

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: 119 93rd Street
 Tax Block: 93.02 Lot(s): 19 & 20
 Zoning District in which premises are located: R-2 Zone

2. **Name, address, phone nos. for Applicant(s):** [see Notes page]
John Maul and Samantha Maul
 Designate a **contact person**:
 Name: John Maul
 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: Michael J. Lario, Jr., Esq. - Nehmad Davis & Goldstein, P.C.
 Address: 4030 Ocean Heights Avenue
Egg Harbor Township
 Telephone: 609-927-1177 Fax: 609-927-9721

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

The Principal Structure was originally built (date) unknown.

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

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

Elevation level.

Flood elevation of the property is: _____

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 unknown.

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:

Applicant proposes to demolish the existing structure and construct a new, flood compliant, single family residence at the subject site.

9. **Variance Relief Requested.** The changes Applicant wishes to make will require variances from the following Sections of the Sea Isle City Zoning Ordinance: Applicant seeks variance relief for existing nonconformities relating to Lot Area, Lot Frontage and Lot Depth. Variance relief is also sought for minimum aggregate side yard setback and minimum rear yard setback.

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.

No change in use is proposed.

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>
<u>Zoning District:</u>	<u>R-2</u>			
<u>LOT AREA/DIMENSIONS:</u>				
Lot Frontage	<u>40 ft.</u>	<u>50 ft.</u>	<u>40 ft.</u>	<u>ENC</u>
Lot Depth	<u>74 ft.</u>	<u>100 ft.</u>	<u>74 ft.</u>	<u>ENC</u>
Lot Area (s.f.)	<u>2,960 sq. ft.</u>	<u>5,000 sq. ft.</u>	<u>2,960 sq. ft.</u>	<u>ENC</u>

**PRINCIPAL
STRUCTURE**

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

Note: "SB" =

Front Yard SB	3.7 ft.	15 ft.	15.66 ft.	No
Side yard SB #1	4.0 ft.	5 ft.	5 ft.	No
Side yard SB #2	.9 ft.	5 ft.	5 ft.	No
Total SYSB	4.9 ft.	15 ft.	10 ft.	Yes
Rear Yard SB	3 ft.	15 ft.	11.25 ft.	Yes
Building Height	19.4 ft.	31 ft.	30.83 ft.	No

**ACCESSORY
STRUCTURES**

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

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

EXISTING
CONDITIONS

REQUIRED BY
ORDINANCE

PROPOSED

VARIANCE
REQUIRED
YES/NO

LOT COVERAGE

Principal building (%)	<u>37.5%</u>	<u>35%</u>	<u>37.8%</u>	<u>Yes</u>
Accessory building (%)	<u>N/A</u>	<u></u>	<u></u>	<u></u>

FLOOR AREA RATIO

Principal bldg	<u>.40</u>	<u>.85</u>	<u>.847</u>	<u>No</u>
Accessory bldg	<u>N/A</u>	<u></u>	<u></u>	<u></u>

PARKING

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

SIGNS

Dimensions	<u></u>	<u>N/A</u>	<u></u>	<u></u>
Number	<u></u>	<u></u>	<u></u>	<u></u>
Location	<u></u>	<u></u>	<u></u>	<u></u>
Type	<u></u>	<u></u>	<u></u>	<u></u>
(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.

N/A

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.

See Application Cover Letter

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
David Holst, RA	526 Sea Isle Blvd., Ocean View, NJ		609-624-0626

VERIFICATION OF APPLICATION


I, Samantha Maul, 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.

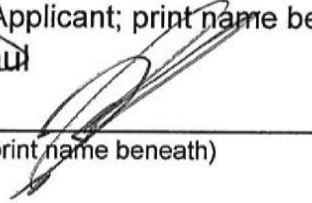
1-22-25

(date)

1/22/25
(date)


(Signature of Applicant; print name beneath)

Samantha Maul


(Signature of Applicant; print name beneath)

John Maul

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.

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

State of New Jersey :
County of Gloucester : ss.

Name of Appellant/Applicant: John and Samantha Maul
Address of Subject Property: 119 93rd Street
Tax Block: 93.02 Lot(s): 19 & 20

Samantha Maul

_____, 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 Stephen C. Martinelli and dated 9-29-2017 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.

Signature of Owner/Appellant/Applicant
John Maul

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

Signature of Owner/Appellant/Applicant
Samantha Maul

Heather Epting
Notary Public

HEATHER EPTING
NOTARY PUBLIC
STATE OF NEW JERSEY
MY COMMISSION EXPIRES MAY 27, 2025

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

NAME of Appellant/Applicant: John Maul and Samantha Maul

Address of Subject Property: 119 93rd Street

Tax Block: 93.02

Lot(s): 19 and 20

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		\$500.00			
1. Appeals (40:55-70a)	X	\$ 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.)

January 28, 2025

VIA UPS GROUND DELIVERY AND EMAIL

Genell Ferrilli, Secretary
Sea Isle City Zoning Board of Adjustment
Construction Office
City Municipal Building
233 John F. Kennedy Blvd
Sea Isle City, NJ 08243

**RE: Variance Application of John Maul and Samantha Maul
119 93rd Street
Block 93.02, Lot 19 and 20
Sea Isle City, Cape May County, New Jersey
Our File No. 13851-001**

Dear Ms. Ferrilli:

Please be advised this firm represents John Maul and Samantha Maul (the "Applicants") with respect to this application for "c" variance relief in order to demolish the existing single-family residence and construct, establish, and maintain a new single-family at the subject site. The new residence will be fully compliant with the Sea Isle City Zoning Ordinance Base Flood Elevations requirement.

With this application, the Applicant seeks "c" variance relief relating to existing non-conformities for lot area, lot frontage, and lot depth, along with "c" variance relief for the minimum aggregate side yard setback and minimum rear yard setback.

The existing lot is an undersized lot of record which presents certain hardships associated with the development of the subject site. The proposed single-family residence is an entirely appropriately sized home for the lot in question and conforms with other bulk requirements including individual side yard setback, impervious coverage, and height.

In support of this application, enclosed herein for filing, please find the following:

1. Twenty (20) copies of the Sea Isle City Zoning Board Application Form;
2. Twenty (20) copies of the Sea Isle City Zoning Board Checklist and Fee Schedule;

3. Twenty (20) copies of Variance Plan and Architectural Elevations prepared by Mashura Builders dated January 10, 2025;
4. One (1) copy of 200 Ft. Property Owners List; *(to be supplied under a separate cover)*
5. One (1) copy of the Proof of Paid Taxes; *(to be supplied under a separate cover)*
6. One (1) copy of the Applicant's W-9.

Lastly, enclosed herein please find two (2) checks in the amounts of \$500.00 and \$1,500.00 representing the required application fee and escrow deposit, respectively.

Please do not hesitate to contact me should you require any additional documents or information in order to deem this application complete. Once deemed complete please notify me as to the date that the Zoning Board will consider this application and our firm will, of course, provide the required public notice in advance of that date.

Thank you, as always, for your kind attention and usual courtesies.

Very truly yours,

NEHMAD DAVIS & GOLDSTEIN, PC

By: 
MICHAEL J. LARIO, JR.

MJL/tlc
Enclosures

- c. John and Samantha Maul (via email: [REDACTED]) and
[REDACTED]
Rich Mischura (via email: rmashura@mashurabuilders.com)
David Holst (via email: dholst@mashurabuilders.com)
CherylLynn Walters, Esquire (via email)

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 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 to be supplied under separate cover

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 supplied under separate cover
- ☒ ZB-6 Certification of Service to be supplied under separate cover
- ☒ ZB-7 Proposed letter to the "200 foot list" - to be supplied under separate cover
- ☒ Copy of 200 foot list obtained from Sea Isle City Tax Assessor to be supplied under separate cover
- ☒ 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 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.