

**BOROUGH OF DEAL
PLANNING BOARD**

RESOLUTION No. 5-27-2025 (2)

Whereas, Mr. and Mrs. Gindi, the record owners of the property have applied to the Planning Board of the Borough of Deal for variances at the premises located at 48 Pleasant Place, Borough of Deal and known as Block 10, Lot 3 on the official tax map of the Borough of Deal which premises are located in both the R-1 zone.

The Applicant is proposing a one story addition on the eastern and southwestern sides of the existing dwelling. They are also proposing an addition to the existing covered patio on the western side and an additional one story patio on the southeast corner of the dwelling. A trellis is being proposed over the existing concrete patio.

The application was presented on April 8, 2025.

Whereas, the Board after carefully considering the evidence presented by the Applicant, the Applicant's expert, and the comments, if any, by the general public, has made the following factual findings:

1. The Applicant is the owner of the property.
 2. The Applicant was represented by Jennifer Krimko, Esq.
 3. The Applicant presented the following exhibits:
 - a. A-1 Application dated March 10, 2025.
 - b. A-2 Survey dated December 10, 2024.
 - c. A-3 Plot plan/grading plan dated February 20, 2025.
 - d. A-4 Architectural plans dated February 25, 2025.
 - e. A-5 Notice and publication.
 - f. A-6 Aerial photograph.
 - g. A-7 Photographs from street.
 - h. B-1 Leon S. Avakian, Inc. technical review letter dated March 19, 2025.
 4. The property is located at 48 Pleasant Place with a total area of 25,590 square feet. The property is a corner lot with frontages on Pleasant Place, Roosevelt Avenue and Norwood Avenue.
 5. The existing lot contains a two story single family dwelling with an inground pool.
 6. The Applicant is proposing a one story addition on the eastern and southwestern sides of the existing dwelling. They are also proposing an addition to the existing covered patio on the western side and an additional one story patio on the southeast corner of the dwelling. A trellis is being proposed over the existing concrete patio.
 7. The Applicant is proposing to remove part of the existing covered patio on the west
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9. The minimum front yard setback permitted (Pleasant Place) is 43.4 feet. Currently existing is 49.4 feet which conforms. Applicant proposes is 43.3 feet. **A variance is required.**
 10. The minimum front yard setback permitted (Roosevelt Avenue) is 50 feet. Currently existing is 82.8 feet, which conforms. Applicant proposes 82.8 feet, which conforms.
 11. The minimum front yard setback permitted (Norwood Avenue) is 42.2 feet. Currently existing is 36.1 feet which is non-conforming. Applicant proposes is 31 feet. **A variance is required.**
 12. The minimum front yard setback permitted to the covered concrete patio and covered porch (Norwood Avenue) is 32.2 feet. Applicant proposes 22.9 feet to the covered concrete patio and 31 feet to the covered porch. **A variance is required.**
 13. Accessory structures are not permitted in a front yard. Applicant proposes a fire place to be located in the Norwood Avenue front yard. **A variance is required.**
 14. The minimum side yard setback permitted is 43.2 feet. Currently existing is 43.2 feet which conforms. Applicant proposes 27.4 feet. **A variance is required.**
 15. The maximum building coverage permitted is 20%. Currently existing is 13.1% which conforms. Applicant proposes 17.7%, which conforms.
 16. The maximum impervious coverage permitted is 40%. Currently existing is 39.4%, which conforms. Applicant proposes 39.3%, which conforms.
 17. The Applicant presented testimony that the property is uniquely situated as it is essentially a peninsula with frontage on Pleasant Place, Roosevelt and Norwood Avenues.
 18. The Applicant presented testimony that there are substantial hedges and landscaping to shield the property from view from the street.
 19. The Applicant presented the following:
 - a. The proposed improvements maintains neighborhood harmony.
 - b. The proposed improvements promote open space, appropriate population density, desirable visible environment, more efficient use of land and conserve property value in neighborhood.
 - c. The proposed improvements promote the purpose of zoning as there is no substantial negative impact as single family homes are permitted in the zones, promotes harmony in the neighborhood and allows for the utilization of the property.
 20. The Board finds that there will be no substantial impairment of the intent and purpose of the zone plan and no substantial detriment to the public good as a result of the variances being granted in connection with this approval.
 21. The Board finds that the application satisfies the "flexible" criteria of N.L.S.A.
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Deal on the 8th day of April, 2025 that the application is approved subject to the following conditions:

- (1).The Applicant shall comply with all promises, commitments and representations made at or during the Public Hearing Process.
- (2).The Applicant shall comply will those applicable terms and conditions of the Leon S. Avakian review letter dated March 19, 2025.
- (3).A general note should be added to the plan indicating the existing curb and sidewalk along the frontage will be replaced if found in poor condition.
- (4).The Applicant shall be strictly limited to the plans which are referenced herein and which are incorporated herein at length. All construction shall comply with prevailing provisions of the Uniform Construction Code.
- (5).The Applicant shall obtain all approvals necessary for this project.
- (6).The Applicant shall in conjunction with appropriate Borough Ordinances pay all appropriate/required fees and taxes
- (7). Any future improvements inconsistent with the Borough's Zoning requirements will require Planning Board Approval.
- (8). Any and all outstanding escrow fees shall be paid in full and the escrow account shall be replenished to the level required by ordinance within 30 days of adoption of the resolution, within 30 days of written notice that a deficiency exists in the escrow account, prior to signing the site plan/plans, prior to the issuance of a zoning permit, prior to the issuance of construction permits and prior to the issuance of a temporary and/or permanent certificate of occupancy, completion and/or compliance review.
- (9).Any conditions of approval stipulated to by the applicant are incorporated herein even if not specifically stated.

Moved by: Chairman Cummings

Seconded by: Nitka

ROLL CALL VOTE

Those in favor: Chairman Cummings, Nitka, Antebi, Tawil, Setton, Commissioner Simhon, Joseph Cohen

Those opposed: None

Recused: None

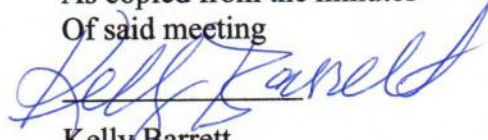
Those opposed: None

Those absent: Chairman Cummings, Nitka, Setton, J. Cohen

Those not voting: Dwek, Jannarone

The foregoing is a true copy of a resolution adopted by the Planning Board of the Borough of Deal at its meeting on May 27, 2025.

As copied from the minutes
Of said meeting



Kelly Barrett
Secretary, Planning Board
Borough of Deal, N.J.