

## Memorandum

To: Sea Isle City Zoning Board of Adjustment

From: Andrew A. Previti, P.E.

Date: December 19, 2023

Subject: James Caterina - Variance Application  
134 87<sup>th</sup> Street West  
Block: 88.02, Lots: 28.02, 29, 30 & 31.01  
R-2 Two Family Residential Zoning District  
City of Sea Isle City, Cape May County, New Jersey

Project No.: SIZ0243

### I. Background

The applicant has submitted an application for Hardship and Flexible "C" variances. The property in question is known as Block 88.02, Lots 28.02, 29, 30 & 31.01 and is located at 134 87<sup>th</sup> Street in the R-2 Two Family Residential Zoning District. The lot in question has fifty (50) foot of frontage on 87<sup>th</sup> Street and a lot depth of one hundred (100) feet. Therefore, the lot area is five thousand (5,000) square feet and conforms to the requirements of the R-2 Zoning District relative to lot size.

The existing structure is a 3-story, 2 family residential dwelling with garage area on the ground floor and residential development on the two floors above. The applicant is seeking approval to add additions to the two floors above on the west unit only. The additions would increase the building coverage to over the 35% limit and a variance has been applied for. There will also be a need for variances for existing non-conforming conditions as will be noted in this report.

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

<u>Drwg.</u>	<u>Title</u>	<u>Prepared By</u>	<u>Date</u>	<u>Revision</u>
P1	Schematic Design	James E. McAfee, R.A.	6/22/2023	---

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. Building Coverage	35%	37%	2%	26-46.9
2. Aggregate Side Yard Setback	15 ft. <b>ENC</b>	14.7 ft.	0.3 ft.	26-46.5a

3. Impervious Lot Coverage	70%	74%	4%	26-36a
	<b>ENC</b>			

**ENC = Existing Non-Conformity**

## **II. Determination for Completeness**

I would advise the Board that this application is technically complete for review in my opinion. There will be a need to provide some additional explanation by the professional however, the application is complete and can proceed to hearing.


## **III. Comments**

1. The application will require variance relief as noted in the Variance Chart. I have listed the two (2) existing non-conforming conditions in the Variance Chart and the applicant's professional should provide testimony concerning those conditions.
2. The zoning schedule under existing conditions indicates a rear yard setback of nineteen point eight zero (19.80) feet which would be non-conforming. However, the application is indicating that the proposed condition would be twenty (20) feet. The applicant's professional should address this and explain how he arrived at the 19.80 foot existing rear yard setback. This setback is not noted on the Plan of Survey prepared by Gibson Associates which I have received a copy of from Gibson.
3. The architect should check the existing floor area ratio. The three thousand two hundred thirty eight (3,238) square foot number appears to be low. I do not think that this impacts the proposed Floor Area Ratio calculation however, this should be checked.
4. The application does not include complete floor plans for the existing buildings. Only floor plans in the vicinity of the proposed additions are provided. The Board should decide if it will require a complete floor plan in order to verify the floor area ratio calculations. However, it appears from the Gibson survey that the project as proposed would not exceed FAR.
5. The plan is showing six (6) on-site parking spaces. The applicant should provide testimony as to how the garage area is utilized and if in effect the four cars shown within the garage area occupy the garage.
6. The building is equipped with gutters and downspouts.
7. The existing landscaping does not appear to be totally consistent with the requirements of the City Code. The Construction Official will review this matter when an application for a building permit is submitted.
8. Compliance with the requirements of Chapter 26-38 – Stormwater Management Systems is not required since there is no increase in impervious coverage.

9. 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 required by the City.
10. **If this application is approved and following memorialization of the Board's action in a resolution the professional should revise the plan set and should provide me with an electronic copy for review. If the plans have been revised to satisfy the comments noted in this memorandum as well as any conditions proposed by the Board, then seven (7) signed and sealed sets should be sent to my office for signature. A cost estimate and performance guarantee will not be required for this project. Construction permits will not be issued for this project until signed plans are on file with the Construction Official.**

### III. Recommendations

1. The applicant and his 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 or deny any of the variances as requested or 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 Gillen-Schwartz, Planning Board Solicitor (via email)  
Cornelius Byrne, Construction Official(via email)  
James Caterina, 134 87<sup>th</sup> Street, SIC  
Donald A. Wilkinson, Esquire (via email)  
James McAfee, RA (via email)