

SEA ISLE CITY ZONING BOARD OF ADJUSTMENT

APPLICATION / APPEAL FORM

Date of Application / Appeal: 04/04/25



1. **Location of premises that are the subject of this matter:**

Street address: 239 40th St.

Tax Block: 39.04

Lot(s): 4 & 5

Zoning District in which premises are located: R-2

2. **Name, address, phone nos. for Applicant(s):** [see Notes page]

Richard Bigelow

[Redacted address]

Designate a **contact person:**

Name: Richard Bigelow

Best method(s) to reach the contact person:

Telephone ☒ Cell ☐ Fax ☐ e-mail ☐ regular mail

3. Applicant is (check one): ☒ property owner ☐ contract purchaser
If contract purchaser, you must attach a copy of the contract to the application.

4. ☒ Check here if the Applicant is a corporation or partnership.
[If so, you must attach a separate sheet to this Application listing names and addresses for all stockholders, members, shareholders, partners or similar persons or entities owning 10% or more of the corporation or partnership, and indicate the percentage ownership interest of each person or entity]

5. Are you represented by an attorney OR assisted by a land use professional in connection with this application? If so, please provide that person's name and contact information here:

[Note: Corporations and partnerships must be represented by an attorney. All others may represent themselves.]

Name: BARRY J. WENDT, ESQUIRE

Address: Attorney At Law
6 White Horse Pike, Suite 2C
Haddon Heights, New Jersey 08035

Telephone: 856 547 1000 Fax: 856-547-8891

E-Mail: BarryJWendt@aol.com

Did an attorney or other land use professional assist you in the preparation of this application? Yes ☒ No ☐

6. **Type of application presented** (check all that apply):

- ☐ Appeal from decision of Zoning Official NJSA 40:55D-70a
☐ Interpretation of Zoning Ordinance or Map NJSA 40:55D-70b
☐ Hardship variance, "c" or "bulk" variance NJSA 40:55D-70c(1)
☒ Flexible "c" variance NJSA 40:55D-70c(2)
☐ Use variance or "D" variance NJSA 40:55D-70d
- ☐ (1) Use or principal structure not permitted in zoning district
☐ (2) Expansion of non-conforming use
☐ (3) Deviation from conditional use standard
☐ (4) Increase in permitted floor area ratio
☐ (5) Increase in permitted density
☐ (6) Height of principal structure to exceed maximum permitted height by greater than 10 feet or 10%
- ☐ Permit to build in street bed NJSA 40:55D-34
☐ Permit to build where lot does not abut street NJSA 40:55D-36
☐ Site plans NJSA 40:55D-76
- ☐ Major site plan review
☐ Preliminary site plan approval
☐ Final site plan approval
☐ Minor site plan review
☐ Waiver of site plan
- ☐ Subdivision NJSA 40:55D-76
- ☐ Minor subdivision
☐ Major subdivision
☐ Preliminary approval
☐ Final approval
☐ Waivers from subdivision and/or site plan standards
- ☐ Other

7. **Existing conditions at the property.**

Structures. At the present time, the property is (check all that apply):

- ☐ vacant lot
☐ developed with the following Principal Structure(s):
- | | |
|---|---|
| <input type="checkbox"/> single family dwelling | <input type="checkbox"/> commercial building: _____ |
| <input checked="" type="checkbox"/> two family dwelling | <input type="checkbox"/> public building: _____ |
| <input type="checkbox"/> triplex | <input type="checkbox"/> other: _____ |
- ☐ other multi-unit residential structure [number of units: ____]

The Principal Structure was originally built (date) 2025.

The most recent structural changes were made (date) N/A and consisted of _____.

Accessory structures. At present, the following are on the property:

- ☐ detached garage ☐ storage shed ☐ dock(s)
☐ swimming pool ☐ other: _____

Lot area and dimensions. At present, the lot is:

- ☐ Less than 3,500 square feet (substandard non-buildable)
☐ Between 3,500 square feet and minimum lot area permitted in zoning district (substandard buildable).
☒ Equal to or greater than minimum lot area.

Parking. At present, parking for this property consists of:

- ☐ No on-site parking is available.
Number of on-site parking spaces: _____
How many are stacked parking? _____
Number and location of driveways: _____

Elevation level.

Flood elevation of the property is: 12.1' NAVD 88
Elevation at top of curb, street frontage is: _____
This property is ☐ is not ☐ on the FEMA list.

Use of the Property. The property is currently used as (check all that apply):

- ☐ single family dwelling ☐ restaurant
☒ two family dwelling ☐ store
☐ three family dwelling ☐ public building
☐ other multi-family dwelling ☐ office
☐ other (describe) _____

The property has been used in this manner since _____.

Before that time, the property was used as _____

8. **Proposed structure or use.** Applicant wishes to (check all that apply):

- ☐ change the **size, bulk or location** of existing structure.

- ☐ change the **use** of the property or existing structure.
- ☐ remove existing structures and build new structure.
- ☒ other:

Describe your proposed changes:

To permit encroachment into the rear yard setback requirement for installed condenser units for an approved and constructed two-family residence

9. **Variance Relief Requested.** The changes Applicant wishes to make will require variances from the following Sections of the Sea Isle City Zoning Ordinance:
26-27.6

If you are proposing to change the **use** of the structure, please describe the proposed use and note whether it is listed as a permitted use in the zoning district.

The Applicant also seeks relief from the following Sea Isle City Ordinances (indicate specific part of ordinance):

- ☐ Land Use Procedures, Sec. XXIX _____
- ☐ Site Plan Review, Sec. XXX _____
- ☐ Land Subdivision, Sec. XXXII _____
- ☐ Signs, Sec. XXXIII _____

10. **Existing and Proposed Conditions.** Supply the following information.

Note: All pertinent information requested must be supplied here. It is not sufficient to simply reference an attached plan. If any requested information is not applicable to the property, insert "N/A".

	<u>EXISTING CONDITIONS</u>	<u>REQUIRED BY ORDINANCE</u>	<u>PROPOSED</u>	<u>VARIANCE REQUIRED YES/NO</u>
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Zoning District: R-2

LOT AREA/DIMENSIONS:

Lot Frontage	<u>50'</u>	<u>50'</u>	<u>50'</u>	<u>NO</u>
Lot Depth	<u>110'</u>	<u>100'</u>	<u>110'</u>	<u>NO</u>
Lot Area (s.f.)	<u>5500</u>	<u>5000</u>	<u>5500</u>	<u>NO</u>

**PRINCIPAL
STRUCTURE**

*For the principal structure on the property, indicate the following:
setback*

Note: "SB" =

Front Yard SB	<u>24.6'</u>	<u>15'</u>	<u>24.6'</u>	<u>NO</u>
Side yard SB #1	<u>7.5'</u>	<u>5' min</u>	<u>7.5'</u>	<u>NO</u>
Side yard SB #2	<u>7.5'</u>	<u>5' min</u>	<u>7.5'</u>	<u>NO</u>
Total SYSB	<u>15.0'</u>	<u>15.0' total</u>	<u>15.0'</u>	<u>NO</u>
Rear Yard SB	<u>20.1' bldg. 17.0' condenser</u>	<u></u>	<u>20.1' bldg. 17.0' condenser</u>	<u>NO YES</u>
Building Height	<u>32.0'</u>	<u>32.0'</u>	<u>32.0'</u>	<u>NO</u>

**ACCESSORY
STRUCTURES**

For all accessory structures on the property, indicate the following:

Front Yard SB	<u></u>	<u></u>	<u></u>	<u></u>
Side Yard SB #1	<u></u>	<u></u>	<u></u>	<u></u>
Side Yard SB #2	<u></u>	<u></u>	<u></u>	<u></u>
Rear Yard SB	<u></u>	<u></u>	<u></u>	<u></u>
Distance to other buildings	<u></u>	<u></u>	<u></u>	<u></u>
Building Height	<u></u>	<u></u>	<u></u>	<u></u>

	<u>EXISTING CONDITIONS</u>	<u>REQUIRED BY ORDINANCE</u>	<u>PROPOSED</u>	<u>VARIANCE REQUIRED YES/NO</u>
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LOT COVERAGE

Principal building (%)	<u>34% / 1867 sf</u>	<u>35%</u>	<u>34% 1867 sf</u>	<u>NO</u>
Accessory building (%)	<u> </u>	<u> </u>	<u> </u>	<u> </u>

FLOOR AREA RATIO

Principal bldg	<u>.83 / 4581 sf</u>	<u>.85</u>	<u>.83 / 4581 sf</u>	<u>NO</u>
Accessory bldg	<u> </u>	<u> </u>	<u> </u>	<u> </u>

PARKING

Location	<u> </u>	<u> </u>	<u> </u>	<u> </u>
No. spaces on-site	<u>4</u>	<u>3</u>	<u>4</u>	<u>NO</u>
Driveway	<u> </u>	<u> </u>	<u> </u>	<u> </u>

SIGNS

Dimensions	<u> </u>	<u> </u>	<u> </u>	<u> </u>
Number	<u> </u>	<u> </u>	<u> </u>	<u> </u>
Location	<u> </u>	<u> </u>	<u> </u>	<u> </u>
Type (Freestanding or Building Mounted)	<u> </u>	<u> </u>	<u> </u>	<u> </u>

11. Has there been any previous appeal, request or application to this Board or to the Planning Board involving these premises? If yes, state the nature of the application, date of application, date of hearing and result received from Board.

No

12. **For all applications:** Attach to this application a statement of facts showing why the relief sought can be granted without substantial detriment to the public good and without substantially impairing the intent and purpose of the Sea Isle City Master Plan and Zoning Ordinance. State why variance relief can be granted

without substantial harm to the neighborhood and without significant overturning of the Master Plan.

13. **For “c(1)” Variances:** Attach to this application a statement specifying the hardship/exceptional conditions of the specific property involved that justify the granting of a variance pursuant to N.J.S.A. 40:55D-70c. State what is unique about your specific piece of property, noting such things as an exceptionally narrow, deep, or otherwise unusually shaped lot; physical features located on the lot that prevent its use in a normal manner that would be allowed by the existing zoning; or the specific location of existing structures that limit compliance with the required zoning. Note how the circumstances relating to your particular lot differ from other lots in the neighborhood. State what hardships would result should the variance not be granted to you. Please note that monetary hardship is considered a personal hardship, and is NOT A REASON for this type of variance relief.

14. **For “c(2)” Variance:** Attach to this application a statement setting forth the facts supporting your position that the purposes of the Municipal Land Use Law would be advanced by a deviation from the Zoning requirements in question, and that the benefits of that deviation would substantially outweigh any detriment to the zoning ordinance or master plan, pursuant to N.J.S.A. 40:55D-70c(2). Among the purposes of the Municipal Land Use Law are the following: promotion of public health, safety and welfare; provision of adequate light, air and open space; establishment of appropriate population densities; provision of sufficient space for agricultural, residential, recreational, commercial and industrial uses and open space; promotion of a desirable visual environment; conservation of historic sites, districts, open space and natural resources; encouragement of senior citizens housing. Cite which of these apply to your application and further, cite the characteristics of your land that will present an opportunity for improved zoning and planning to benefit the community.

15. **For Use and other “d” Variances:** Attach to this application a statement setting forth the special reasons for granting this variance pursuant to N.J.S.A. 40:55D-70d. "Special reasons" exist where a proposed project carries out a purpose of zoning (such as those noted in Section 14 above), or where the refusal to allow the project would impose an undue hardship on you (note that a personal hardship, such as monetary hardship or a hardship you create, cannot form the basis for granting a variance). If you are seeking a use variance, you should also state why the property at issue cannot reasonably be developed with a use permitted by the Zoning Ordinance.

16. **For all applications, if an application was first submitted to and denied by the Zoning Official:** Set forth specifically the determination of the Zoning

Official from which an appeal has been filed and the basis for the appeal (N.J.S.A. 40: 55D-70a), or attach a copy of the Zoning Official's letter to you.

17. **For Interpretation Requests:** Set forth specifically the Zoning Ordinance section and provisions and/or the portion of the Zoning Map for which an interpretation is sought. Explain what interpretation you are seeking. (N.J.S.A. 40:55D-70b).

18. List all professionals employed by the applicant in completing the application to the Zoning Board of Adjustment and/or intended to be called as witnesses at the hearing on the application.

Name	Address	Phone	Fax
Matthew Sprague Design, L.L.C. 1899 Bayshore Road, Villas NJ 609-889-6970			

VERIFICATION OF APPLICATION

I, Richard Bigelow, do hereby certify to the following:

1. I am the applicant whose name appears in the attached application to the Sea Isle City Zoning Board of Adjustment.
2. I am over the age of 18.
3. I have personal knowledge of the facts stated herein and in the application.
4. I am the (circle one) owner contract purchaser of the subject property.
5. I have reviewed the application, and I verify to the Sea Isle City Zoning Board of Adjustment that all of the information presented in this application is true and accurate to the best of my knowledge.
6. I am aware that I am subject to punishment under New Jersey law if any of the statements made by me in this application are willfully false.

04/04/25

(date)

Richard Bigelow

(Signature of Applicant; print name beneath)

Richard Bigelow

Note: a separate Verification must be submitted for each owner of the property. For condominiums, you must submit a signed verification from each member of the condominium association, or, if more than four units in the condominium, a resolution from the condominium Board of Directors indicating its consent to the application.

Statement of Facts Supporting Application for Relief in the Form of a Bulk Variance
New Jersey Statute 40:55D-70(C)
Sea Isle City Land Development Code
Article IV
Section 2.27.3 Rear Yard
Section 26.27-6 Encroachments

The property in question is consists of two adjoining, semi-detached, townhouse residential buildings located at 239 40th Street, in Sea Isle City, New Jersey 08243, Block 39.04, Lots 4 and 5. Mr. Richard Scott Bigelow is the Managing Member of the limited liability company that owned the land and constructed the building(s). Mr. Bigelow's company is the applicant for this bulk variance application.

Before commencing construction, Mr. Bigelow applied for building permits. He submitted an architectural plan prepared by Matthew Sprague Design, L.L.C. dated October 1, 2023. The plan was approved, construction was completed, and Mr. Bigelow submitted a request for a final Certificate of Occupancy. The Sea Isle City Construction Code Official refused to issue the final Certificate of Occupancy based on the City Zoning Ordinance's requirement for a 20 ft rear setback yard.

According to an amended plan dated April 7, 2025, the following references were provided:

Zone R-2 Two Family District		
Description	Required	Proposed
Minimum Lot Area	5,000 sf	5,500 sf
Lot Width	50 ft	50 ft
Lot Depth	100 ft	110 ft
Front Yard	15 ft	24.6 ft
Side Setbacks	5 ft minimum/15 ft total	7.5 ft / 7.5 ft
Rear Setback	20 ft	20.1 ft Two air conditioner condensers protrude from the rear of the structures about feet. The distance from the condensers to the rear lot line is 17 ft. A variance is required.
Lot Coverage	35% Max	34.0% (1,867 sf)
Lot Coverage Impervious	70% Max	64.6% (3,554 sf)
Building Height	32.0 ft above 11.0 NAVD 88	32.0 ft above 11.0 NAVD 88
Floor Area Ratio	.85	.83 (4,581 sf)
Parking	3 spaces each unit	4 spaces each unit

Strict compliance with the 20 ft rear yard would require removal of the two air conditioner condensers from the rear yard, re-location to the front yard, resulting in the loss of one parking space for each unit.

According to the Sea Isle City Municipal Ordinance, Section 26.27.6 encroachments:

- a. Eaves of the roof are permitted encroachments.
- b. Terraces and patios are permitted encroachments into the rear yard.
- e. Projections for overhangs are permitted if greater than 5 ft from the property line.
- g. Planters are permitted in rear yards.

Ordinance No. 1038 Section 412.07 permitted detached garages up to 5 ft from the property line.

The Sea Isle City Ordinances recognize that some objects will be permitted to encroach into yard requirements.

The Municipal Land Use Law, N.J. Statute 40:55D-70:

Section (a) permits a Zoning Board to hear and decide appeals where the applicant contends that there is an error in any order, requirement, decision or refusal made by an administrative officer based on the zoning ordinance. In the present case, it is respectfully submitted that if the Code Enforcement Officer objected to the minimal projection of the air conditioner condensers into the rear yard, then that objection should have been presented before construction began. Adjustments could have been made at that time. Given the fact that the structures have been completed and the air conditioner condensers have been installed, strict enforcement of the rear yard requirement specified in the Ordinance would create a hardship. Both units would have to be removed and relocated into the front yard, thereby reducing available off-street parking by two spaces. Off-street parking is believed to be a requirement by the City. Adequate off-street parking is believed to be encouraged by the City. The applicant's buildings exceed the number of off-street parking spaces mandated by the Ordinance. Relocation of the condensers would create a personal hardship upon the applicant, both in terms of securing a Certificate of Occupancy to make the units available for summer residents, and the process of relocation would result in a significant expense.

Section (c)(1) permits the Zoning Board to grant bulk variances based on (a) the exceptional shallowness or shape of a property, or (b) 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 structures lawfully on that property, when the strict application of any regulation would result in peculiar and exceptional and practical difficulties or under hardship upon the applicant. In the present case, had the City's objection to placing the air conditioner condensers in the rear yard been addressed at the outset, the issue could have been addressed before construction was completed. The failure to do so created an exceptional situation resulting in peculiar and exceptional and practical difficulties or under hardship upon the applicant. This should serve as justification for the issuance of a bulk variance.

Section (c)(2) permits the Zoning Board to grant bulk variances when the purposes of the Municipal Land Use Law would be advanced by a deviation from the zoning ordinance requirements, and the benefits of the deviation would substantially outweigh any detriment to the zone plan or the zoning ordinance. In this regard, it is important to cross-reference the purposes of the Municipal Land Use Law as outlined in N.J. Statute 40:55D-2. Specifically, the intent of the Act is to:

- a. Encourage municipal action to guide the appropriate use or development of all lands which promote the public health, safety, morals and general welfare. That goal is promoted with the applicant's construction of new residential housing units, built with foundations, walls, floors, heating and air conditioning units, plumbing and electrical service in compliance with today's building codes.
- b. Secure safety from fire, flood, and other natural and man-made disasters. Again, that goal is promoted with applicant's construction of new residential housing units, built above flood stage, with foundations, walls, floors, heating and air conditioning units, plumbing and electrical service in compliance with today's building codes.
- c. Provide adequate light, air and open space. The applicant's compliance with all aspects of the Municipal Ordinance with the minor exception of two small air conditioner condenser units promotes these goals.
- g. Provide sufficient space in an appropriate location for residential uses to meet the needs of New Jersey residents. The applicant's construction complies with this goal.
- h. Promote the free flow of traffic while discouraging congestion. Certainly, the provision of more off-street parking spaces than the Ordinance requires complies with these goals.
- i. Promote a desirable visual environment. The new construction in question complies with this goal.

In compliance with N.J. Statute 40:55D-7(c)(2), it is respectfully submitted that the granting of a limited, bulk variance in this single case, given the unique circumstances set forth above, would not prove detrimental to the Zoning Ordinance or Master Plan or the Municipal Land Use Law.

It is believed and respectfully submitted that the construction of these brand-new townhomes, built in full compliance with the current building codes, and providing more than ample off-street parking (indeed more than the Ordinance requires), presents a benefit to the community which substantially outweighs any possible detriment to the Zoning Ordinance or the Master Plan.

For all of the reasons listed above, the applicant petitions the Sea Isle City Zoning Board to grant the limited bulk variance from the rear yard requirement and permit the two air conditioner condensers to encroach slightly into the rear yard of the premises.

April 21, 2025

239 40th Street, LLC

Ownership/%

Richard Bigelow 27%

[REDACTED]

Spartan Management Group, LLC 20%

[REDACTED]

IRAR Trust FBO [REDACTED] Richard Scott Bigelow 43%

[REDACTED]

IRAR Trust FBO [REDACTED] Frank Zepka 10%

[REDACTED]

**SEA ISLE CITY ZONING BOARD OF ADJUSTMENT
SURVEY/PLAN/PLAT AFFIDAVIT**

State of New Jersey :
County of Cape May : ss.
Name of Appellant/Applicant: 239 40th Street LLC
Address of Subject Property: 239 40th Street
Tax Block: 39.04 Lot(s): 4 & 5



239 40th Street LLC Richard Bigelow, Manager
_____, being duly sworn according to law, upon
his/her oath, deposes and says:

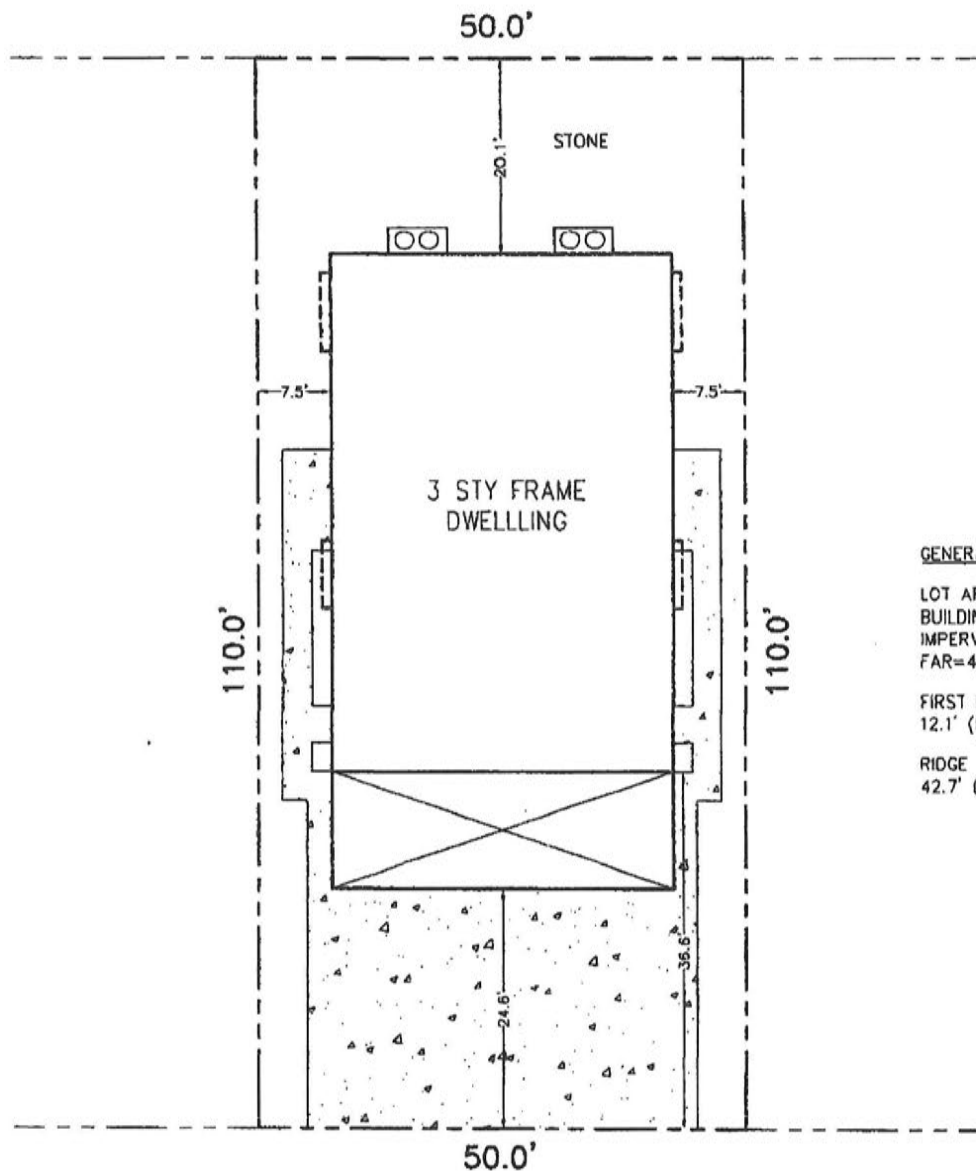
1. I am the owner of the property identified above, located in the City of Sea Isle City, New Jersey. I am the appellant/applicant for development in this matter.
2. I verify that the attached sealed survey/plan/plat prepared by Design Land Surveying and dated 12/18/24 accurately reflects the physical condition of the property as of the date of this affidavit, and there have been no changes or alterations to the property since the date of the signed survey/plan/plat.
3. I make this affidavit in support of an appeal / application for development before the Sea Isle City Zoning Board of Adjustment and understand that said Board shall rely on this Affidavit and the current accuracy of the said survey/plan/plat in considering the appeal/application for development of the property.

Richard Bigelow
Signature of Owner/Appellant/Applicant

Sworn and subscribed to before me
this 22nd day of APRIL, 2025.

[Signature]
Notary Public

BARRY J. WENDT
A Notary Public of New Jersey
My Commission Expires November 6, 2025



GENERAL NOTES:

LOT AREA=5500SF
 BUILDING COVERAGE=1867SF (34%)
 IMPERVIOUS COVERAGE=3554SF (65.5%)
 FAR=4581 SF (83.3%)

FIRST FLOOR:
 12.1' (NAVD 88)

RIDGE HEIGHT:
 42.7' (NAVD 88)

- THIS PLAN IS NOT A GUARANTEE OF OWNERSHIP
- NOT FOR CONVEYANCE PURPOSES
- BEING LOT 4 & 5, BLOCK 39.04, TAX MAP OF THE CITY OF SEA ISLE (FOR INFORMATION PURPOSES ONLY)
- SURVEYOR RESERVES THE RIGHT TO REVISE THIS PLAN UPON RECEIPT AND REVIEW OF AN ACCURATE TITLE REPORT AND AN ACCURATE ABSTRACT ALL ON ALL LOTS AFFECTED BY, OR ADJOINING TO, THE PROPERTY IN QUESTION
- NO ATTEMPT WAS MADE TO LOCATE THE UTILITIES WHICH MAY EXIST ON THIS PROPERTY PRIOR TO ANY EXCAVATION, CONTRACTOR SHALL BE RESPONSIBLE TO DETERMINE THEIR EXACT LOCATION.
- SUBJECT TO BUILDING REGULATIONS, RESTRICTIONS, EASEMENTS, RIGHTS-OF-WAY, COVENANTS, RESERVATIONS AND AGREEMENTS OF RECORD, IF ANY

ISSUED FOR CITY PERMIT USE ONLY



Design Land Surveying P.A.

P.O. Box 667 Turnersville, N.J. 08012

Toll Free Phone 1-800-418-9373

Phone (856) 374-1134 - Fax (856) 589-0246



DATE 12/18/24

SCALE 1"=20'

DRN: DTT

SURVEY NO.

2312007

SEA ISLE CITY **ZONING BOARD OF ADJUSTMENT** / SEA ISLE CITY PLANNING BOARD
SCHEDULE OF APPLICATION FEES AND ESCROW FEES

NAME of Appellant/Applicant: 239 40th Street, LLC

Address of Subject Property: 239 40th Street

Tax Block: 39.04

Lot(s): 4&5

Please review the following schedule*, check ALL types of approvals sought, and total the amount due. At the time of filing your appeal or application, submit this completed form along with separate checks for total Application Fee(s) and total Escrow Fee(s), each check along with separate checks for total Application fee(s) and total Escrow Fee(s), each check made payable to "City of Sea Isle City". You must also submit a completed W-9 form. Thank you.

[*per Sea Isle City Land Use Ordinance No. 1598 (2016) Chapter XXVIII]

DESCRIPTION or TYPE of APPROVAL(S) SOUGHT	x	APPLICATION FEE	+	ESCROW FEE (ESTIMATES)	AMOUNT DUE
VARIANCES					
1. Appeals (40:55-70a)		\$ 350.00	+	\$ 1,000.00	
2. Interpretations (40:55D-70b)		\$ 350.00	+	\$ 1,000.00	
3. Hardship or Bulk (40:55D-70c)		\$ 500.00	+	\$ 1,500.00	2000.00
4. Use Variance (40:55D-70d) (Incl. floor area ratio)		\$ 200.00	+	\$ 1,500.00	
5. Permits (40:55D-34 & 35)		\$ 200.00	+	\$ 1,000.00	
6. Appeals (City Ordinances)		\$ 250.00	+	\$ 1,000.00	
PLANNING BOARD					
Each informal review		\$ 100.00	+	\$ 1,500.00	
SUBDIVISION					
1. Preliminary plat (major subdivision)		\$ 500.00	+	\$ 600.00 per lot	
2. Final plat (major subdivision)		\$ 450.00	+	\$ 1,500.00	
3. Minor subdivision (no more than 3 lots)		\$ 350.00	+	\$ 2,000.00	
4. Tax Map Maintenance Fee (per line)		\$ 100.00		n / a	
SITE PLANS					
1. Preliminary		\$ 500.00	+	\$ 3,000.00	
2. Final Plan		\$ 750.00	+	\$ 1,500.00	
3. Minor Site Plan		\$ 250.00	+	\$ 1,200.00	
OTHER					
Any special meeting at the request of appellant/applicant		\$ 400.00	+	\$ 1,200.00	
TOTALS		\$ 500.00	+	\$ 1500.00	= \$ 2,000.00

** Special meetings are held only with prior Board approval and solely at the Board's discretion **

[[SICPB/ZB Fees Form effective 2/21/17 as per Ordinance No. 1598 (2016) Page 1 of 1]]

PLEASE NOTE: When calculating fees, one payment will be for **TOTAL APPLICATION FEES** only and one payment will be for **TOTAL ESCROW FEES** only. Application fees and Escrow fees are separate, handled individually, and therefore should not be added together.)

**SEA ISLE CITY ZONING BOARD OF ADJUSTMENT
CERTIFICATION OF PAYMENT OF TAXES AND MUNICIPAL LIENS**

Name of Appellant/Applicant: 239 40th Street, LLC
Address of Subject Property: 239 40th Street
Tax Block: 39.04 Lot(s): 4 & 5

The above-named appellant or applicant hereby certifies as follows:

1. I am the owner of the property identified above, located in the City of Sea Isle City, New Jersey. I am the appellant/applicant for development in this matter.
2. I verify that all real estate taxes for the property are current as of the date of this appeal or application, and that they will be current as of the date of the Zoning Board hearing.
3. I verify that all municipal charges against the property, such as water and sewer charges are current as of the date of this appeal or application, and that they will be current as of the date of the Zoning Board hearing.
4. I have obtained a certification from the Sea Isle City Tax Collector, attached hereto, attesting to the status of real estate taxes and municipal charges against the property.
5. I understand that I have a continuing obligation to satisfy any municipal lien against this property.
6. I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing is willfully false, I am subject to punishment.



Signature of Owner/Appellant/Applicant

***Attach the certification of paid taxes provided by the
Sea Isle City Tax Collector to this form.***

**CITY OF SEA ISLE CITY
TAX & UTILITY COLLECTOR
233 JFK BLVD ROOM #204
SEA ISLE CITY, NJ 08243
PHONE: (609) 263-4461 EXT. 1215
FAX: (609) 263-6139**

DATE: 4/3/2025

RE: Certification of Taxes and Utility Accounts For Planning and Zoning Board

BLOCK / LOT / QUAL: 39.04 / 4 / C-W & C-E

ACCT ID#: 8488-0 / 8487-0

LOCATION: 239 40TH STREET EAST & WEST

OWNER OF RECORD: MONTELEONO-POOLEY, DIANE L & BRIAN & 239 40TH STREET LLC

This is to certify that Taxes ARE or ARE NOT paid to date on the above property.

Comments: Property taxes are paid through the 2ND quarter of 2025. Water / Sewer taxes are paid through 1ST quarter of 2025.

Please contact the Tax Collector's Office if you have any questions.

Maureen Conte

CITY OF SEA ISLE CITY
TAX COLLECTION DEPARTMENT

4/3/2025

Date

Block Lot Qual	Property Location Additional Lot Additional Lot	Property Class	Owner Address City, State	Zip Code
38.04 1 C-A	245 39TH ST 1ST FLR 2	2	CURRENT OWNER 245 39TH ST UNIT A SEA ISLE CITY, NJ	08243
38.04 1 C-B	245 39TH ST 2ND FLR 2	2	CURRENT OWNER 1461 PEPPER RD JENKINTOWN, PA	19046
38.04 3 C-E	241 39TH ST EAST 4	2	CURRENT OWNER 241 39TH ST EAST SEA ISLE CITY, NJ	08243
38.04 3 C-W	241 39TH ST WEST 4	2	CURRENT OWNER 241 39TH ST WEST SEA ISLE CITY, NJ	08243
38.04 5 C-E	235 39TH ST EAST 6	2	CURRENT OWNER 692 LINDSAY WY HORSHAM, PA	19044
38.04 5 C-W	235 39TH ST WEST 6	2	CURRENT OWNER 235 39TH ST WEST SEA ISLE CITY, NJ	08243
38.04 7 C-E	233 39TH ST EAST 8	2	CURRENT OWNER 1086 WEST AVE SPRINGFIELD, PA	19064
38.04 7 C-W	233 39TH ST WEST 8	2	CURRENT OWNER 233 39TH WEST SEA ISLE CITY, NJ	08243
38.04 9 C-A	229 39TH ST WEST 10	2	CURRENT OWNER 9 BELLMORE AVE PO BOX 828 PT LOOKOUT, NY	11569
38.04 9 C-B	229 39TH ST EAST 10	2	CURRENT OWNER 2140 CURTIS AVE ABINGTON, PA	19001
39.04 1	243 40TH ST 2,3	2	CURRENT OWNER 4222 PARK RD SEA ISLE CITY, NJ	08243
39.04 4 C-E	239 40TH ST EAST 5	2	CURRENT OWNER 8 HARVEST DR PITTSBURGH, NJ	08318
39.04 4 C-W	239 40TH ST WEST 5	2	CURRENT OWNER 1200 KINGS HWY HADDON HEIGHTS, NJ	08035



39.04, 4 & 5

Block Lot Qual	Property Location Additional Lot	Property Class	Owner Address		Zip Code
			City	State	
39.04 6	237 40TH ST 7,8	2	CURRENT OWNER		
			514 LONG LN		19040
			HATBORO, PA		
39.04 13 C-E	223 40TH ST 14	2	CURRENT OWNER		
			213 CLOVER LN		18074
			PERKIOMENVILLE, PA		
39.04 13 C-W	223 40TH ST 14	2	CURRENT OWNER		
			124 ASPEN DR		08210
			CAPE MAY COURT HOUSE, NJ		
39.04 17 C-N	3901 CINI ST NORTH 18	2	CURRENT OWNER		
			7 LAURA LYNN LN		19342
			GLEN MILLS, PA		
39.04 17 C-S	3901 CINI ST SOUTH 18	2	CURRENT OWNER		
			33 NEWPORT DR		19087
			CHESTERBROOK, PA		
39.04 19 C-A	242 39TH ST EAST 20	2	CURRENT OWNER		
			2599 CANDYTUFT DR		18929
			JAMISON, PA		
39.04 19 C-B	242 39TH ST WEST 20	2	CURRENT OWNER		
			242 B 39TH ST		08243
			SEA ISLE CITY, NJ		
39.04 21 C-A	238 39TH ST EAST 122	2	CURRENT OWNER		
			611 ARTHUR ST		19111
			PHILADELPHIA, PA		
39.04 21 C-B	238 39TH ST WEST 122	2	CURRENT OWNER		
			935 FEDERAL ST		19147
			PHILADELPHIA, PA		
39.04 25 C-E	230 39TH ST EAST 26	2	CURRENT OWNER		
			13 LAURELWOOD DR		08055
			MEDFORD, NJ		
39.04 25 C-W	230 39TH ST WEST 26	2	CURRENT OWNER		
			1024 WALNUT LN		19446
			LANSDALE, PA		
39.04 27 C-A	226 39TH ST 1ST FLR 28	2	CURRENT OWNER		
			209 KENDALL BLVD		08017
			OAKLYN, NJ		
39.04 27 C-B	226 39TH ST 2ND FLR 28	2	CURRENT OWNER		
			201 HARDING AVE		08108
			HADDON TOWNSHIP, NJ		

Block Lot Qual	Property Location Additional Lot	Property Class	Owner Address City, State	Zip Code
39.04 29 C-E	222 39TH ST EAST 30	2	CURRENT OWNER 1623 HILLTOP RD SPRING CITY, PA	19475
39.04 29 C-W	222 39TH ST WEST 30	2	CURRENT OWNER 144 LILAC DR ALLENTOWN, PA	18104
39.04 90 C-A	231 40TH ST EAST 100	2	CURRENT OWNER 107 CHESTNUT ST HADDONFIELD, NJ	08033
39.04 90 C-B	231 40TH ST WEST 100	2	CURRENT OWNER 231 40TH ST WEST SEA ISLE CITY, NJ	08243
39.04 110 C-E	227 40TH ST 120	2	CURRENT OWNER 135 DEBORAH DR READING, PA	19610
39.04 110 C-W	227 40TH ST 120	2	CURRENT OWNER 3 ETON CT STRATFORD, NJ	08084
39.04 123	234 39TH ST 124	2	CURRENT OWNER 234 39TH ST SEA ISLE CITY, NJ	08243
39.05 21 C-E	305 40TH ST EAST 22	2	CURRENT OWNER 115 WOODCREEK DR S SAFETY HARBOR, FL	34695
39.05 21 C-W	305 40TH ST WEST 22	2	CURRENT OWNER 27 GELDER DR HOLLAND, PA	18966
39.05 23 C-N	3904 CINI ST NORTH 24	2	CURRENT OWNER 55 OAK LEAF LN DANVILLE, PA	17821
39.05 23 C-S	3904 CINI ST SOUTH 24	2	CURRENT OWNER 11 COLTS NECK WAY THORNTON, PA	10373
39.05 45 C-E	306 39TH ST EAST 46	2	CURRENT OWNER 8420 RIDGE AVE PHILADELPHIA, PA	19128
39.05 45 C-W	306 39TH ST WEST 46	2	CURRENT OWNER 4227 TELLY LN BENSALEM, PA	19020

39.04, 4 & 5

Block Lot	Qual	Property Location		Property Class	Owner Address City, State	Zip Code
		Additional Lot				
39.05 47 C-N		3900 CINI ST NORTH 48		2	CURRENT OWNER 1053 HEMLOCK DR BLUE BELL, PA	19422
39.05 47 C-S		3900 CINI ST SOUTH 48		2	CURRENT OWNER 4814 LANDIS AVE VINELAND, NJ	08360
40.04 1		233 JFK BLVD 2-9,80,90,100,110, 12,01,13,14		15C	CURRENT OWNER 233 JFK BLVD SEA ISLE CITY, NJ	08243
40.04 15 C-N		4001 CINI ST NORTH 16,17,01		2	CURRENT OWNER 763 W ROLLING RD SPRINGFIELD, PA	19064
40.04 15 C-S		4001 CINI ST SOUTH 16,17,01		2	CURRENT OWNER 5461 WINDTREE DR DOYLESTOWN, PA	18902
40.04 17.02 C-E		242 40TH ST EAST 18.01		2	CURRENT OWNER 2301 PAGE ST CAMP HILL, PA	17011
40.04 17.02 C-W		242 40TH ST WEST 18.01		2	CURRENT OWNER 242 40TH ST WEST SEA ISLE CITY, NJ	08243
40.04 19		240 40TH ST 120,18.02		2	CURRENT OWNER 240 40TH ST SEA ISLE CITY, NJ	08243
40.04 25 C-E		226 40TH ST EAST 26		2	CURRENT OWNER 974 S PENN DR WEST CHESTER, PA	19380
40.04 25 C-W		226 40TH ST WEST 26		2	CURRENT OWNER 1358 OLDMANS CREEK RD SWEDESBORO, NJ	08085
40.04 27 C-E		222 40TH ST EAST 28		2	CURRENT OWNER 9 HILLCREST RD STRATFORD, NJ	08084
40.04 27 C-W		222 40TH ST WEST 28		2	CURRENT OWNER 222 40TH ST WEST SEA ISLE CITY, NJ	08243
40.04 121 C-E		234 40TH ST EAST 122		2	CURRENT OWNER 12 HEATHROW CT BLACKWOOD, NJ	08012

Block Lot Qual	Property Location Additional Lot	Property Class	Owner Address City, State	Zip Code
40.04 121 C-W	234 40TH ST WEST 122	2	CURRENT OWNER 30 LEVIS AVE MEDIA, PA	19063
40.04 123 C-E	230 40TH ST EAST 124	2	CURRENT OWNER 85 SARATOGA RD STRATFORD, NJ	08084
40.04 123 C-W	230 40TH ST WEST 124	2	CURRENT OWNER 129 CROMWELL DR HARRISON TOWNSHIP, NJ	08062
40.05 46 C-E	302 40TH ST EAST 47,48	2	CURRENT OWNER 17 INDIAN BIRCH RD TURNERSVILLE, NJ	08012
40.05 46 C-W	302 40TH ST WEST 47,48	2	CURRENT OWNER 331 VILLAGE WAY CHALFONT, PA	18914

UTILITY COMPANIES LISTED BELOW MUST ALSO BE NOTIFIED:

SOUTH JERSEY GAS COMPANY
CORPORATE HEADQUARTERS
1 SOUTH JERSEY PLAZA
FOLSOM, NJ 08037

58
VERIZON ENGINEERING DEPT.
10 TANSBORO ROAD FLR 2
BERLIN, NJ 08009

59
CAPE MAY CO. MUNICIPAL UTILITIES AUTHORITY
ATTN: CORPORATE SECRETARY
P.O. BOX 610
CAPE MAY COURT HOUSE, NJ 08210

60
COMCAST CABLE
ATTN: GREGORY SMITH, PROJECT MANAGER
901 WEST LEEDS AVE
ABSECON, NJ 08201

61
ATLANTIC CITY ELECTRIC COMPANY
5100 HARDING HIGHWAY SUITE 399
MAYS LANDING, NJ 08330

SEA ISLE CITY MUNICIPAL WATER AND SEWER
ATTN: CITY CLERK
4501 PARK ROAD
SEA ISLE CITY, NJ 08243

TO ALL APPLICANTS:

PLEASE BE ADVISED THAT IT IS THE APPLICANT'S BURDEN TO DETERMINE WHETHER THE CAPE MAY COUNTY PLANNING AND/OR THE COMMISSIONER OF THE NJ DEPARTMENT OF TRANSPORTATION MUST BE PROVIDED NOTICE IN ACCORDANCE WITH NJSA 40:55D-12.



City of Sea Isle City

MUNICIPAL SERVICES - 2ND FLOOR

233 JOHN F. KENNEDY BLVD.

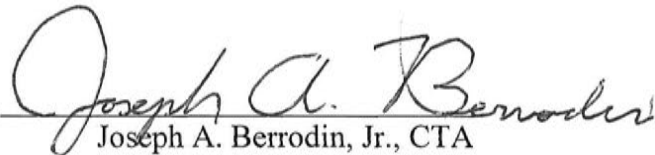
SEA ISLE CITY, NJ 08243

609-263-4461

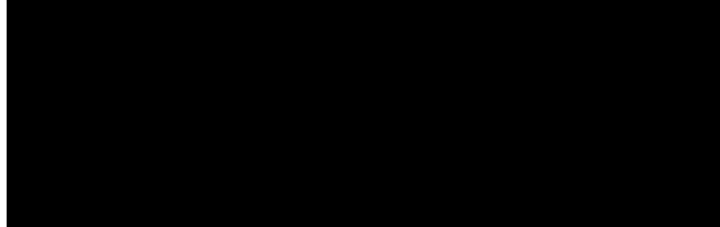
I, Joseph A. Berrodin, Jr., CTA, Tax Assessor of the City of Sea Isle City, New Jersey, hereby certify that the attached is a list of owners within two hundred (200) feet of Block 39.04 - Lot 4 & 5, as determined by the official Tax Map and Tax Duplicate of the City of Sea Isle City, New Jersey.

Note: If this is an application for subdivision or site-plan approval, the applicant must notify the corporate secretary of all public utilities and the general manager of all cable television companies that own land or any facilities that possess a right-of-way or easement within two hundred (200) feet of the applicant's property.

Dated

04/04/25 
Joseph A. Berrodin, Jr., CTA
Tax Assessor

Sea Isle City Zoning Board of Adjustment



(Date) 4.1.25

Joseph Berrodin, Jr, Tax Assessor
City of Sea Isle City
Municipal Services - 2nd Floor
233 John F. Kennedy Blvd
Sea Isle City, New Jersey 08243

Reference: Request for List of Property Owners within 200 feet
Property: (street address: 239 40th St)
Block: 39.04 Lot(s): 445

Dear Mr. Berrodin:

I am the owner / contract purchaser of the above property, and will be submitting an application to the Sea Isle City Zoning Board. Please accept this request for a list of all property owners within 200 feet of the subject property for use in connection with this application.

I have enclosed my check # 1119 in the amount of \$10.00 payable to the City of Sea Isle City, and a self-addressed stamped envelope for your use in sending this list to me.

Thank you for your time and attention in this matter.

Very truly yours,

(name) Richard Bigelow



1119
55-136/312
653

4.3.25 Date

Pay to the
Order of

City of Sea Isle
Ten Dollar and 00/100

\$10.00

Dollars



America's Most Convenient Bank®

For

2nd Fl list

R. Scott Bigelow

Sea Isle City Zoning Board of Adjustment

Applicant's Last Name:

Property Address:

Date Submitted to ZB Secretary:



Application Check List

This Application Check List is provided to assist you in submitting a complete application package to the Zoning Board. A complete Application Package shall consist of:

One (1) copy of this Checklist (on top), **plus one (1) copy each of the following items:**

- ☐ Check for Application Fees, made payable to "City of Sea Isle City" (first check)
- ☐ Check for Escrow Fees, made payable to "City of Sea Isle City" (second check)
- ☐ W-9 form, completed, and signed by the APPLICANT (one copy, only)
- ☐ ZB-3 Application Fees and Escrow Fee Calculation Sheet
- ☐ ZB-4 Certification and Proof of Payment of Taxes

**** Plus, TWENTY (20) copies of Application submitted via one (1) complete original hardcopy that must include ALL items listed above and below, one (1) ELECTRONIC COPY via Email or USB & eighteen (18) hardcopies with each set compiled of the documents below:**

- ☐ ZB-1 SICZB current Application form, including signed & dated verification
- ☐ ZB-2 Survey, Plan, or Plat Affidavit
- ☐ ZB-5 Notice of Application for Development
- ☐ ZB-6 Certification of Service
- ☐ ZB-7 Proposed letter to the "200 foot list"
- ☐ Copy of 200 foot list obtained from Sea Isle City Tax Assessor
- ☐ All plans, drawings, surveys, photographs, and similar documents upon which the Applicant proposes to rely in presenting the Application.
- ☐ Undersized lot cases only: Attach documentation of Applicant's offer to purchase property from or sell property to adjoining property owners, and all responses.
- ☐ Site plan approval and/or subdivision approval, also include:
ZB-11 Applications Involving Subdivisions and/or ZB-12 Applications Involving Site Plans

NOTE: Application Packages must be submitted to the Board Clerk consisting of ***twenty (20) application sets as outlined above*** **. Plans/drawings and similar documents must be folded (not rolled), and each set shall be bound together (rubber band, large clip or stapled). Component parts of the Application Package cannot be submitted separately; such Applications will be returned to the Applicant for completion and may result in delays and additional costs for processing.

No later than ten (10) days before the hearing date, all documents on which the Application will be based must be on file with the Zoning Board Clerk.

Finally, within TEN (10) Days prior to the date of the hearing, the Affidavit of Service ZB-6 and all certified mail receipts and Proof of Publication must be submitted to the Zoning Board Clerk.