



Borough of Rumson
BOROUGH HALL
80 East River Road
Rumson, New Jersey 07760-1689
rumsonnj.gov

APPLICATION TO THE ZONING BOARD OF ADJUSTMENT

John Timoni & Michele Leiro	john.timoni1@gmail.com	908-705-6849	
Name of Applicant	Email	Phone Number	
105 South Ward Ave., Rumson, NJ 07760		139	22
Property Address		Block	Lot

Name of Owner (IF NOT APPLICANT)

A corporation, S-Corp, LLC or LLP MUST be represented by a licensed attorney in the State of New Jersey.

F. Bradford Batcha, Esq., 600 Broad St., Shrewsbury, NJ 07702, 732-747-8300, brad@batchalaw.com

Applicant's Attorney and contact information (if any)

James T. Daley, 273 First St., Keyport, NJ 07735, 732-739-0837, gymteedaily@aol.com

Applicant's Architect and contact information (if any)

Applicant's Engineer and contact information (if any)

Signature of Applicant or Agent

March 9, 2026

Date

Proposed plan To raise and existing single family residential structure by 6' for flood compliance and create storage and garage area on the ground level. Install a new and expanded foundation.

Realign driveway for new garage, replace rear deck and steps.

Hardship Encountered Existing non-conforming structure must be raised for flood compliance.

Variations Requested Rear yard setback, where 40.88 exists, 40.88 proposed, 35 permitted (30.22 to deck). Side Yark Setback where 3.42 exists, 3.416 proposed, 6 required. Building coverage, 1351 exists, 1741 proposed, 1499 permitted. Floor area, 2,525 existing, 3,497 proposed, 2,538 permitted. FAR 0.37 existing, 0.51 proposed, 0.37 permitted.



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Marie DeSoucey
Land Use & Development Official
office 732.842.3300
fax 732.219.0714
mdesoucey@rumsonnj.gov

Denial Memorandum

Date: January 31, 2026
Updated April 8, 2026

Applicant: John Timoni and Michele Leiro
Address: 105 South Ward Avenue, Rumson, NJ 07760
Block 139, Lot 22, Zone: R-5

I have reviewed the revised Land Use & Development Permit application for improvements at 105 South Ward Avenue in Rumson. The existing lot is a slightly oversized, conforming lot in size and shape. The existing principal dwelling is at the maximum permitted floor area for this lot. It is a nonconforming building due to the minimum side yard setback (3.42' existing, 8' required) and combined side yard setback (13.8' existing, 18' required). The applicant proposes to raise the dwelling approximately 6' for flood compliance and to add garage/storage below; install a new, expanded foundation; additions to the front, side and rear; realign driveway for new garage below; and replace the rear deck and steps in the rear yard setback.

As per Borough Ordinance 22-7.3f, relating to nonconforming buildings, a nonconforming building may not be enlarged, extended, increased in height, width or depth; moved or relocated; or modified in such a way so as to increase habitable or usable space unless it is changed to conform and/or the enlargement, extension or addition conforms to all requirements of this chapter and will not result in the creation of any new nonconformities. Therefore, the application was **denied** for the following:

Borough of Rumson Ordinances/Development Regulations

- Expansion of habitable space in a nonconforming dwelling **(22-7.3 New)**
 - Lifting dwelling while intensifying side yard setback nonconformity with two additions and creating a 51.5' linear wall.
(Sched 5-1 Existing nonconformity – Intensified)
- Buildings with a linear side greater than 35' long are required to add an additional 2' to the required SYSB. **(22-7.7g New)**
- Maximum FAR of 0.51, whereas 0.37 is permitted, and 0.37 is existing. **(Sched 5-3 New)**
- Maximum Floor Area of 3,497 SF, whereas 2,538.5 SF is permitted, 2,525 SF is existing. **(Sched 5-3 New, 38% over)**
- Maximum Building Coverage of (1,782) SF, whereas 1,499 SF is permitted, 1,351 SF is existing. **(Sched 5-4 New)**

- Lot depth (Borough definition) is 130'.
 - The proposed rear raised deck with rear setback of 30.4' whereas 39' is required. **(Sched 5-1 New)**
 - Entry steps in a flood zone are permitted to extend an additional 5' in the RYSB. Proposed rear steps setback at 27.4', whereas 34' is required. **(Sched 5-1 New)**
- Proposed dwelling ridge height at 44.0 whereas 2022 BFE is 8. Therefore, the proposed dwelling ridge height exceeds the permitted 35' building height. **(Sched 5-2 New)**

The following topics remain to be resolved and can be discussed at the hearing.

- The lot coverage was not updated for the driveway realignment.
- Please provide a conforming location for future generator installation.
- The extent of the project's foundation and additions on three sides of the dwelling result in more than partially damaging the existing dwelling. The applicant should be prepared to discuss how the existing dwelling is exempt from the restriction to rebuilding/expanding a dwelling that is more than partially destroyed (22-7.3). **(Variance/Waiver required)**

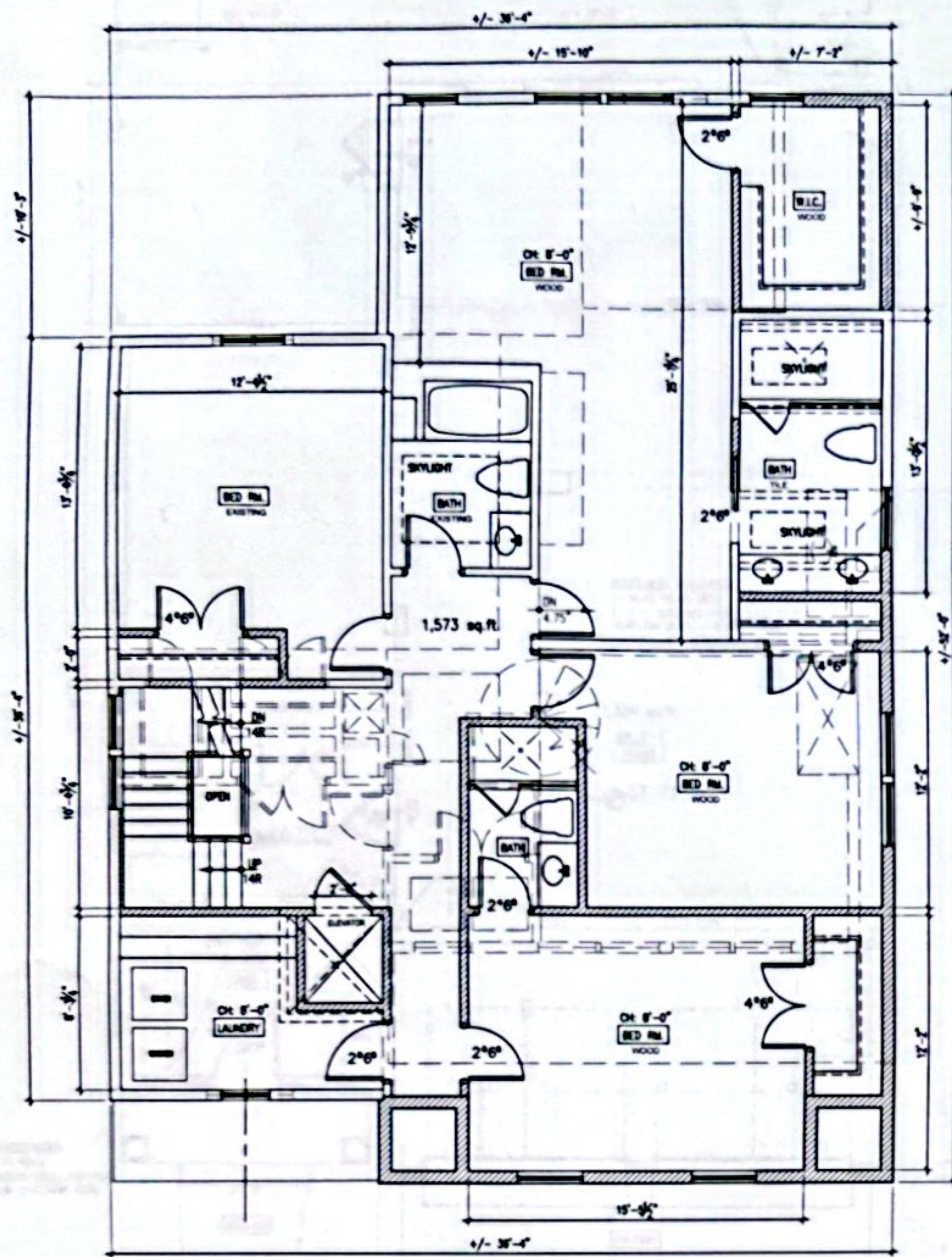
Supporting documents to the application include:

- Architect Plans for Zoning Review by James T. Daley Architect & Assoc., Rev (4) dated February 9, 2026 for Zoning Review.
- Copy of Boundary & Topographic Survey, Block 139 Lot 22, prepared by CPL, dated December 1, 2025, no revisions, one sheet.

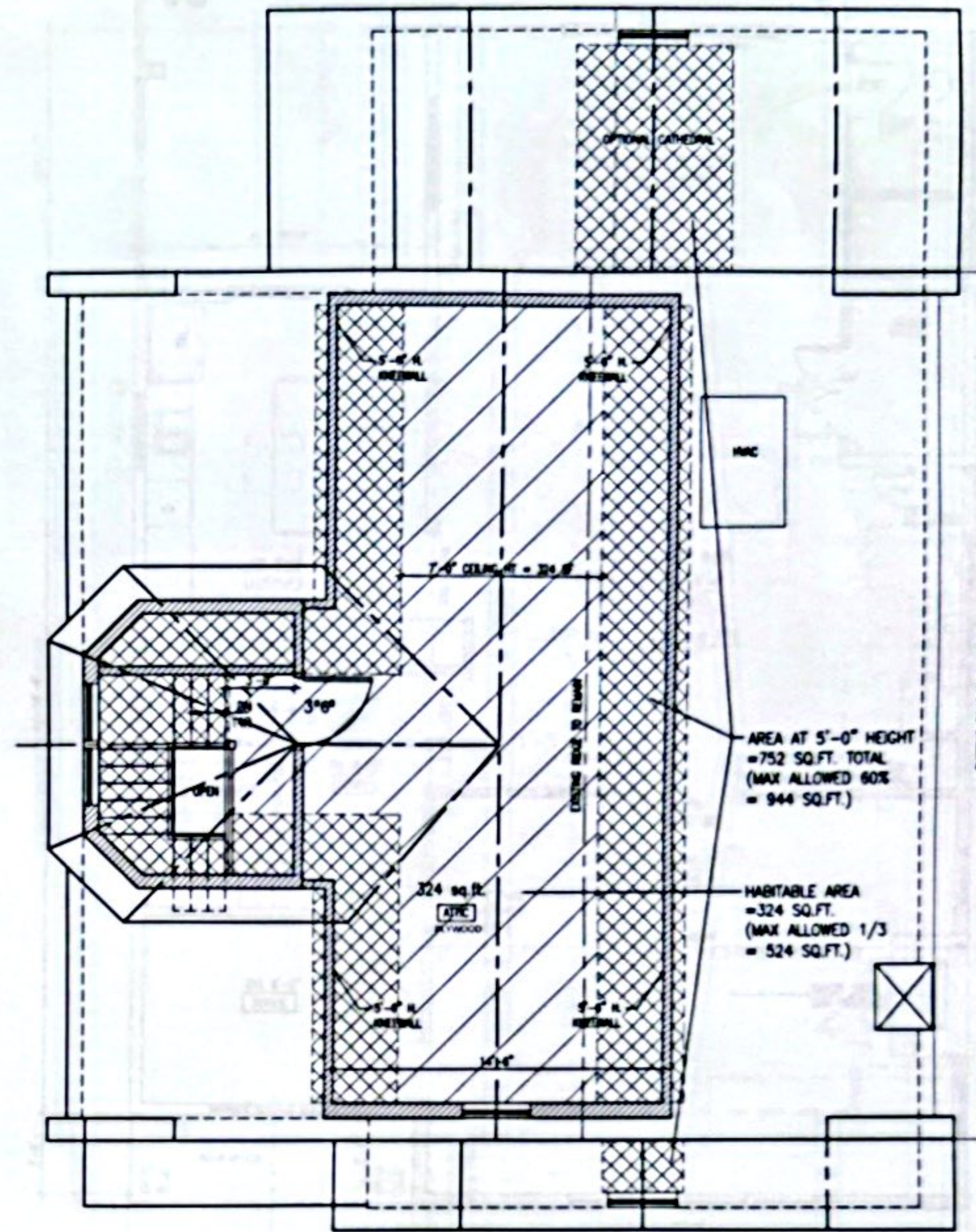
If you have any questions or require additional information, please do not hesitate to contact me.


 Marie DeSoucey
 Land Use & Development Official

Cc: Thomas Rogers, Borough Clerk/Administrator
 David M. Marks, P.E., C.M.E., Borough Engineer
 Sabine O'Connor, Technical Assistant



SECOND FLOOR PLAN
Scale: 1/4"=1'-0"



ATTIC/ROOF PLAN
Scale: 1/4"=1'-0"

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Timoni - Rumson, NJ


JAMES T. DALEY ARCHITECT + ASSOCIATES

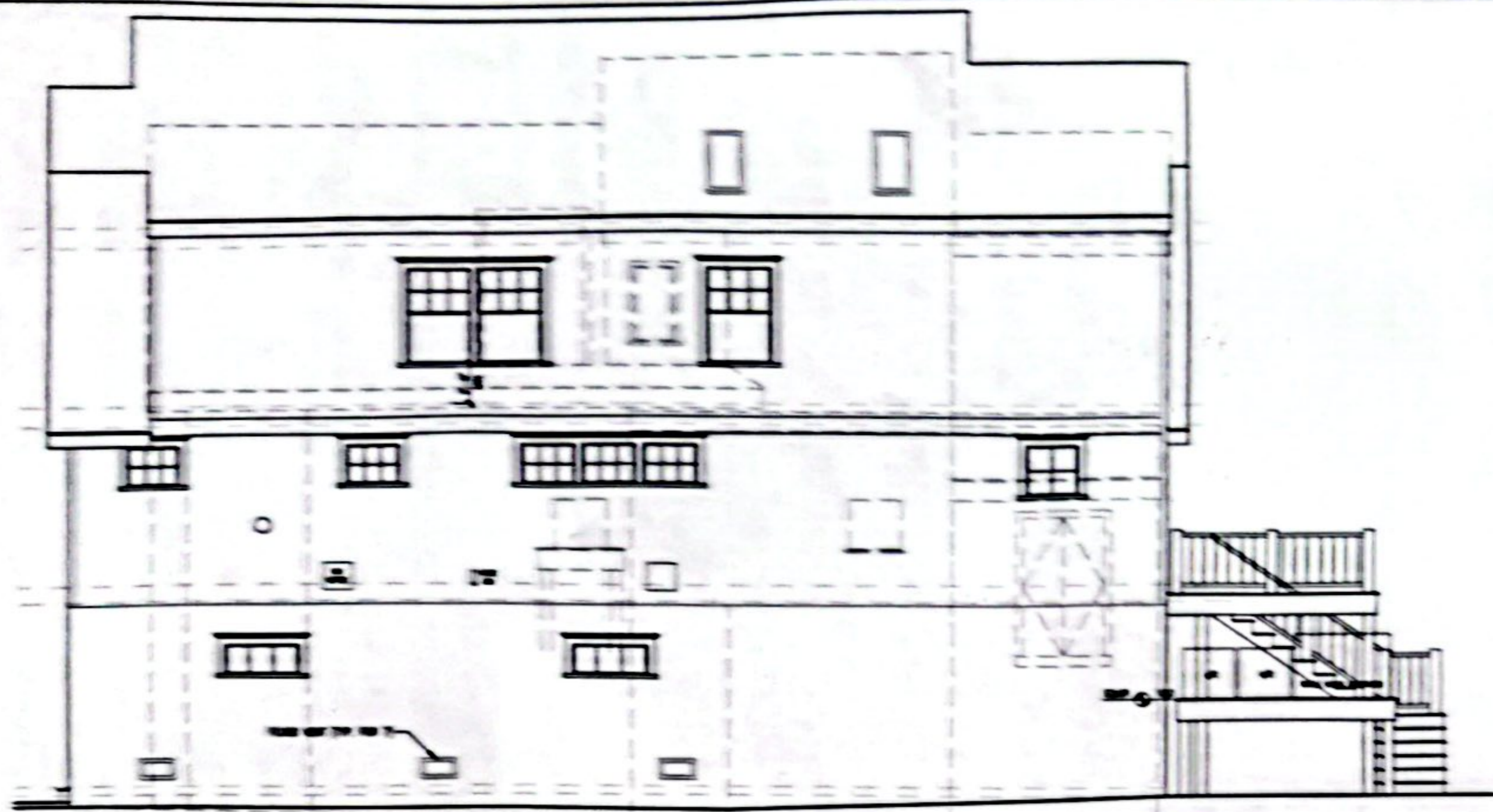
576 FIRST STREET, KEYPORT, NJ 07735
phone 732-732-2664 fax 732-732-0887

NJ LIC 01519

Drawn by

A-3

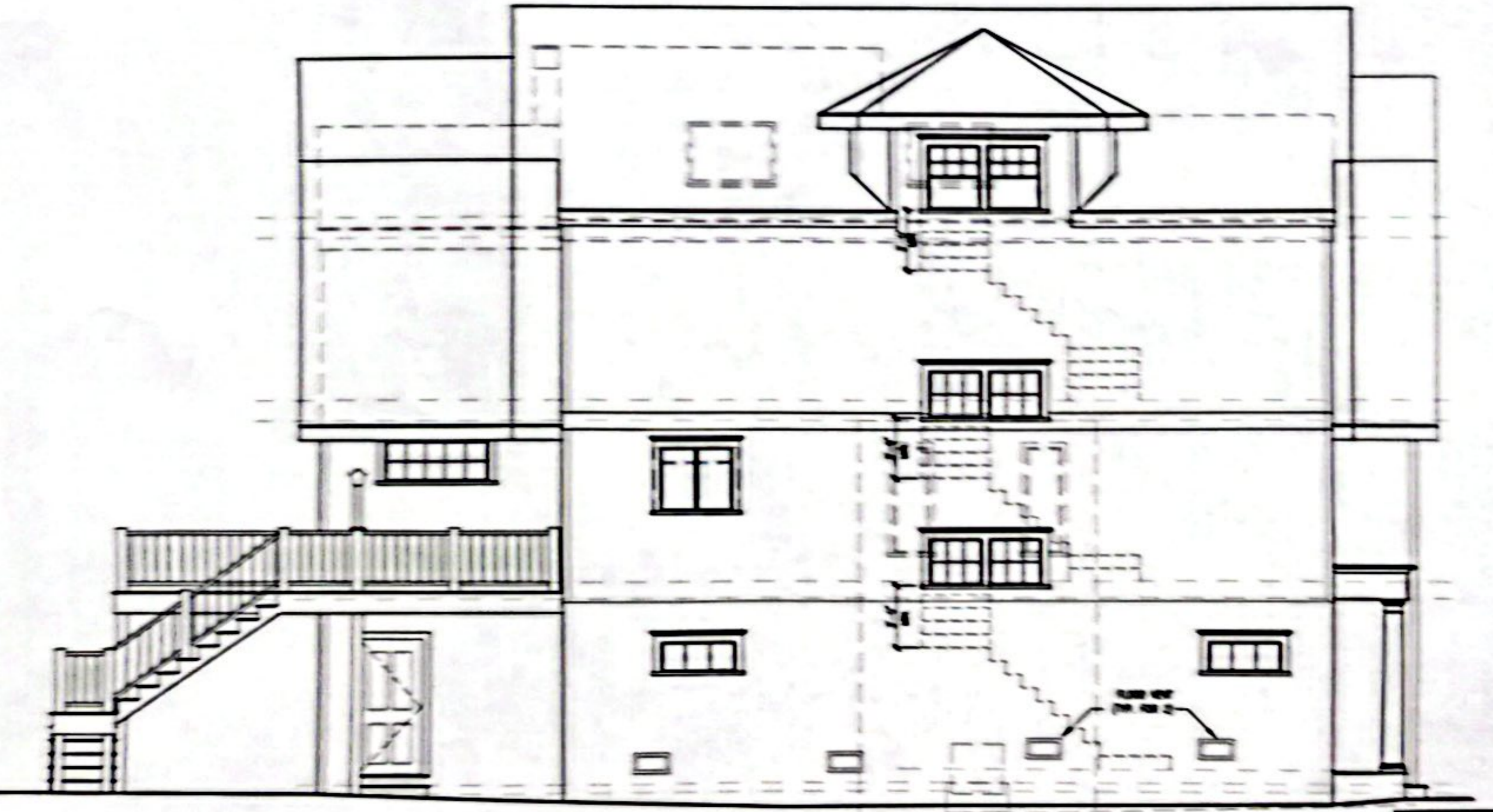




○ SIDE ELEVATION
Scale 1/4" = 1'-0"



○ FRONT ELEVATION
Scale 1/4" = 1'-0"



○ SIDE ELEVATION
Scale 1/4" = 1'-0"



○ REAR ELEVATION
Scale 1/4" = 1'-0"

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Town - Durban, NJ		2008
JAMES T. DALEY ARCHITECT + ASSOCIATES		1/1
570 FIRST STREET, NEWARK, NJ 07102 PHONE 732-762-0004 FAX 732-762-0007		1/1



below apply to this project except those sections marked with an "X":

WOOD NOTES

UNLESS NOTED OTHERWISE, ALL NEW FINISHES, SIDING, ROOFING, CONCRETE, BRICKS AND ALL OTHERS SHALL MEET THE FOLLOWING:

GRADE: All lumber for framing shall be Douglas Fir Select Structural Grade or better clearly stamped and graded.

BLOCKING: Provide solid blocking under all joists, beams and posts. Provide solid blocking above all plate below all posts.

DOUBLE FRAMING: shall be provided around all openings through walls, floors and roofs and under all tubs and partitions parallel with the direction of framing.

HEADERS: provide (2)2x10 min. header for all wall openings 6'-0" wide or less, unless otherwise noted. All headers and beams spanning 6'-0" or more shall bear on a minimum of (2) 2x members.

J's (I-joists or engineered joists): Use web stiffeners, squash blocks, connectors and all other accessories as recommended by manufacturer. Use rim board manufactured by joist fabricator.

DETAILS: Set all beams and joists natural camber up. No structural valleys are to be formed unless noted otherwise. Members shall not be drilled or notched excessively (see code for limitations on notching lumber and manufacturer's data for limitations on notching composite wood members). The minimum distance from grade to untreated lumber is 6". Provide metal joint and beam anchors, hangers, braces and connectors at all points of flush and suspended framing (products by Simpson, Teco or equal). Use hurricane anchors at all roof-to-wall connections, all wall-to-foundation connections, and all other connections as required by code. For composite wood girders, provide bearing as per manufacturer's recommendations. Where girders are noted to be "flush", the bottom of girder is to align with the bottom of adjacent joists. Size, number and location for all nailing and other connectors shall be as per building code.

FOUNDATION NOTES

DEPTH: Bottom of all footings shall be minimum of 3'-0" below finished grade. If footings are stepped, the line of the footing shall be stepped more than one foot vertical to two feet horizontal. Footings shall be formed to their full depth.

SOL: All footing design is based on a presumptive soil bearing capacity of 2000 PSF, minimum. If conditions encountered under all or part of the footings do not allow such bearing capacity, notify Architect for redesign. Footing shall be on undisturbed virgin soil, free of frost. If required, provide stone or concrete fill under the supervision of a N.J. Registered Geotechnical Engineer.

BACKFILLING: Do all interior and exterior backfilling simultaneously. Backfilling against foundation walls shall not be performed until floors or roof they support have been completely installed.

FILL SOLID with concrete all block cells below grade. Also fill solid all cells where anchors occur, and entire top course.

HORIZONTAL JOINT REINFORCING ("dur-o-wall") shall be provided for full thickness of walls as follows: at 16" o/c vertical spacing, (every other block course); and provide at every course from top of footing to top of slab or grade level, whichever is higher; and provide at every course for two courses above and below all masonry wall openings, extending 3'-0" beyond opening in each direction; and provide at every course for 5'-0" in each direction at all corners.

STAIR NOTES (RESIDENTIAL)

1. Stair to be minimum 36" wide.
2. Adjacent treads and adjacent risers shall not vary more than 3/16"
3. Tread depths and riser heights shall not vary more than 3/8" over the entire stair.
4. Guardrails at stair openings shall be 36" high min.
5. Max. rise between floors/landings to be 12'-0".
6. Guardrail balusters to spaced so as to not permit the passage of an object 4" in diameter.
7. Handrails shall have a circular cross section with an outside diameter of at least 1 1/4" and not greater than 2". Provide handrails on both sides of stairs.
8. All exterior stairs three risers or more shall have a footing.

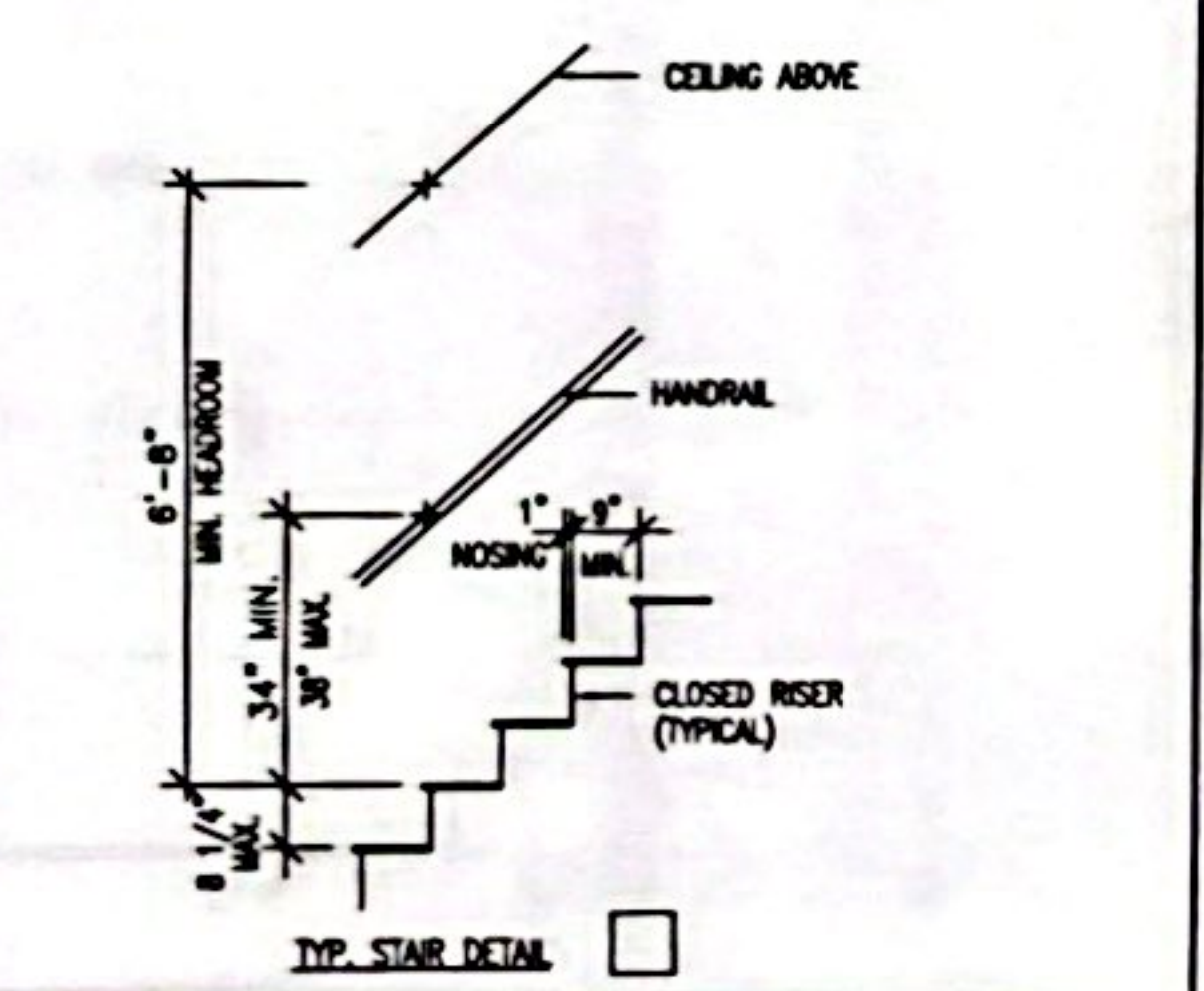
CEILING ABOVE

HANDRAIL

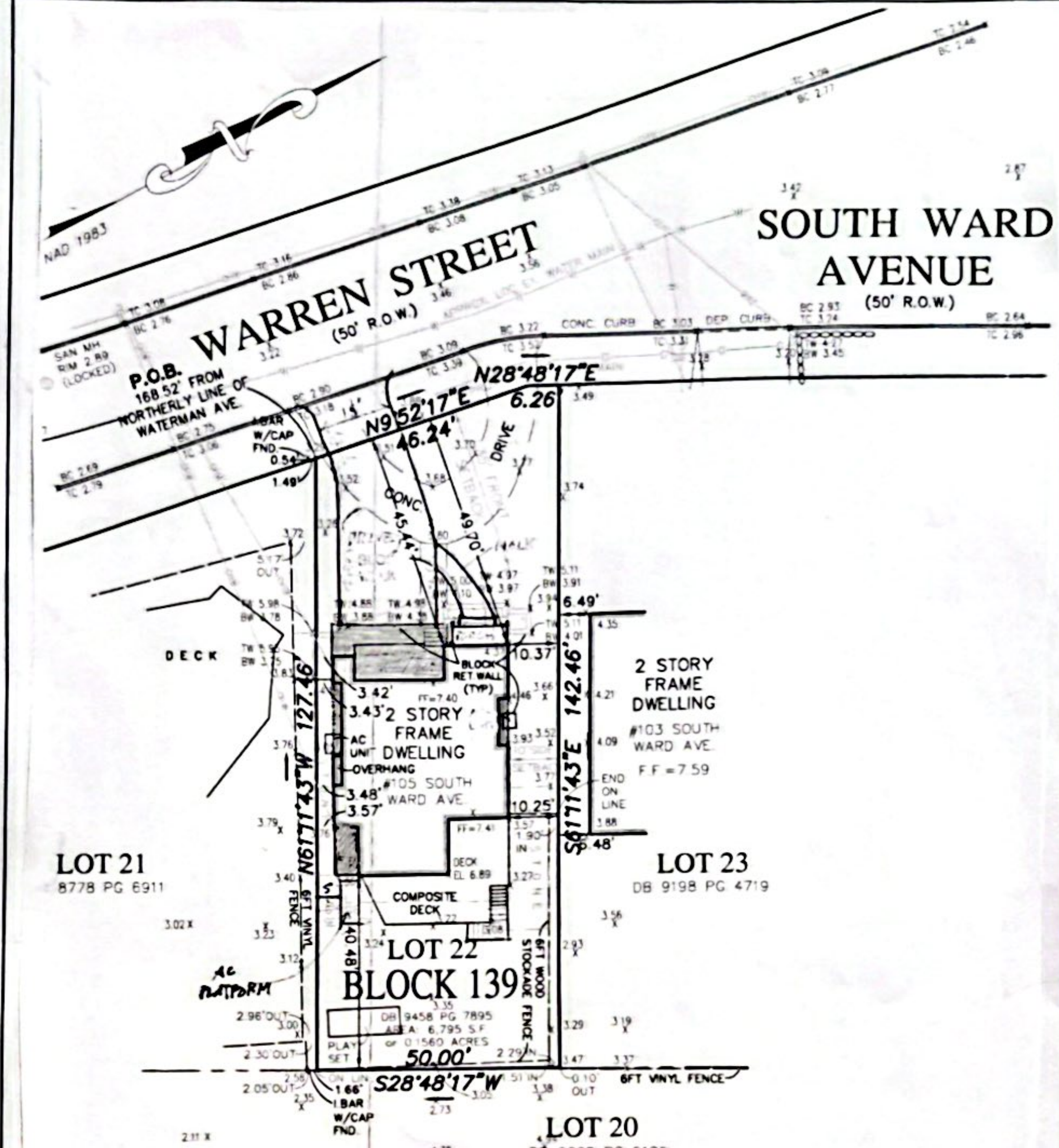
NOSING

CLOSED RISER (TYPICAL)

TYP. STAIR DETAIL



SITE PLAN



NOTES:

1. THIS SURVEY IS WAS PREPARED WITHOUT A CURRENT TITLE REPORT AND IS SUBJECT TO EASEMENTS AND/OR RESTRICTIONS WHICH ONE MAY DISCLOSE.
2. THIS SURVEY WAS PREPARED WITHOUT AN UNDERGROUND UTILITY MARKOUT. THE LOCATION OF UNDERGROUND UTILITIES SHOWN HEREON ARE APPROXIMATE AND A UTILITY MARKOUT SHOULD BE OBTAINED BEFORE ANY DIGGING OR CONSTRUCTION ON SITE OCCURS.
3. TOPOGRAPHIC INFORMATION IS IN THE NAVD83 DATUM AND IS BASED ON USGS MONUMENT #K07088 ELEVATION 8.30.
4. PROPERTY LIES IN THE R-5 ZONE ON THE BOROUGH OF RUMSON ZONING MAP.
5. PROPERTY LIES WITHIN ZONE "AE" ELEVATION 9 AS SHOWN ON THE MONMOUTH COUNTY FLOOD INSURANCE RATE MAP PREPARED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, MAP #34025C0201F, PANEL #201 OF 457 EFFECTIVE DATE SEPTEMBER 25, 2008. PROPERTY ALSO LIES WITHIN ZONE "AE" ELEVATION 8 AS SHOWN ON THE MONMOUTH COUNTY FLOOD INSURANCE RATE MAP PREPARED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, MAP #34025C0201G, PANEL #201 OF 457 DATED JUNE 20, 2018.

MAP REFERENCE:

1. PROPERTY KNOWN AS LOT 22 BLOCK 139 ON THE BOROUGH OF RUMSON TAX MAP SHEET 50 DATED JANUARY JANUARY 1973 AND REVISED JULY 31, 2012.

DEED REFERENCE:

1. BOUNDARY INFORMATION SHOWN IN ACCORDANCE WITH A DEED BETWEEN RUSSELL W. LEIRO & LAUREN LEIRO (GRANTOR) AND JOHN TIMONI & MICHELE LEIRO (GRANTEE) RECORDED IN THE MONMOUTH COUNTY CLERK'S OFFICE ON NOVEMBER 19, 2020 IN DEED BOOK 9458 PAGE 7895.

BOUNDARY & TOPOGRAPHIC SURVEY
LOT 22 BLOCK 139
 105 SOUTH WARD AVENUE
 BOROUGH OF RUMSON
 MONMOUTH COUNTY, NEW JERSEY

CPL PARTNERSHIP LLC
 95 MATAWAN ROAD | SECOND FLOOR
 MATAWAN, NJ 07747
 P. 732-566-0297 | www.cplpartnership.com

FILE NO: 25043
DATE: DEC 1, 2025
SCALE: 1"=20'
DRAWN BY: KRK
CHECKED BY: RGR
DRAWING NO.: SV25043
SHEET NO.: 1 OF 1

ZONING		ZONE: R-5		LOT: 22	BLOCK: 139
	REQUIRED	EXISTING	PROPOSED	Y INDICATES VARIANCE COMMENTS	
LOT AREA	6000 SF	6,795 SF	6,795 SF		
LOT FRONTAGE / WIDTH	50 FT	52.5 FT/50	52.5 FT/50		
LOT DEPTH	---	127.46 FT	127.46 FT		
FRONT YARD SETBACK	35 FT	45.44 FT	35.17 FT		
REAR YARD SETBACK	35 FT*	40.88 FT	40.88 FT	Y	RSR TO DECK 30.44' / NOTE 14: 30% OF LOT DEPTH OR 35' WHICHEVER IS GREATER
ONE SIDE YARD SETBACK-MIN.	6 FT*	3.42 FT	3.416 FT	Y	NOTE 11: DISTANCE BETWEEN NEIGHBORS = 16 FT. (16.73 FT)
BOTH SIDE YARD TOTAL-MIN.	8/18 FT*	13.79 FT	13.67 FT	Y	NOTE 7: IF WIDTH EXCEEDS MIN. ADD 1.5 FT FOR EACH FULL 5 FT
BUILDING COVERAGE-MAX. SF	1498.87 SF	1351 SF	1741 SF	Y	
LOT COVERAGE (IMP)-MAX.	2947.6		2758 SF		
F.A.R.	.37 (2538.5)	2525 SF	51 (3497 SF)	Y	2539 MAX FLOOR AREA
MAX. HABITABLE FLOOR AREA	2538.5 SF		3497 SF	Y	
GROSS GROUND FL. AREA-MIN.	600 SF				
BUILDING HT./STORIES	35/2.5	29/2.5	34.9/2.5*		*43.9 TO NAVD 1988 ROOF RIDGE: 44.0 FT. (35.0 FT. ABOVE BFE-MAX.)
CIRCLE	34 FT-DIA.				GABLED ROOF - EAVE: 28 FT. (35.0 FT. ABOVE BFE-MAX.)

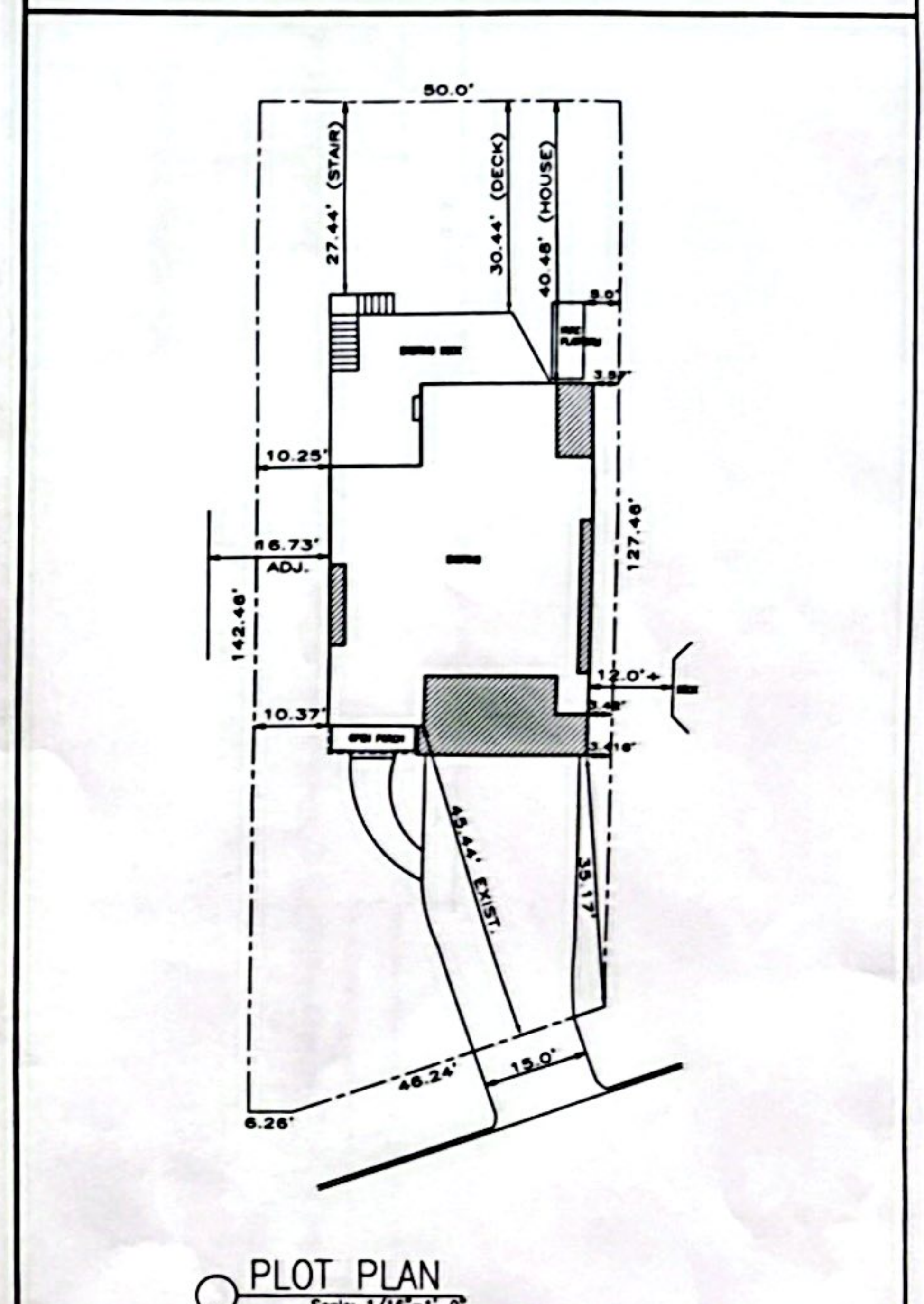
CHARACTERISTICS (S-NOT ZONING)	BUILDING DATA (INSIDE OF OUTSIDE WALLS)			
	EXISTING	PROPOSED	TOTAL	
2.5	GROUND FLOOR	1215 SF	362 SF	1577 SF
34.9 FT.	FIRST FLOOR	1258 SF	342 SF	1600 SF
1,600 SQ. FT.	SECOND FLOOR	1267 SF	306 SF	1573 SF
972 SQ. FT.	ATTIC FLOOR	0 SF	324 SF	324 SF
11,860 CU. FT.	TOTAL HABITABLE:		972 SF	3,497 SF
768 SQ. FT.	CARAGE	1351 SF	390 SF	1741 SF
AE 9	PORCH(S)	---	41 SF (c)	41 SF
AE9+1=10 FT.	SHED/ACCESS. STRUCT.	N/A	---	0 SF
	BLDG. COVERAGE:		TOTAL:	1,782 SF
55 PSF.	DRIVEWAY(S)	N/A	788 SF	788 SF
49 PERSONS	WALKWAY(S)	N/A	82 SF (c)	0 SF
RESIDENTIAL	PATIO(S)	N/A	---	0 SF
ASCE 7):	DECK(S) W/CREDIT	---	394 SF (c)	188 SF
120 MPH UP-LIFT RATING	PLAY SET	75 SF	---	75 SF
COMPLIANCE WITH ASCE 7	LOT COVERAGE (INCLUDES BLDG. COVER) TOTAL:		2,758 SF	
25):	(c) = CREDIT		(2,947.8 MAX)	

House Lift & Addition

Timoni Residence

105 South Ward Avenue
 Rumson, NJ

Lot# 22 Block# 139



PLOT PLAN
 Scale: 1/16"=1'-0"

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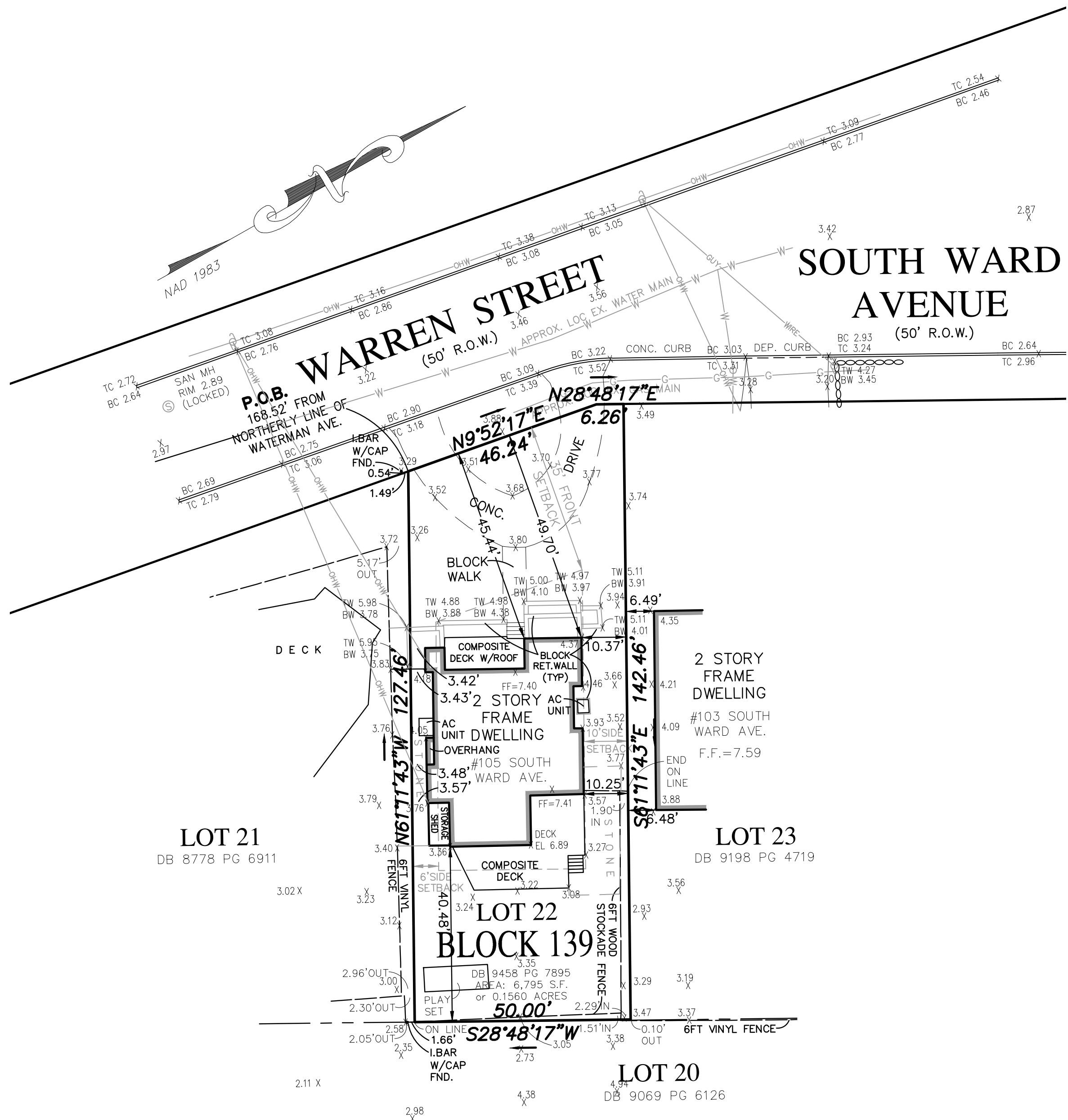
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ISSUE DATE	COMMENTS	SEAL
DECEMBER 16, 2025	PRELIMINARY - FOR REVIEW ONLY	
DECEMBER 19, 2025	REVISED FOR ZONING	
JANUARY 8, 2026	REVISED FOR ZONING REVIEW	
FEBRUARY 9, 2026	REVISED PER ZONING COMMENTS	

Timoni - Rumson, NJ

JAMES T. DALEY ARCHITECT + ASSOCIATES
 273 FIRST STREET, KEYPORT, NJ 07735
 phone 732-730-2064 fax 732-730-0837

NJ LIC #11519
 DRAWN BY: J.P.
A-1



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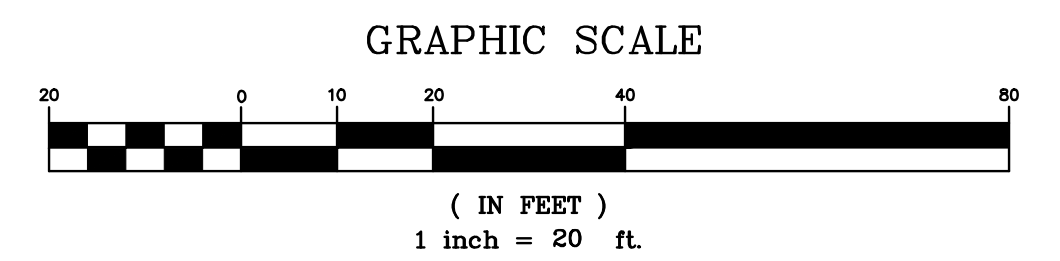
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x5.2 INDICATES EXISTING GROUND ELEVATION



THIS SURVEY IS HEREBY CERTIFIED TO:
JOHN TIMONI

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THIS CERTIFICATION IS MADE ONLY TO ABOVE NAMED PARTIES FOR PURCHASE AND/OR MORTGAGE OF HEREIN DELINEATED PROPERTY BY ABOVE NAMED PURCHASER. NO RESPONSIBILITY OR LIABILITY IS ASSUMED BY SURVEYOR FOR USE OF SURVEY FOR ANY OTHER PURPOSE INCLUDING, BUT NOT LIMITED TO, USE OF SURVEY AFFIDAVIT, RESALE OF PROPERTY, OR TO ANY OTHER PERSON NOT LISTED IN CERTIFICATION, EITHER DIRECTLY OR INDIRECTLY.
A WRITTEN WAIVER AND DIRECTION NOT TO SET CORNER MARKERS HAS BEEN OBTAINED FROM THE ULTIMATE USER PURSUANT TO P.L. 2003, C.14 (N.J.S.A. 45:8-36.3) AND N.J.A.C. 13:40-5.1(d)

DATE	REVISIONS

MICHAEL PUCCI
PROFESSIONAL ENGINEER
PROFESSIONAL PLANNER
JOSEPH M. DELUCIA
REGISTERED ARCHITECT
RICHARD G. RUCHALSKI
PROFESSIONAL LAND SURVEYOR



BOUNDARY & TOPOGRAPHIC SURVEY
LOT 22 BLOCK 139
105 SOUTH WARD AVENUE
BOROUGH OF RUMSON
MONMOUTH COUNTY, NEW JERSEY
CPL PARTNERSHIP LLC
95 MATAWAN ROAD | SECOND FLOOR
MATAWAN, NJ 07747
P. 732-566-0297 | www.cplpartnership.com

FILE NO. 25043
DATE: DEC 1, 2025
SCALE: 1"=20'
DRAWN BY: KRK
CHECKED BY: RGR
DRAWING NO. SV25043
SHEET NO. 1 OF 1