KNPB-R7060

November 4, 2026
Via Email

Mackenzie Bittle, Board Secretary
Borough of Keansburg
29 Church Street
Keansburg, NJ 07734

Re: George Li & Xiaojing Tian
New Single-Family Dwelling/Bulk Variance Requests
45 Ocean Boulevard (R-5 Zone)
Block 33, Lots 5 & 6
First Engineering Review

Dear Ms. Bittle:

As requested, we have reviewed the above referenced application to construct a new three-story, 4-bedroom, single-family dwelling with associated elevated decks, a rooftop deck, a pool, and a patio, located at 45 Ocean Boulevard. The applicant has submitted the following documents in support of this application:

- Architectural Plans titled "New Residence for: George Li – 45 Ocean Boulevard; Keansburg, New Jersey" prepared by Jason L. Vico, A.I.A., of Fett-Vico AIA Architects, P.C., dated July 24, 2026, consisting of nine (9) sheets.
- Survey of Property for Tax Lot 5 & 6 – Block 33, 43-45 Ocean Boulevard, prepared by Marc J. Cifone, P.L.S., and Jeffrey O. Males, P.L.S., of Lakeland Surveying, dated June 14 2017, last revised June 26, 2017, consisting of one (1) sheet.
- Resolution in the matter of Alexander Braylovsky/Tetyana Kuliy adopted August 14, 2023.
- Planning Board of Adjustment Site Plan Application Packet dated July 27, 2026.
- Application Addendum, prepared by George Li and Xiaojing Tian, dated July 27, 2026.
- Former Zoning Determination – Prior Approval Invalid/Board Review Required, prepared by Kathy Burgess, Zoning Officer/Floodplain Manager, of the Borough of Keansburg, dated April 29, 2026.

A. Project Description

The subject property, also known as 45 Ocean Boulevard, is located within the Single Family Residential (R-5) Zoning District of the Borough. The property in question is currently a vacant interior lot with road frontage on Ocean Boulevard (Beachway Avenue) to the south, neighbored by residential developments to the west and east. The property is located in the "Coastal AE" Flood Zone, with a flood elevation of 11 feet. It is noted that the Ocean Boulevard frontage where the development is proposed is an unimproved paper street. In addition, the property was previously approved for construction of a single-family development in a Planning Board resolution adopted August 14, 2023, which has since been deemed abandoned as the 24-month expiration date of the resolution was passed.

The applicant seeks to construct a new three-story, four-bedroom, single-family residential dwelling within the property, containing a two-car garage and driveway, an in-ground pool with an

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associated patio and fencing, elevated maintenance-free decks and balconies on the first floor, and a rooftop deck. A variance will be required for the proposed building height of the development.

B. Bulk Requirements

In accordance with Section 22-5.5 of the Ordinance, existing/proposed bulk deficiencies are noted as follows:

	DESCRIPTION	REQUIRED	EXISTING	PROPOSED
1	Minimum Lot Area	5,000 SF	7,500 SF	7,500 SF
2	Minimum Lot Frontage	50’	75’	75’
3	Minimum Lot Depth	100’	100’	100’
4	Minimum Front Yard Setback*	25’	NA	28.08’
5	Minimum Side Yard Setback	7.5’	NA	7.50’
6	Minimum Side Yard Setback - *Total*	15’	NA	15.00’
7	Minimum Rear Yard Setback*	25’	NA	25.00’
8	Minimum Lot Circle	42’	75’	75’
9	Min. Gross Residential Ground Floor Area	600 SF	NA	3,420 SF
10	Maximum Lot Coverage – *Principal Bldg*.	25%	NA	1,483 SF (19.77%)
11	Maximum Lot Coverage –*All*	50%	NA	2,479 SF (33.05%)
12	Maximum Building Height	35’ / 2.5 Stories	NA	35’-0” / **3 Stories** **(V)**
13	Minimum Improved Off-Street Parking**	3	NA	**2** **(V)**

(E) – Existing Nonconformity
(C) – Calculated
(W) – Waiver
(V) – Variance
NA – Not Applicable
NS – Not Specified, the applicant shall confirm this dimension

*It should be noted that Section 22-7.8.a of the Ordinance states that an accessory structure attached to a principal building shall comply in all respects with the yard requirements for the principal building. Therefore, any proposed porch/deck shall comply with the requirements of Section 22-5.5 of the Ordinance.

**Section 22-9.3 of the Ordinance requires a total of three (3) Off-Street Parking Spaces for the subject development. Section 22-9.3.a.5 states *“A one-car garage and driveway combination shall count as 2 off-street parking spaces, provided the driveway measures a minimum of thirty (30’) feet in length between the face of the garage door and the sidewalk or thirty five (35’) to the curbline. Two-car garage and driveway combination shall count as 4.0 off-street parking spaces, provided*

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the minimum width of the driveway is twenty (20') feet and its minimum length is as specified above for a one-car garage."

C. Variances Required

In order to approve this application, the Board would have to grant variances for the bulk conditions noted in the chart above, as well as variances per the below Sections of the Ordinance regarding construction of non-compliant structures, as listed below:

1. Section 22-9-3.a.5 of the Ordinance states that *"*A one-car garage and driveway combination shall count as 2.00 off-street parking spaces, provided the driveway measures a minimum of 30 feet in length between the face of the garage door and the sidewalk or 35 feet to the curbline. A two-car garage and driveway combination shall count as 4.0 off-street parking spaces, provided the minimum width of the driveway is 20 feet and its minimum length is as specified above for a one-car garage." **The proposed paved driveway measures a width of 18' and a length of 28.08' from the face of the garage to the unimproved Ocean Boulevard frontage. A variance will be required for the proposed driveway dimensioning.**

2. Section 22-7.6 of the Ordinance states that "Every principal building shall be built upon a lot with frontage upon a public street improved to meet the municipal requirements or for which such improvement has been guaranteed by the posting of a performance guarantee pursuant to this Chapter." **The applicant proposes to construct a new dwelling on an unimproved public street.**

1. Positive Criteria for "c(1)" Hardship Variance

The finding of a "c(1)" hardship would address the following:

a. *by reason of exceptional narrowness, shallowness or shape of a specific piece of property, or*
b. *by reason of exceptional topographic conditions or physical features uniquely affecting a specific piece of property, or*
c. *by reason of an extraordinary and exceptional situation uniquely affecting a specific piece of property or the structure lawfully existing thereon, or the strict application of any regulations...would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardship upon the developer of such property.*

It should be noted that the finding of the hardship must be for the specific property in question (i.e., it must be unique to the area). Note also that a hardship variance cannot be granted by a self-created hardship or personal hardship of the applicant.

2. Positive Criteria for "c(2)" flexible variance

The finding of a "c(2)" flexible variance to permit relief from zoning regulations where an alternative proposal results in improved planning would address the following:

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a. The purposes of the MLUL would be advanced by the deviation, and
b. The benefits of the deviation from the zoning ordinance requirements would substantially outweigh any detriment.

The finding of the benefits must be for the specific property in question—it must be unique to the area. The zoning benefits resulting from permitting the deviation(s) must be for the community and not merely for the private purposes of the owner. It has been held that the zoning benefits resulting from permitting the deviation(s) are not restricted to those directly obtained from permitting the deviation(s) at issue; the benefits of permitting the deviation can be considered in light of benefits resulting from the entire development proposed. Notwithstanding the above, the Board should consider only those purposes of zoning that are actually implicated by the variance relief sought.

a. The Municipal Land Use Law (NJSA 40:55D-70) requires the applicant to satisfy *both* components of the negative criteria:

a. The proposal will not create a "substantial detriment to the public good"; and
b. The proposal will not create a "substantial detriment to the zone plan and zoning ordinance."

D. Site Plan

1. The applicant shall provide a standalone Site Plan for the proposed development as shown on the provided New Residence plan signed by a Professional Engineer. The standalone Site Plan shall provide a bulk zoning chart demonstrating the dimensioning of all proposed setbacks, as well as the lot coverage, building height, and floor/accessory measurements as calculated in the Application Addendum.

2. The applicant shall revise the plan to include the zoning map, key map, tax map sheet and property owners list within 200-foot of the property.

3. The Site Plan shall be revised to demonstrate the location of all proposed utilities associated with the residential development. A note shall be added to the plans indicating that all utilities are to be installed underground. Construction details shall be provided for installation of any proposed utilities as well as utility trench repair.

4. The Site Plan shall be revised to identify the material to be used in construction of the proposed pool patio. Construction details shall be provided for the proposed pool patio as well as the associated pool fencing.

5. Any proposed curb and/or sidewalk shall be shown on the plans and comply with the standards of the Borough Ordinance. The applicant shall provide testimony on any proposed off-tract improvements.

6. A note shall be added to the plans stating that all curb, sidewalk, roadway and other off-site conditions damaged by construction should be repaired and/or replaced to the satisfaction of the Borough Engineer.

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7. A construction detail shall be provided for the proposed paved driveway.

E. Grading, Drainage, & Utilities

1. The proposed development will not disturb an area exceeding 1 acre, nor will it create more than a quarter acre of new impervious surfaces. Therefore, the project is not considered a "major development" as defined by NJAC. 7:8 and is not subject to the NJDEP Stormwater Management stormwater quantity, quality and recharge requirements of a major development.

2. While the project is not considered a major development, the applicant is proposing to increase impervious coverage by approximately 33.05% (2,479 SF). The applicant shall provide a stormwater management report confirming the increase from pre- to post-development stormwater runoff. Additional stormwater runoff mitigation measures may be required.

3. The applicant shall provide testimony on the impacts to the adjacent residential properties.

4. A note shall be added to the plans indicating that all improvements are to be ADA compliant, where applicable.

5. Roof leader locations and/or downspout discharge locations shall be shown on the plans.

F. Landscaping

1. The applicant proposes no landscaping improvements as part of the development. We recommend the provided Site Plan and Survey be revised to demonstrate existing landscaping within the southeast corner of the property limits as well as indicate any existing landscaping along the unimproved Ocean Boulevard frontage.

2. Should landscaping be proposed, a standalone Landscaping Plan shall be provided identifying the type of plants being proposed with a Landscaping Schedule demonstrating the botanical name, common name, container size, caliper size, height at planting, height at maturity, root condition, and any other pertinent information. All landscaping shall adhere to Ordinance Section 22-8.5.

3. Section 22-8.5.c.5 of the Ordinance requires additional landscaping for residential developments in the form at minimum at least two (2) shrubs and one (1) shade or ornamental tree of two and one half (2 ½") inch caliper or greater shall be provided for each 1,500 square feet of area of a residential development not covered by buildings or improvements, whereas no landscaping improvements are proposed as part of this application. A design waiver will be required for the lack of landscaping in the proposed layout.

G. General Comments

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1. The applicant should provide testimony as to the proposed locations of any mechanical equipment for the new residential dwelling, including but not limited to A/C units, utility meters, and backup power generators, etc. JCPL requires the electric meter to be located at or above the Base Flood Elevation (BFE) of 11.0 feet.

2. It should be noted that this property is located within the "AE" flood zone with a Base Flood Elevation (BFE) of 11 feet, whereas the provided Site Plan attached to the New Residence Plan indicates a finished floor elevation of 8.83' for the proposed garage, and 9.50' for the proposed residential dwelling. We recommend the plans be revised to increase the proposed finished floor height of the residential unit to 11.5' based on the identified BFE. We defer further review to the Flood Plain Administrator and Construction Official for any applicable building requirements accordingly.

3. The project site is located in the Coastal Area Facilities Review Act (CAFRA) Zone. The applicant shall comply with any applicable NJDEP requirements. We defer further review to the NJDEP Office of Coastal Engineering.

4. The applicant is proposing 7,500 square feet of disturbance; therefore, certification from Freehold Soil Conservation District will be required. All proposed soil erosion and sediment control measures and details shall be provided on the Site Plan.

5. The applicant is proposing an elevator within the dwelling. An operations and maintenance manual with local repair services information shall be provided to the homeowner.

6. If approved the applicant will be required to post all performance guarantees and inspection escrow as stipulated in the Development Regulations.

If you have any questions or require additional information, please call.

Very truly yours,

T &M ASSOCIATES



FRANCIS W. MULLAN, P.E., C.M.E.
BOROUGH OF KEANSBURG
PLANNING BOARD OF ADJUSTMENT ENGINEER

FWM:MB:STF
cc: Kevin Kennedy, Esq., Board Attorney, kennedylaw@verizon.net
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George Li, Applicant
Xiaojing Tian, Applicant
Jason L. Vico, AIA, Applicant's Architect