

## Memorandum

To: Sea Isle City Zoning Board of Adjustment

From: Andrew A. Previti, P.E.

Date: August 13, 2025

Subject: Joseph & Rita Lane - Variance Application  
10 55<sup>th</sup> Street, South  
Block: 55.01, Lots: 1507.02 & 1509.02  
R-2 Two Family Residential Zoning District  
City of Sea Isle City, Cape May County, New Jersey

Project No.: SIZ0239

### **I. Background**

The applicants have submitted an application for Hardship and Flexible "C" variance relief. The existing structure on this property is a three (3) story, two family frame residence with parking underneath the building. The property is located on Block 55.01, Lots 1507.02 and 1509.02. The property is located in the R2 – Two Family Residential Zoning District.

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

The parcel's long dimension is perpendicular to the beach front 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. 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.

The applicant received variance relief as memorialized in Resolution 2023-12-02. This relief permitted a two (2) foot side yard where five (5) foot was required, a front yard setback variance for an existing non-conforming condition and an impervious lot coverage variance. That project proposed a four foot by six foot (4'x6') elevator shaft which would encroach three (3) feet into the side yard resulting in a two (2) foot side yard setback. The current application requires variance relief as noted in the variance chart below. The proposed project will involve an extension of the building measuring three (3) feet from the outside face of the building for a width of ten (10) feet. The elevator shaft will extend into the building one foot two inches (1'-2") as shown on Drawing P1, Partial Ground Floor Plan. The proposed elevator extension into the building is irregular and the portion of the elevator which will extend beyond the outside face of the building and into the side yard measures three (3) foot by ten (10) foot as proposed.

The application has been accompanied by the following documents which have been submitted for review:

| <u>Drwg.</u> | <u>Title</u>   | <u>Prepared By</u>  | <u>Date</u> | <u>Revision</u> |
|--------------|--|---------------------|-------------|-----------------|
| 1 of 1       | Site Plan for Joseph A. Lane & Rita H. Lane            | Arthur Chew, PE     | 10/16/2023  | 06/12/2025      |
| P1           | Elevator Addition<br>Lane Residence<br>Schematic Plans | James E. McAfee, RA | 3/21/2025   | 5/28/2025       |
| P2           | Schematic Plans Elevations                             | James E. McAfee, RA | 3/21/2025   | 5/28/2025       |

The application will require variance relief as noted in the Variance Chart below.

#### VARIANCE CHART

| <u>Parameter</u>           | <u>Required<br/>or Permitted</u> | <u>Proposed</u> | <u>Variance</u> | <u>Code<br/>Section</u> |
|----------------------------|----------------------------------|-----------------|-----------------|-------------------------|
| 1. Front Yard Setback      | 15 ft.<br><b>ENC</b>             | 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%.                             | 75.26%          | 5.26%.          | 26-36.a                 |

**Note:** Proposed Impervious Coverage Differs on Plan & Application Form. This must be Reconciled.

**ENC= Existing Non-Conforming Conditions**

**Note: Variance relief was granted previously by Resolution 2023-012-02 as mentioned previously. The proposed side yard variance relief previously granted will be exacerbated by the widening of the elevator shaft from six (6) foot to ten (10) foot I would recommend that an entire new set of variances be considered for the project and that is what the applicant has submitted an application for.**

## **II. Determination for Completeness**

I would advise the Board that this application is complete for review relative to the variance relief which will be necessary in order to construct the proposed elevator addition. However, there will be a need for some revisions to the submitted plans as will be addressed in Section III below.

## **III. Comments**

1. The variances required for this project are listed in the Variance Chart.

The proposed side yard setback of two (2) feet is the same as what was approved previously and for which variance relief was granted. However, the width of the proposed elevator shaft

has been increased from six (6) feet to ten (10) feet therefore the variance is being exacerbated and a new variance would be necessary.

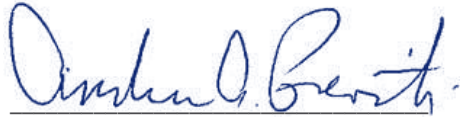
The Zoning Table on Chew Sheet 1 of 1 indicates a proposed impervious coverage of 75.26%. However, the application form at Item 9 on Page 4 indicates a proposed impervious coverage of 75.36%. This should be reconciled.

2. The permitted building height in the R-2 District as specified in Code Section 26-46.8 is 31 ft above the Local Design Flood Elevation. This property is located in a flood zone with a Base Flood Elevation of 9.0. Therefore, the Local Design Flood Elevation (LDFE) is elevation 12. The Zoning Table should be revised under the Required column to reflect a maximum height of thirty-one (31) feet as measured from the Local Design Flood Elevation and the existing and proposed columns should be checked to see what the actual height above Elevation 12 is. It does not appear that any variance relief is necessary. .
3. The site does not comply with the landscape requirements of Code Section 26-25. The Construction Official will review this at the time of submission for a building permit for the proposed improvements. Therefore, it is not necessary for the Board to review landscape requirements at this time.
4. The application is not subject to the Stormwater Management System requirements contained in Code Section 26-38 since the proposed elevator addition is less than two hundred fifty (250) square feet.
5. The plans submitted do not address elevator construction and this review is limited to the variance relief necessary. Construction plans will be necessary and these plans should indicate that the elevator will be flood proofed below elevation 12, the LDFE.
6. Any action taken by the Board should be conditioned on the improvements being constructed in accordance with the requirements of Chapter 14 – Flood Damage Prevention Ordinance and all FEMA regulations as required by the City.
7. **If this application is approved and following memorialization of the Board's action in a resolution, the professional should revise the plan and provide me with an electronic copy for review. If the plans have been revised to satisfy the comments contained in this memorandum as well as any conditions imposed by the Board, then seven (7) signed and sealed sets of plans should be sent to my office for signature. Construction permits will not be issued until signed plans are on file with the Construction Official.**

#### IV. Recommendations

1. The applicants and their professional should provide testimony as to why the Board should grant the variance relief applied for.

2. The plans submitted should be revised to reflect the comments contained in this report as well as any additional comments that the Board may have.
3. The Board has the discretion to grant the variances as requested or as required by testimony and could decide to grant some of the variances while denying others. The Board Solicitor will advise you relative to this issue.



Andrew A. Previti, P.E.  
Municipal & Board Engineer

AAP/dpm

cc: Genell Ferrilli, Board Secretary (via email)  
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