

Sea Isle City Zoning Board of Adjustment

Applicant's Last Name: Lane

Property Address: 10 55th Street South

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 of Package), **plus one (1) each of the following items:**

- ☒ Check for Application Fees, made payable to "City of Sea Isle City"
- ☒ Check for Escrow Fees, made payable to "City of Sea Isle City"
- ☒ 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) sets of Application, with each set compiled of the following documents:

- ☒ ZB-1 SICZB current Application form, including signed & dated verification
- ☒ ZB-2 Survey, Plan, or Plat Affidavit
- ☒ ZB-5 Notice of Application for Development (To be provided under separate cover)
- ☒ ZB-6 Certification of Service (To be provided under separate cover)
- ☒ ZB-7 Proposed letter to the "200 foot list" (To be provided under separate cover)
- ☒ 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.

NA ☐ *Undersized lot cases only:* Attach documentation of Applicant's offer to purchase property from or sell property to adjoining property owners, and all responses.

NA ☐ *Site plan approval and/or subdivision approval,* also include: ZB-11 Applications Involving Subdivisions and/or ZB-12 Applications Involving Site Plans

NOTE that all Application Packages must be submitted to the Board Clerk in 20 complete sets to include 1 original and 19 copies. Plans, drawings and similar documents must be folded (not rolled). 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 delay and additional cost in 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: **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.

SEA ISLE CITY ZONING BOARD OF ADJUSTMENT APPLICATION / APPEAL FORM

Date of Application / Appeal: _____

1. **Location of premises that are the subject of this matter:**
 Street address: 10 55th Street South
 Tax Block: 55.01 Lot(s): 1507.02 Qualifier C-S
 Zoning District in which premises are located: 1509.02 (Easement)

2. **Name, address, phone nos. for Applicant(s):** [see Notes page]
Jospeh and Rita Lane
8 Kenny Circle
Broomall, PA 19008
Designate a contact person:
 Name: Elias T. Manos, Esquire (Manos Law Firm, LLC)
 Best method(s) to reach the contact person:
 Telephone Cell Fax e-mail regular mail
 Email: leo@manoslawfirm.com or business cell: 609-335-1873

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: Elias T. Manos, Esquire (Manos Law Firm, LLC)
 Address: 2408 New Road, Suite 2
 Northfield, NJ 08225
 Telephone: 609-335-1873 Fax: 609-257-6075

- 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):
 - ☐ single family dwelling
 - ☒ two family dwelling
 - ☐ triplex
 - ☐ commercial building: _____
 - ☐ public building: _____
 - ☐ other: _____
 - ☐ other multi-unit residential structure [number of units: _____]

The Principal Structure was originally built (date) 1997.

The most recent structural changes were made (date) NA and consisted of _____.

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

- ☐ detached garage ☐ storage shed ☐ dock(s)
☐ swimming pool ☒ other: Easement as shown on plans presented and on the Sea Isle Tax Map as Block 55.01, Lot 1509.02

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: 3
 How many are stacked parking? _____
 Number and location of driveways: 1

Elevation level.

Flood elevation of the property is: 9 NAVD 88
 Elevation at top of curb, street frontage is: 5.59 feet to 6.61 feet
 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 1997.
 Before that time, the property was used as unknown

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:

The Applicants are proposing to construct a new elevator shaft for an elevator along the side of the property as shown on the plans presented.

9. **Variance Relief Requested.** The changes Applicant wishes to make will require variances from the following Sections of the Sea Isle City Zoning Ordinance:
1. Section 26-46.4 (Front Yard Setback to Decks) 15 feet required, 14.4 feet exist and 14.4 feet proposed (ENC)
 2. Section 26-46.5a (Side Yard Setback) 5 feet required, 5 feet is exists and 2 feet is proposed.
 3. Section 26-36a (Impervious Lot Coverage) 70% is permitted, 75.26% exists and 75.36 is proposed.

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.

NA

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

- ☐ 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>
<u>Zoning District:</u>	<u>R-2</u>			
<u>LOT AREA/DIMENSIONS:</u>				
Lot Frontage	<u>100.18'</u>	<u>50'</u>	<u>50'</u>	<u>No</u>
Lot Depth	<u>100'</u>	<u>100'</u>	<u>100'</u>	<u>No</u>
Lot Area (s.f.)	<u>6,099 sf</u>	<u>5,000 sf</u>	<u>6,099 sf</u>	<u>No</u>

**PRINCIPAL
STRUCTURE**

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

Note: "SB" =

	23.15' (building) 14.4' (decks)		23.15' (building) 14.4' (decks)	No Yes (ENC)
Front Yard SB		15'		
Side yard SB #1	5'	5'	2'	Yes
Side yard SB #2	16.35'	5'	16.35'	No
Total SYSB	21.35'	15'	18.35'	No
Rear Yard SB	21.75'	20'	21.75'	No
Building Height	28.52'	32'	28.52'	No

**ACCESSORY
STRUCTURES**

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

Front Yard SB				
Side Yard SB #1				
Side Yard SB #2				
Rear Yard SB				
Distance to other buildings				
Building Height				

EXISTING
CONDITIONSREQUIRED BY
ORDINANCEPROPOSEDVARIANCE
REQUIRED
YES/NO**LOT COVERAGE**

Principal building (%)	<u>34.33%</u>	<u>35%</u>	<u>34.83%</u>	<u>No</u>
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Accessory building (%)	<u>NA</u>	<u></u>	<u></u>	<u></u>
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FLOOR AREA RATIO

Principal bldg	<u>0.8</u>	<u>0.6866</u>	<u>0.6964</u>	<u>No</u>
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Accessory bldg	<u>NA</u>	<u></u>	<u></u>	<u></u>
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PARKING

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

Driveway	<u>1</u>	<u>1</u>	<u>1</u>	<u>No</u>
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SIGNS

Dimensions	<u>NA</u>	<u></u>	<u></u>	<u></u>
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Number	<u></u>	<u></u>	<u></u>	<u></u>
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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.

Yes. The Applicants previously appeared before the Sea Isle City Zoning Board of Adjustment on December 4, 2023 and obtained variances for an elevator shaft at a similar but not identical location on the subject property. That prior approval was memorialized in written Resolution No. 2023-12-02 adopted by the Zoning Board on January 3, 2024. A copy is submitted herewith.

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.

See Rider and Variance Justification Report submitted herewith

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.

NA

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). NA

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
Elias T. Manos, Esquire	2408 New Road, Suite 2, Northfield, NJ 08225	609-335-1873	609-257-6075
Arthur Chew, PE, PP	130 West Seaview Avenue, Linwood, NJ 08221	609-992-8409	
James McAfee, Architect	105 Roosevelt Blvd., Marmora, NJ 08223	609-200-6086	

VERIFICATION OF APPLICATION

I, Joseph and Rita Lane, 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.

5-19-25
(date)

(Signature of Applicant; print name beneath)

Joseph Lane

5/19/25
(date)

(Signature of Applicant; print name beneath)

Rita Lane

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.

We, John P. Byrne and Barbara A. Byrne, as owners of 10 55th Street North (Block 55.01, Lot 1507.02, Qualifier C-N) of the 10 55th Street Condominium, hereby authorize and consent to the within application of Joseph Lane and Rita Lane to the Sea Isle City Zoning Board of Adjustment.

(date)

John P. Byrne

(date)

Barbara A. Byrne

VERIFICATION OF APPLICATION

I, Joseph and Rita Lane, 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.

(date)

(Signature of Applicant; print name beneath)
Joseph Lane

(date)

(Signature of Applicant; print name beneath)
Rita Lane

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.

We, John P. Byrne and Barbara A. Byrne, as owners of 10 55th Street North (Block 55.01, Lot 1507.02, Qualifier C-N) of the 10 55th Street Condominium, hereby authorize and consent to the within application of Joseph Lane and Rita Lane to the Sea Isle City Zoning Board of Adjustment.

5/15/25
(date)

John P. Byrne
John P. Byrne

5/15/25
(date)

Barbara A. Byrne
Barbara A. Byrne

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

State of New Jersey :
County of Atlantic : ss.
Name of Appellant/Applicant: Joseph and Rita Lane
Address of Subject Property: 10 55th Street South
Tax Block: 55.01 Lot(s): 1507.02 C-S and 1509.02

Joseph and Rita Lane, 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 Arthur J. Chew III and dated (last dated) 6/12/25 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.

Joseph Lane
Signature of Owner/Appellant/Applicant
Joseph Lane

Rita Lane
Signature of Owner/Appellant/Applicant
Rita Lane

Sworn and subscribed to before me
this 19th day of May, 2025.

Charles / Manno
Notary Public

Elies T. Menos, Esq.
Attorney at Law.
State of New Jersey

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

NAME of Appellant/Applicant: Joseph and Rita Lane

Address of Subject Property: 10 55th Street South

Tax Block: 55.01

Lot(s): 1507.02 C-S and 1509.02

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	
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	+	\$ \$1,500.00	= \$ 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: Joseph and Rita Lane

Address of Subject Property: 10 55th Street South

Tax Block: 55.01 Lot(s): 1507.02 C-S and 1509.02

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
Joseph Lane



Signature of Owner/Appellant/Applicant
Rita Lane

*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: 5/12/2025

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

BLOCK / LOT / QUAL: **55.01 / 1507.02 / C-S**
ACCT ID#: **5708-0**
LOCATION: **10 55TH STREET SOUTH**
OWNER OF RECORD: **LANE, JOSEPH & RITA**

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

5/12/2025

Date

RIDER AND VARIANCE JUSTIFICATION REPORT TO APPLICATION

Application of Joseph and Rita Lane Block 55.01, Lot 1507.02 (Qualifier C-S) and Lot 1509.02 10 55th Street South “c” Variances

Joseph and Rita Lane (“Applicants”) are the owners of the property located at 10 55th Street South. The property contains a two family dwelling and is in the condominium form of ownership with two units. The Applicants property is identified on the City of Sea Isle City tax map as Block 55.01, Lot 15.07, Qualifier C-S. Block 55.01, Lot 1509.02 is an access easement along the side of the overall property. The owners of the other unit (John P. Byrne and Barbara A. Byrne) have consented to the Applicants making this application. The property is located in the R-2 zoning district and is located along the beach front. The two family dwelling on the property has an existing nonconforming front yard setback of 14.4 where 15 feet is required and existing nonconforming impervious coverage of 75.26% where 70% is permitted.

The Applicants previously appeared before the City of Sea Isle Zoning Board of Adjustment (“Zoning Board”) on December 4, 2023 and were granted “c” variance relief pursuant to N.J.S.A. 40:55D-70c for a side yard setback (2 feet where 5 feet is required), a front yard setback (14.4 feet where 15 feet is required, which as noted was an existing nonconforming condition) and impervious coverage (where 70% is permitted, 75.26% existed and 75.36% was proposed) in order to construct an elevator shaft for an elevator along the side of the property. That approval was memorialized by the Zoning Board on in a written Resolution (Resolution No. 2023-12-02) adopted on January 8, 2024. After the Applicants obtained the approval and consulted with their then architect, it was determined that constructing the elevator shaft for the elevator as approved was not feasible. As a result, the Applicants have revised their plans for the elevator shaft and are back before the Zoning Board with this application. As initially approved, the elevator shaft was approximately 3 feet by 6 feet. As revised it is now approximately 3 feet by 10 feet. Despite the modification to the size of the elevator shaft, the identical variance relief is again required.

Specific Variances Sought

- 1) Side yard setback – 2 feet proposed where 5 feet is required (§26-46.5a).
- 2) Front yard setback – 14.4 feet proposed where 15 feet is required (§26-46.4 ENC)
- 3) Impervious coverage – 75.36% proposed where 70% is permitted and 75.26% exists.

Variance Justification

The Applicants submits that the variances requested are justified for several reasons. In that regard, in terms of the so-called positive criteria under a flexible standard set forth in N.J.S.A. 40:55D-70c(2), the project advances several purposes of zoning set forth in N.J.S.A. 40:55D-2, including but not limited to:

- 1) Promote General Welfare and Public Safety – the Applicants are constructing a new elevator that will enhance safety and accessibility to the Applicants’ unit to not only the Applicants, but to fire personnel and others accessing the unit.
- 2) Aesthetic Enhancement – the Applicants are incorporating the proposed elevator shaft into the side of the two family dwelling and blending it with the existing architecture of the two family dwelling such that it will produce an end product that is aesthetically enhancing.

In terms of the so-called negative criteria (that the variances can be granted without substantial detriment to the public good and without substantially impairing the intent of the zone plan or zoning ordinance of the City of Sea Isle City), the Applicants submit that granting the variances will not result in any substantial negative impacts. In that regard, while the latest proposal by the Applicants for the elevator shaft is essentially longer than the one previously approved, it will remain at the previously approved side yard setback of two feet and will not encroach any further. In addition, the elevator shaft is to be constructed on an existing concrete walkway and thus, it appears that there will be no change to existing impervious coverage but the Applicants have requested the same relief for impervious coverage as was previously granted. Further, the front yard setback deviation is an existing condition facing the beach that is not being changed or modified in any manner by the Applicants. Moreover, the elevator shaft as now proposed will not interfere with views of any adjacent property owners given its proposed location. The Applicants submit that the benefits of granting the variances substantially outweigh the detriments, if any, and request that the Zoning Board votes favorably on this application.

The Applicants will provide additional testimony at the time of the hearing to justify the variance relief being requested.

MANOS LAW FIRM, LLC

By: 

ELIAS T. MANOS

leo@manoslawfirm.com

Dated: July 2, 2025

CITY OF SEA ISLE CITY - ZONING BOARD OF ADJUSTMENT

COUNTY OF CAPE MAY
STATE OF NEW JERSEY

RESOLUTION NO. 2023 – 12 - 02

A RESOLUTION OF FINDINGS AND CONCLUSIONS OF THE ZONING BOARD OF
ADJUSTMENT OF THE CITY OF SEA ISLE CITY

WHEREAS, Joseph & Rita Lane (“the applicant”) are the owners of property known as Block 55.01, Lot 1507.02 & 1509.02 in Sea Isle City, New Jersey, also known 10 55th Street, South, Sea Isle City, New Jersey (“the property”); and

WHEREAS, the applicant is requesting to construct an elevator addition to the side yard of the building which would serve the south unit. No improvements are proposed for the northern unit; and

WHEREAS, the applicant appeared at the regular meeting of the Zoning Board of Adjustment of Sea Isle City on December 4, 2023 for a hearing on the application and at which time the board provided the opportunity for additional public comment; and

WHEREAS, the applicant submitted a proposed plot plan as part of their application; and

WHEREAS, the board, having considered the evidence presented by the applicant, the plans, the testimony of the applicant and their professionals, the application, and having considered the comments of its engineer and solicitor, has made and hereby memorializes the following findings of fact and/or conclusions of law:

1. The applicant has standing to present this application by virtue of its status as owner of the property.
2. The board has jurisdiction to hear this application.

3. A majority vote of a quorum of qualified board members is required for requested variances and waivers sought pursuant to N.J.S.A. 40:55D-70(c).

4. The application is deemed complete for purposes of the Municipal Land Use Law.

5. Applicant has given all notices required under law.

6. At the time of the hearing, the applicants personally appeared and were represented by their attorney Daniel McCann, Esq., and their Professional Engineer Arthur Chew, P.E.

7. The applicant has submitted an application for Hardship and Flexible "C" variance relief.

8. The existing structure on this property is a three (3) story, two-family frame residence with parking underneath the building.

9. The property is located on Block 55.01, Lots 1507.02 and 1509.02.

10. The property is located in the R2-Two Family Residential Zoning District.

11. The property has one hundred point one eight (100.18') feet of frontage on 55th Street and a varying lot depth between fifty-seven point nine eight (57.98') feet and sixty four point zero one one (64.011') feet.

12. The lot has a lot area of six thousand ninety nine (6,099 sq. ft.) square feet and is a conforming lot in the R-2 Zoning District.

13. The property's long dimension is perpendicular to the beachfront therefore, the front yard of this property is located on the beach front and the rear yard of the property is part of the western part of the property.

14. A twenty (20') foot wide easement crosses the property in question to provide access to the adjacent lot to the South which is known as Lots 1507.01 and 1509.01.

15. The applicant is seeking approval to construct a six (6') foot by four (4') foot elevator addition to the side yard of the building which would serve the South unit.

16. The applicant presented three exhibits; A-1, A-2, and A-3. A-1 depicts the side yard of the property starting from the front elevation looking toward the beach. The second exhibit, A-2, is a photo showing the garage, where the elevator shaft will be accessed. The third exhibit, A-3, shows an adjoining property owner from the beach side.

17. Mr. Lane indicated that the addition of an elevator will provide substantial improvement to the accessibility of the house. The kitchen and bedroom will both lose space in order to incorporate the elevator shaft into the existing building.

18. Mr. Chew indicated that the Lane's unit is nineteen feet (19 ft.). wide, and taking into consideration the existing interior building elements, it would create practical difficulty to incorporate the elevator within the structure without utilizing a portion of the side yard. Their unit is "landlocked" by the party wall with the adjoining unit and the existing side yard. He testified there is no substantial detriment to the application and the applicant has a very narrow footprint to work with in order to accommodate the elevator. The structure behind will still have adequate light, air, and open space. Mr. Chew noted that the bathroom windows of the adjoining structure are the only vantage points that will be potentially be blocked by the proposed elevator.

19. Mr. Chew indicated the impervious lot coverage will be increased by 0.10%, and the applicant will be more than compliant with FAR requirements.

20. Andrew Previti, P.E., the board engineer, reviewed his November 27, 2023 report with the board and the applicant.

21. The applicant confirmed that the exterior dimensions of the proposed elevator shaft will be 4' x 6'. Following discussion and comment from the Board, the applicant agreed to

shift the elevator shaft inward toward the building to reduce the variance to two (2) ft. proposed and resulting in an increase to the proposed side yard setback. The net result of the proposal is variance relief will still be required but will improve from one foot (1 ft.) to two feet (2 ft.) (Variance #2 in the below chart).

22. The applicant confirmed the adjoining condominium unit owner consented to the application.

23. The applicant agreed to address all comments and conditions in report.

24. The Board opened the application to public comment.

25. Nina Rosu of 29 54th Street, spoke in favor of the application. 26.

Patricia Ori of 218 82nd Street, and spoke in favor of the application.

27. Joe McCannspoke in favor of the application.

28. Denise Hompe of 15 East 45th Street spoke in favor of the application.

29. George Harberson of 3202 Central Avenue spoke in favor of the application.

30. The board closed public comment.

31. With regard to the applicant's required relief pursuant to N.J.S.A. 40:55D-70(c), the board finds that variance relief is appropriate in this case. The applicant demonstrates the positive criteria by proposing a site appropriate design which will enhance safety and accessibility to the residential condominium unit. Specifically, the application is designed to incorporate the elevator within the area of the existing building as to minimize the impact of its construction. The building coverage variance is minimal and FAR is proposed to be compliant. The application provides for greater safety and accessibility to the building and its occupants. The board is satisfied that the applicant appropriately balances the need for relief given those conditions with a reasonable site-appropriate proposal. The board finds that the variances may be

granted without causing substantial detriment to the public good and will not substantially impair the intent and purpose of the municipal zoning ordinance and municipal master plan. The board finds that combination of improvements to safety, accessibility, outweigh any detriments of granting relief in this case.

32. A motion was made to approve the application. The board voted 6-0 in favor of the application, as follows:

Roll Call	Yes	No	Absent	Abstain
Pasceri, Chairperson	X			
Urbaczewski, Vice Chair	X			
Elko			X	
Feola	X			
Ianelli	X			
McGinn	X			
Durling	X			
Cloud, Alternate I			X	
Curtin, Alternate II			X	

NOW THEREFORE, on this 8th day of January 2024, be it resolved by the Zoning Board of Adjustment of Sea Isle City as follows:

1. The applicant's request for variance relief, pursuant to N.J.S.A. 40:55D-70(c) from the requirements set forth in the below table, is hereby **GRANTED**:

(Variance Chart on Following Page)

VARIANCE CHART:

<u>Parameter</u>	<u>Required or Permitted</u>	<u>Proposed</u>	<u>Variance</u>	<u>Code Section</u>
1. Front Yard Setback	15 ft. ENC	14.4 ft.	0.6 ft.	26-46.4
2. Side Yard Setback	5 ft.	2 ft.*	3 ft.	26-46.5a
3. Impervious Lot coverage	70%	75.36% Being Increased From 75.26%	5.36%	26-36.a

ENC = Existing Non-Conformity

***Variance #2 reduced from a distance of 1 ft. to 2 ft. at the time of hearing by the applicant.**

2. The grant of approval is subject to the following conditions:
 - A. The applicant shall address all comments, revisions, and conditions as indicated in the engineering review letter by Board Engineer Andrew A. Previti, P.E. dated November 27th, 2023, incorporated herein by reference.
 - B. Any and all outstanding escrow fees shall be paid in full and the escrow account shall be replenished to the level required by ordinance prior to the issuance of a zoning permit, construction permit; temporary and/or final certificate of occupancy, or, within 30 days written notice that a deficiency exists in the escrow account, whichever is applicable.
 - C. The applicant shall ensure that the property remains orderly during the course of construction (i.e. materials are appropriately stored, construction debris timely removed).

- D. Applicant shall comply with all other applicable Sea Isle City Codes. The Applicant shall obtain and comply with all other applicable government agency approvals and regulations required by law.
- E. Any agreements or conditions acknowledged by the applicants that are set forth in the application or contained within the record of the hearing are adopted even if not forth herein at length.

This resolution is adopted in full memorialization of the Decision made by the Zoning Board of Adjustment of Sea Isle City at its regular meeting held on December 4, 2023.



PAT PASCERI, CHAIRMAN

This is to certify that this is a true copy of a Resolution adopted verbally by the Zoning Board of Adjustment of Sea Isle City at its regular meeting on December 4, 2023 at 7:00 p.m. at the Sea Isle City Municipal Building and memorialized on January 3, 2024.



GENELL FERRILLI, SECRETARY

Prepared by:

CHRISTOPHER GILLIN-SCHWARTZ, ESQUIRE

**Gillin
Schwartz** | Law

1252 NJ Route 109 | Cape May | NJ 08204
Tel: 609.884.0153 | cgsesq.com



City of Sea Isle City

MUNICIPAL SERVICES - 2ND FLOOR

233 JOHN F. KENNEDY BLVD.

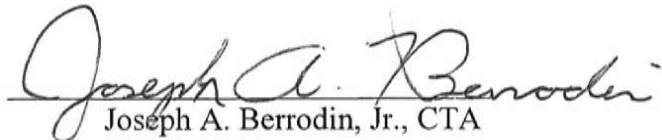
SEA ISLE CITY, NJ 08243

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 55, 01 - Lot 1507, 02 & 1509, 02, 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 05-16-25



Joseph A. Berrodin, Jr., CTA
Tax Assessor

UTILITY COMPANIES LISTED BELOW MUST ALSO BE NOTIFIED:

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

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

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

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

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.

Block Lot Qual	Property Location Additional Lot Additional Lot	Property Class	Owner Address City, State	Zip Code
54.01 7 C-N	9 55TH ST NORTH	2	CURRENT OWNER 17 SEVEN SPRINGS RD LEBANON, NJ	08833
54.01 7 C-S	9 55TH ST SOUTH	2	CURRENT OWNER 200 BERMUDA RD MARCO ISLAND, FL	34145
54.01 12.02	5405 PLEASURE AVE 13.03	2	CURRENT OWNER 4601 LANDIS AVE SEA ISLE CITY, NJ	08243
54.01 13.02 C-N	6 54TH ST NORTH 14	2	CURRENT OWNER 2419 E LANDIS AVE APT 16A VINELAND, NJ	08361
54.01 13.02 C-S	6 54TH ST SOUTH 14	2	CURRENT OWNER 113 HOMESTEAD CT MOORESTOWN, NJ	08057
54.01 15	5416 MARINE PL 16-19	15C	CURRENT OWNER 233 JFK BLVD SEA ISLE CITY, NJ	08243
54.01 781	5409 PLEASURE AVE	2	CURRENT OWNER 1060 GYPSY HILL RD AMBLER, PA	19002
54.01 782 C-N	11 55TH ST NORTH	2	CURRENT OWNER 22 STATION STONE LN LITITZ, PA	17543
54.01 782 C-S	11 55TH ST SOUTH	2	CURRENT OWNER 9313 EAGLE VIEW DR LAFAYETTE HILL, PA	19444
54.02 777	25 55TH ST	2	CURRENT OWNER 25 55TH ST SEA ISLE CITY, NJ	08243
54.02 779 C-N	5414 PLEASURE AVE NORTH	2	CURRENT OWNER 252 PEOPLES WAY HOCKESSIN, DE	19707
54.02 779 C-S	5414 PLEASURE AVE SOUTH	2	CURRENT OWNER PO BOX 133 SEA ISLE CITY, NJ	08243
54.02 780	22 54TH ST	2	CURRENT OWNER 160 HYDE PARK PL YARDLEY, PA	19067

Block Lot Qual	Property Location Additional Lot Additional Lot	Property Class	Owner Address City, State	Zip Code
55.01 1501	5512 MARINE PL 1502-1505	15C	CURRENT OWNER 233 JFK BLVD SEA ISLE CITY, NJ	08243
55.01 1506	9 56TH ST	2	CURRENT OWNER 330 KING OF PRUSSIA RD WAYNE, PA	19087
55.01 1507.01	12 55TH ST 1509.01	2	CURRENT OWNER 205 E 85TH ST APT 5G NEW YORK, NY	10028
55.01 1507.02 C-N	10 55TH ST NORTH 1509.02	2	CURRENT OWNER 1426 UXBRIDGE WAY NORTH WALES, PA	19454
55.01 1507.02 C-S	10 55TH ST SOUTH 1509.02	2	CURRENT OWNER 8 KENNY CIR BROOMALL, PA	19008
55.01 1508	15 56TH ST	2	CURRENT OWNER 102 ROSALIA CT JUPITER, FL	33478
55.01 1510	17 56TH ST	2	CURRENT OWNER 3685 MONTREUX LN,#204 NAPLES, FL	34114
55.01 1511 C-N	5501 PLEASURE AVE NORTH	2	CURRENT OWNER 200 CLEMENT CIR KING OF PRUSSIA, PA	19046
55.01 1511 C-S	5501 PLEASURE AVE SOUTH	2	CURRENT OWNER 217 COUNTRY LANE MT LAUREL, NJ	08054
55.02 1512	5504 PLEASURE AVE	2	CURRENT OWNER 10304 MONTGOMERY AVE KENSINGTON, MD	20895
55.02 1513	22 55TH ST	2	CURRENT OWNER 160 HYDE PARK PL YARDLEY, PA	19067
55.02 1514 C-E	25 56TH ST EAST	2	CURRENT OWNER 10 LAIL ST WOODSTOWN, NJ	08098
55.02 1514 C-W	25 56TH ST WEST	2	CURRENT OWNER 301 CANDLEWOOD WAY HARLEYSVILLE, PA	19438

<u>Block Lot Qual</u>	<u>Property Location Additional Lot Additional Lot</u>	<u>Property Class</u>	<u>Owner Address City, State</u>	<u>Zip Code</u>
55.02 1515 C-E	26 55TH ST EAST	2	CURRENT OWNER 162 OLD NEW YORK RD NEW HOPE, PA	18938
55.02 1515 C-W	26 55TH ST WEST	2	CURRENT OWNER 3116 SHORE RD OCEAN VIEW, NJ	08230
55.02 1518 C-N	5505 LANDIS AVE NORTH	2	CURRENT OWNER 4875 MEAD DR DOYLESTOWN, PA	18902
55.02 1518 C-S	5505 LANDIS AVE SOUTH	2	CURRENT OWNER 242 RAMBLEWOOD PKWY MOUNT LAUREL, NJ	08054
55.02 1519.02 C-A	30 55TH ST WEST	2	CURRENT OWNER 14 PLYMOUTH DR CHERRY HILL, NJ	08034
55.02 1519.02 C-B	28 55TH ST EAST	2	CURRENT OWNER 28 55TH ST EAST SEA ISLE CITY, NJ	08243