

Memorandum

To: Sea Isle City Zoning Board

From: Andrew A. Previti, P.E.

Date: October 13, 2025

Subject: Parkview Condominium – Variance Application
6812 Landis Avenue
Block: 68.03, Lot: 222
R-2 – Two Family Residential Zoning District
City of Sea Isle City, Cape May County, New Jersey

Project No.: SIZ0276

I. Background

The applicants have submitted an application for Hardship and Flexible “C” Variance Relief. The existing structure on this property is a two story four family frame residence. The property is located at Block 68.03, Lot 222 and is located in the R-2 Two Family Residential Zoning District.

The parcel has fifty five (55) foot of frontage on Landis Avenue and one hundred (100) foot of frontage on 69th Street and is a corner lot. The lot area measures five thousand five hundred (5,500) square feet and is a conforming lot in the R-2 Residential District. However, the existing use as a four (4) family residence is not a permitted use in the R-2 Residential District, and is therefore a continuing non-conforming use that was grandfather in since it was constructed prior to the ordinance change.

The application being submitted is an after-the-fact application to reflect deviations from what was noted on the permit application submitted to reconstruct the deck at this property. The Construction Office issued a permit to repair and rebuild the deck in the same footprint as the then existing deck. However, this was not done and the Construction Official/Zoning Officer has required the owners to apply for variance relief to address the deviations In what was originally proposed and what was constructed.

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>
3455-C	Plan of Survey Lot 222 Block 68.03, Sea Isle City	William F. Seaman, PLS	08/11/2025	---
	Construction Permit Application 6812, Landis Avenue dated 4/7/2025, including Condominium Plan by John C. Gibson & Associates, P.A.			

- Application for Zoning Review and Floodplain Management.

The application will require Variance Relief as noted in the Variance Chart below:

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.	11.3 ft. 2 nd Fl Deck 11.5 ft. 1 st Fl Deck	3.7 ft. 3.5 ft.	26-46.4
2. Side Yard Setback ENC	5 ft.	3 ft. 2'x4' Plastic Shed	2.0 ft.	26-46.5.b

ENC=Existing Non-Conformity

II. Determination for Completeness

I would advise the Board that this application is complete for review relative to the variance relief requested.

III. Comments

1. The variances required for this project are listed in the Variance Chart. The variance for the front yard setback requirement is necessary since the Construction Official issued a permit to reconstruct the deck in the same footprint as the original deck. Based on a document submitted with the permit application which was a Condominium Association Plan prepared by John C. Gibson Associates, the original front yard setback from 69th Street was thirteen point nine three (13.93) feet. The current survey prepared by William F. Seaman, PLS indicates a front yard setback of eleven point three (11.3) feet. Therefore, the deck was constructed approximately two point six three (2.63) feet beyond the original footprint of the deck prior to construction. This is also reflected in the fact that the landscaping along the 69th Street frontage which is shown in the photograph submitted with the application is no longer present and it appears that the deck was extended and eliminated the landscaping.

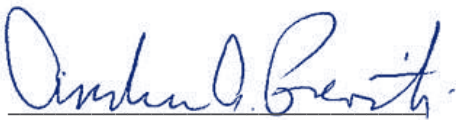
The variance for the existing two foot by four foot (2'x4') shed is an existing non-conforming condition and the Code requires that sheds are considered to be an accessory structure and must meet the same setback requirements as the principal structure which in this case would be five (5) feet.

2. The site does not comply with the landscaping requirements of Code Section 26-25 and actually it appears that site landscaping was eliminated by the deck expansion. The Construction Official will review this and will determine what landscaping improvements should be constructed.
3. The application is not subject to the Stormwater Management System requirements contained in Code Section 26-38 since the deck construction does not increase impervious coverage by more than two hundred fifty (250) square feet.

4. The variance relief sought is for existing conditions as noted on the survey prepared by William F. Seaman, PLS.
5. 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 by required by the City.
6. The application has not been accompanied by an actual plan with signature lines for the approval by the Board Chairman, Secretary and Engineer. Therefore, any Resolution which the Board may adopt should reflect this and the Resolution itself will be documentation for the use by the Construction Official. The Seaman survey does not require any revisions and has been submitted for informational purposes.

IV. Recommendations

1. The applicants and their professionals should provide testimony as to why the Board should grant the variance relief applied for .
2. The survey does not require any revisions.
3. The Board has the discretion to grant variance as requested or as required by testimony and could decide to grant some of the variance 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)
Chris Gillin-Schwartz, Planning Board Solicitor (via email)
Cornelius Byrne, Construction Official (via email)
Mariah Rodia, Construction Clerk (via email)
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