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February 22, 2023

VIA EMAIL

Jeanne Smith, Planning Board Secretary
Borough of Oceanport Planning Board
910 Oceanport Way
P. O. Box 370
Oceanport, NJ 07757

76 Tecumseh Avenue – Bulk Variance
Block 7, Lot 14
Application No. PB2023-04
Borough of Oceanport, Monmouth County, New Jersey
Colliers Engineering & Design Project No. OPP-0343

Dear Board Members,

Our office has received the following information in support of the above-referenced Application:

- Plans entitled “Exterior Alterations: Norwicke Residence,” prepared by Parallel Architectural Group, dated January 13, 2023, consisting of two (2) sheets.
- Plans entitled “Plan of Survey,” prepared by Harris Surveying, dated December 8, 2022, consisting of one (1) sheet.

The subject property is a 13,269 SF (0.305-acre) parcel with frontages on Tecumseh Avenue and Shrewsbury Avenue located in the R-3 Residential Zone. The property’s Primary frontage is located at the southwest side of Tecumseh Avenue approximately 209 feet from the intersection with Shrewsbury Avenue. There is a secondary frontage on Shrewsbury Avenue. The Applicant proposes to install a covered patio along with a bar and fireplace between the dwelling and Shrewsbury Avenue.

Based on our review, we recommend that the Application be deemed complete and scheduled for the next available public hearing. The Applicant shall provide proof of public notification as required for this Application. A planning and engineering review of the Application is included below.

A. Variances/Design Waivers

We offer the following comments for the Board's consideration:

1. Bulk variances are required for the following:
 - a. Ordinance 390-19C prohibits accessory structures in the front yard. The proposed covered patio, fireplace and outdoor bar are to be located between the dwelling and Shrewsbury Avenue.

The Municipal Land Use Law permits the granting of a hardship variance under either of two following situations (C.40:55D-70c):

1. **Hardship c(1) - Physical Constraints** – Hardship variances may be granted if the strict application of the ordinance would impose peculiar and exceptional practical difficulties to, or exceptional and undue hardship upon, the developer based upon the existence of the following conditions:
 - a. Exceptional narrowness, shallowness or shape of a specific piece of property;
 - b. Exceptional topographic conditions or physical features uniquely affecting a piece of property; and,
 - c. An extraordinary and exceptional situation uniquely affecting a specific piece of property of the structures lawfully existing thereon.
2. **Flexible "c" or c(2) - Benefits Outweighing Detriments** - A variance may be granted where the purpose of the Municipal Land Use Law would be advanced by the proposed deviation and the benefits of the deviation would substantially outweigh any detriment.

The Applicant shall provide testimony in support of the variance being requested and/or identified.

B. General Comments

1. If approved by the Board, a recommended condition should be the requirement of a grading plan.
2. The date of the survey referenced on the architectural plans shall be updated.
3. A signed and sealed copy of the 2022 survey shall be provided to the Board Secretary.

Should you have any questions regarding this matter, please do not hesitate to contact me directly.

Sincerely,

Colliers Engineering & Design
(DBA Maser Consulting)



William H.R. White, III, PE, PP, CME, CFM, CPWM
Planning Board Engineer and Planner

WHW/dmm

cc: Kevin Kennedy, Esq., Board Attorney (via email)
Deb Norwicke, Applicant (via email)

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