer/Surveyor: Nelke/Tyszka Land Surveyors, LLC

Address: 382 W. 9<sup>th</sup> St., Suite 4, Ship Bottom, NJ 08008

Telephone Number: 609-494-3474 E-Mail: nelketyszka2@gmail.com

8. Applicant's Planning Consultant : N/A

Address

Telephone Number

E-Mail

9. Applicant's Architect: Michael H. Strunk

Address: 4704 Long Beach Blvd., Brant Beach, NJ 08008

Telephone Number: 609-494-3355

Email: mike@strunkarchitecture.com

10. List any other Expert who will submit a report or who will testify for the Applicant: (Attach additional sheets as may be necessary)

Name

Field of Expertise

Address

Telephone Number

E-Mail

**11. APPLICATION REPRESENTS A REQUEST FOR THE FOLLOWING:**

**SUBDIVISION: N/A**

Minor Subdivision Approval

Subdivision Approval (Preliminary)

Subdivision Approval (Final)

Number of Lots to be created

Number of proposed Dwelling Units

(if applicable)

Area and Dimensions of each Proposed Lot

**SITE PLAN: N/A**

Minor Site Plan Approval

Preliminary Site Plan Approval [Phases (if applicable)]

Final Site Plan Approval [Phases (if applicable)]

Amendment or Revision to an Approved Site Plan

Area to be disturbed (square feet)

Request for Waiver from Site Plan Review and Approval

Reason for Request:

**INFORMAL REVIEW**

APPEAL DECISION OF AN ADMINISTRATIVE OFFICER [N.J.S. 40:55d-70A]

MAP OR ORDINANCE INTERPRETATION OR SPECIAL QUESTION [N.J.S. 40:55D-70B]

VARIANCE RELIEF (HARDSHIP) [N.J.S. 40:55D-70C (1)]

X VARIANCE RELIEF (SUBSTANTIAL BENEFIT) [N.J.S. 40:55D-70C (2)]

VARIANCE RELIEF (USE) [N.J.S. 40:55D-70D]

CONDITIONAL USE APPROVAL [N.J.S. 40:55D-67]

DIRECT ISSUANCE OF A PERMIT FOR A STRUCTURE IN BED OF A MAPPED STREET, PUBLIC

DRAINAGE WAY, OR FLOOD CONTROL BASIN [N.J.S. 40:55D-34]

DIRECT ISSUANCE OF A PERMIT FOR A LOT LACKING STREET FRONTAGE [N.J.S. 40:55D-35]

12. Section(s) of Ordinance from which a variance is requested:

Floor Area Ratio

Section 13-7.3(b): The ratio of the area of habitable areas to the upland lot area shall not exceed fifty (50%) percent. 50% is existing; 52.4% is proposed. A special reasons variance is required.

13. Waivers Requested of development Standards and/or Submission Requirements: (attach additional pages as needed)

The Applicant reserves the right to request any waivers that may be required.

14. ATTACH A COPY OF THE PROPOSED NOTICE TO APPEAR IN THE OFFICIAL NEWSPAPER OF THE MUNICIPALITY AND TO BE MAILED TO THE OWNERS OF ALL REAL PROPERTY, AS SHOWN ON THE CURRENT TAX DUPLICATE, LOCATED WITHIN THE STATE AND WITHIN 200 FEET IN ALL DIRECTIONS OF THE PROPERTY WHICH IS THE SUBJECT OF THIS APPLICATION. THE NOTICE MUST SPECIFY THE SECTIONS OF THE ORDINANCE FROM WHICH RELIEF IS SOUGHT, IF APPLICABLE.

The publication and the service on the affected owners must be accomplished at least 10 days prior to the date scheduled by the Administrative Officer for the hearing.

15. An Affidavit of Service on all property owners and a Proof of Publications must be filed before the Application will be complete and the hearing can proceed.

Explain in detail the exact nature of the Application and the changes to be made at the premises, including the proposed use of the premises: (Attach pages as needed)

The property is currently developed with a two-story single-family dwelling. Currently, the Applicant has a "sound proofed" music room on the first floor of the existing home. The Applicant is seeking to enclose a portion of a first-story deck to expand the existing music room on the first floor. There is no resulting increase to the existing footprint of the home.

16. Is a public Water Line available? Yes

17. Is public Sanitary Sewer available? Yes

18. Does the application propose any lighting? Normal residential lighting

19. Have any proposed new lots been reviewed with the Tax Assessor to determine appropriate Lot and Block number? N/A

20. Are any Off-Tract Improvements required or proposed? No

21. Is the Subdivision to be filed by Deed or Plat? N/A

22. What form of security does the applicant propose to provide as performance and maintenance guarantees? N/A

23. OTHER APPROVALS WHICH MAY BE REQUIRED AND DATE PLANS SUBMITTED:

DATE PLANS

	YES	NO	SUBMITTED
LOCAL FIRE PREVENTION		X	
HARVEY CEDARS WATER & SEWER DEPT.		X	
HARVEY CEDARS PUBLIC WORKS DEPT.		X	
LONG BEACH ISLAND HEALTH DEPT.		X	
OCEAN COUNTY PLANNING BOARD		X	
OCEAN COUNTY SOIL CONSERVATION DEPT.		X	
N.J. DEPT. ENVIRONMENTAL PROTECTION		X	
SANITARY SEWER CONNECTION PERMIT		X	
SEWER EXTENSION PERMIT		X	
WATERFRONT DEVELOPMENT PERMIT		X	
WETLANDS PERMIT		X	
TIDAL WETLANDS PERMIT		X	
F.E.M.A.		X	
N.J. DEPT. OF TRANSPORTATION		X	
ATLANTIC CITY ELECTRIC		X	
N.J. NATURAL GAS		X	

OTHER

24. CERTIFICATION FROM THE TAX COLLECTOR THAT ALL TAXES DUE ON THE SUBJECT PROPERTY HAVE BEEN PAID.
25. LIST OF MAPS, REPORTS AND OTHER MATERIALS ACCOMPANYING THE APPLICATION (attach additional pages as required for complete listing)

THE DOCUMENTS MUST BE RECEIVED BY THE BOARD SECRETARY AT LEAST TWENTY-ONE (21) DAYS PRIOR TO THE MEETING AT WHICH THE APPLICATION IS TO BE CONSIDERED. A LIST OF THE PROFESSIONAL CONSULTANTS IS ATTACHED TO THE APPLICATION FORM.

Quantity	Description of Item
18	Land Use Development Application
18	Variance Plan prepared by Nelke/Tyszka Land Surveyors LLC
18	Floor Plans and Elevations prepared by Michael H. Strunk

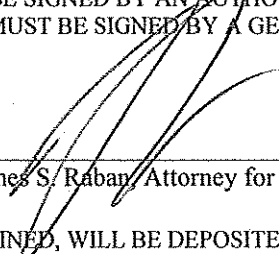
26. THE APPLICANT HEREBY REQUESTS THAT COPIES OF THE REPORTS OF THE PROFESSIONAL STAFF REVIEWING THE APPLICATION PROVIDED TO THE FOLLOWING OF THE APPLICANT'S PROFESSIONALS:

SPECIFY WHICH REPORTS ARE REQUESTED FOR EACH OF THE APPLICANT'S PROFESSIONALS OR WHETHER ALL REPORTS SHOULD BE SUBMITTED TO THE PROFESSIONAL LISTED.

	Applicant's Professional	Reports Requested
<u>  x  </u>	Attorney	<u>All Reports</u>
<u>  x  </u>	Engineer	<u>All Reports</u>
<u>  x  </u>	Architect	<u>All Reports</u>

**CERTIFICATIONS**

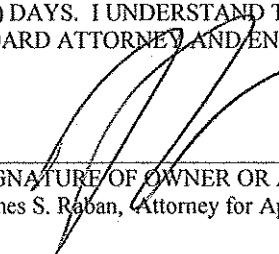
28. I CERTIFY THAT THE FOREGOING STATEMENTS AND THE MATERIALS SUBMITTED ARE TRUE, AND WAIVE ALL APPLICABLE TIME LIMITS UNTIL THE FIRST PUBLIC HEARING OF THIS APPLICATION. I FURTHER CERTIFY THAT I AM THE INDIVIDUAL APPLICANT OR THAT I AM AN OFFICER OF THE CORPORATE APPLICANT AND THAT I AM AUTHORIZED TO SIGN THE APPLICATION FOR THE CORPORATION OR THAT I AM A GENERAL PARTNER OR THE PARTNERSHIP APPLICANT. (IF THE APPLICANT IS A CORPORATION, THIS MUST BE SIGNED BY AN AUTHORIZED CORPORATE OFFICER, IF THE APPLICANT IS A PARTNERSHIP, THIS MUST BE SIGNED BY A GENERAL PARTNER)

  
\_\_\_\_\_  
James S. Raban, Attorney for Applicant

29. I UNDERSTAND THAT A SUM, TO BE DETERMINED, WILL BE DEPOSITED IN AN ESCROW ACCOUNT, IN ACCORDANCE WITH THE ORDINANCES OF THE BOROUGH OF BEACH HAVEN. I FURTHER UNDERSTAND THAT THE ESCROW ACCOUNT IS ESTABLISHED TO COVER THE COST OF PROFESSIONAL SERVICES INCLUDING ENGINEERING, PLANNING, LEGAL AND/OR OTHER EXPENSES ASSOCIATED WITH THE REVIEW OF SUBMITTED MATERIALS. SUMS NOT UTILIZED IN THE REVIEW PROCESS SHALL BE RETURNED. IF ADDITIONAL SUMS ARE DEEMED NECESSARY, I UNDERSTAND THAT I WILL BE NOTIFIED OF THE REQUIRED ADDITIONAL AMOUNT AND SHALL ADD THAT SUM TO THE ESCROW ACCOUNT WITHIN FIFTEEN (15) DAYS. I UNDERSTAND THAT I WILL BE RESPONSIBLE FOR PAYING FEES DUE TO THE LAND USE BOARD ATTORNEY AND ENGINEER.

DATE

3/25/21

  
\_\_\_\_\_  
SIGNATURE OF OWNER OR APPLICANT  
James S. Raban, Attorney for Applicant

**BOROUGH OF HARVEY CEDARS PROFESSIONAL CONSULTANTS**

**LAND USE BOARD ATTORNEY**

Stuart D. Snyder, Esquire  
2100 Long Beach Blvd.  
Surf City, NJ 08008

609- 494-7676  
FAX 609 -494-8499

**ENGINEER**

Frank J. Little, Jr. P.E., P.P.  
Owen, Little & Associates, Inc.  
443 Atlantic City Boulevard  
Beachwood, NJ 08722

732- 244-1090  
FAX 732- 341-3412



**PUBLIC NOTICE**

**BOROUGH OF HARVEY CEDARS**

Public notice is hereby given that Kevin J. Ward & Maureen Ward (hereinafter collectively referred to as the “Applicant”) have applied to the Land Use Board of the Borough of Harvey Cedars, Ocean County, New Jersey for a special reasons variance relative to proposed development on the property designated as Lot 11 in Block 39 on the Tax Map of the Borough of Harvey Cedars, located at 6403E Long Beach Blvd. The property is currently developed with a two-story single-family dwelling. Currently, the Applicant has a “sound-proofed” music room on the first floor of the existing home. The Applicant is seeking to enclose a portion of a first-story deck to expand the existing music room on the first floor. There is no resulting increase to the existing footprint of the home.

Under the Harvey Cedars Zoning Ordinance, the ratio of the area of habitable areas to the upland lot area shall not exceed 50%. The existing floor area ration is 50%; 52.4% is proposed. A special reasons variance is required.

If the Land Use Board determines that any other variances, exceptions or waivers are necessary or appropriate at the hearing, then such variances, waivers or exceptions will be requested.

A public hearing has been scheduled for April 15, 2021 at 7:00 p.m. in the Municipal Building, 7606 Long Beach Boulevard, Harvey Cedars, New Jersey, at which time any interested persons may appear and have an opportunity to be heard on this application.

Documents pertaining to this application are available for inspection by the public during normal business hours Monday through Friday in the office of the Land Use Board at the Harvey Cedars Municipal Building.

James S. Raban  
Attorney for the Applicant