


JOHN H. ALLGAIR, PE, PP, LS (1983-2001)
DAVID J. SAMUEL, PE, PP, CME
JOHN J. STEFANI, PE, LS, PP, CME
JAY B. CORNELL, PE, PP, CME
MICHAEL J. McCLELLAND, PE, PP, CME
GREGORY R. VALES, PE, PP, CME



TIM W. GILLEN, PE, PP, CME (1991-2019)
BRUCE M. KOCH, PE, PP, CME
LOUIS J. PLOSKONKA, PE, CME
TREVOR J. TAYLOR, PE, PP, CME
BEHRAM TURAN, PE, LSRP
LAURA J. NEUMANN, PE, PP
DOUGLAS ROHMEYER, PE, CFM, CME
ROBERT J. RUSSO, PE, PP, CME
JOHN J. HESS, PE, PP, CME

MEMO TO: City of Bayonne Zoning Board

FROM: Malvika Apte, PP/AICP 
Consulting City Planner

DATE: July 22, 2022

RE: Domingo Monegro
Bulk and Supplemental Zoning Variance Relief
Planning Report # 1
Block 429 Lot 28
167 Prospect Avenue
Bayonne, New Jersey
Our File: PBYZ0429.01
Application # Z-22-004

As per your request, we have reviewed the aforementioned referenced application. The following documents were reviewed:

1. Application Form;
2. Narrative Statement of Applicant for Parking Variance;
3. Denial of permit letter prepared by City of Bayonne Zoning Officer dated February 28, 2022;
4. Official tax record prepared by the City of Bayonne Tax Department dated February 14, 2022;
5. Copy of Deed for the subject property dated December 7, 2006 and recorded by the Hudson County Clerk on January 10, 2007;
6. One (1) sheet of "Location Survey Property of Domingo Monegro and Mirna Monegro, Husband and Wife 167 Prospect Ave Tax Map 28, Block 429 Municipality of Bayonne, Hudson County, New Jersey", prepared by James R. Taylor, N.J. P.L.S., dated November 27, 2006;



City of Bayonne Zoning Board
Re: Domingo Monegro (Z-22-004)
Bulk and Supplemental Variance Relief
Planning Report #1

July 22, 2022
Our File #: PBYZ0429.01
Page 2

7. Two sheets (2) of plot plan entitled "Variance Application for Proposed Carport for the Monegro Residence", prepared by Donald Chin Architect, LLC, dated November 20, 2021 and last revised December 8, 2021.

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

1. **Summary of Application**

The applicant, Domingo Monegro, is seeking zoning variance relief related to the subject property, identified as Block 429, Lot 28 in the City Tax Maps. This property is an interior lot located west of the Prospect Avenue intersection with East 27th Street, and is bounded to the rear (west) by railroad tracks. The property is currently fully developed with a 2.5-story frame dwelling used as a single-family dwelling. The property includes an open porch and landscape bed in the front of the house, a wood deck and paver patio area in the rear, and permeable artificial grass over sod rear yard area.

This Applicant seeks variance relief to allow for the removal of the landscape bed and porch and the construction of a 10'5" wide by 14'11" long poured concrete parking stall. Applicant then proposes to rebuild the porch, which is to be supported by walls that partially enclose the parking stall, creating a partial carport. The clearance for the vehicle in this enclosed area is five feet (5'). Shorter retaining walls will run from the porch-supporting walls to the front property line. No other improvements are proposed for the property at this time.

The application was granted conditional completeness on May 17, 2022.

2. **Use, Bulk, and Supplemental Variances:**

- (a) **Use:** The subject property is located in the R-2 Detached/Attached Residential District, in which detached two-family dwellings are a permitted use. The existing use is therefore permitted.
- (b) **Bulk Standards:** The following table notes the existing and proposed development's compliance/non-compliance with the bulk requirements of the R-2 Detached/Attached Residential District, found at **§35-5.3** and Schedule 1 of the Planning and Development Regulations (PDR).



City of Bayonne Zoning Board
 Re: Domingo Monegro (Z-22-004)
 Bulk and Supplemental Variance Relief
 Planning Report #1

July 22, 2022
 Our File #: PBYZ0429.01
 Page 3

Bulk Standards: R-2 Detached/Attached Residential District			
Bulk Standard	Requirement – Interior Lot	Existing	Proposed
Min. Lot Area (sq. ft.)	3,000	2,500	2,500 (E)
Min. Lot Frontage (ft.)	30	25	25 (E)
Min. Lot Width (ft.)	30	25	25 (E)
Min. Lot Depth (ft.)	100	100	100
Min. Front Yard Setback (ft.)	20	14'11"	14'11" (E)
Min. Rear Yard Setback (ft.)	20	52	52
Min. Single Side Yard Setback (ft.)	3	1.04	1.04 (E)
Min. Combined Side Yard Setback (ft.)	6	3.8	3.8 (E)
Max. Principal Building Height (sty / ft.)	2.5 / 35	2.5 / 40'4"	2.5 / 40'4" (E)
Max. Accessory Building Height (sty / ft.)	1.5 / 15	N/A	N/A
Max. Lot Coverage	70%	55%	60%
<i>V-variance E – existing non-conformity N/A – not applicable</i>			

- i. There are seven existing non-conforming bulk conditions related to the subject property itself (minimum lot area, minimum lot frontage, and minimum lot width) and the principal building (minimum front yard setback, minimum single side yard setback, minimum combined side yard setback, and maximum building height). None of these conditions will be exacerbated by the proposed improvements.
- ii. The impervious lot coverage will be increasing by 125 square feet due to the loss of the landscape bed and construction of the parking stall, from 1,380 square feet to 1,505 square feet. This is still less than the maximum permitted 70% impervious lot coverage. This complying condition is dependent on the artificial grass in the rear yard area being counted as impervious. The plot plan indicates that manufacturer specifications provide a drainage calculation. ***A copy of the manufacturer specifications should be provided to the Board Engineer for review to ensure proper drainage is occurring.***

(c) Parking Requirements:

- i. The subject property as currently developed does not provide any off-street parking. The present proposal will provide one (1) parking space. Applicant must confirm the number of



City of Bayonne Zoning Board
Re: Domingo Monegro (Z-22-004)
Bulk and Supplemental Variance Relief
Planning Report #1

July 22, 2022
Our File #: PBYZ0429.01
Page 4

bedrooms in the dwelling in order to determine the required number of spaces from the standards at §35-17.6.b. ***If the number of bedrooms is greater than one, a variance will be required for off-street parking, as two bedrooms require 1.25 spaces and three bedrooms require 1.5 spaces.***

- ii. Per **§35-17.5.a**, the minimum depth for a parking stall on a single-family dwelling property that precludes the minimum stall depth of 20 feet shall be 16.5 feet, provided that no vehicle parked in the stall will encroach into the right-of-way. The existing layout of the site prevents a full-sized stall of 20 feet deep, which allows the lower 16.5 foot depth to regulate the development. However, the stall depth only reaches 14 feet 11 inches on the subject property, and any vehicle parked in the stall will more than likely encroach on the right-of-way. ***As such, a variance is required.***

- (d) **Walls**: The plans call for the construction of walls of about 5 feet in height on either side of the parking stall to support the rebuilt porch. Further details about the materials used to construct these walls should be provided. The safety of this design should also be discussed. While other porches over parking stalls exist near the subject property, these porches provide more distance between the ground and the porch. Would it be more suitable to simply eliminate the porch?

If you should have any questions with regard to the above matter, please do not hesitate to call.

cc: Alicia Losonczy, Planning/Zoning Board of Adjustment Administrator
Richard N. Campisano, Esq., Board Attorney
Robert J Russo, PE, PP, CME, City Engineer
Tracey Tuohy, Zoning Officer
Suzanne Mack PP, AICP, City Planner
Paul N. Weeks, Esq. Applicant's Attorney