

Memorandum

To: Sea Isle City Zoning Board of Adjustment

From: Andrew A. Previti, P.E.

Date: March 25, 2024

Subject: John Glemser - Variance Application
21 30th Street, North & South Units
Block: 29.02, Lots: 3.02 & 4.02
R-2 Two Family Residential Zoning District
City of Sea Isle City, Cape May County, New Jersey

Project No.: SIZ0248

I. Background

The applicant has submitted an application for a Flexible "C" Variance relief.

The property is located at Block 29.02, Lots 3.02 & 4.02 and is located at 21 30th Street. The property is adjacent to the Sea Isle City Promenade and has one hundred twenty-five (125') foot of frontage on 30th Street. Since the longest dimension of the lot is perpendicular to the beach the front yard of this property is adjacent to the promenade right of way and the rear yard would be closest to Landis Avenue on the west side. This is reflected in the Zoning Chart on Halbruner Drawing C101.

The application indicates that there is an existing duplex on this property and that the foundation is experiencing structural problems and requires replacement. Due to this work the applicant is proposing renovation of the structure by elevating the structure to provide eight foot two inches (8'-2") of ground level clearance from the existing garage floor. The applicant is also proposing expansion of existing decks.

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>
C101	Site & Landscaping Plan	John E. Halbruner, PE	7/28/2023	2/21/2024
C102	Grading & Utility Plan	John E. Halbruner, PE	7/28/2023	1/3/2024
P1	Schematic Design Ground Floor Plan	James E. McAfee	2/12/2024	---

<u>Drwg.</u>	<u>Title</u>	<u>Prepared By</u>	<u>Date</u>	<u>Revision</u>
P2	Schematic Design First Floor Plan	James E. McAfee	2/12/2024	---
P3	Schematic Design Second Floor Plan	James E. McAfee	2/12/2024	---
P4	Schematic Design Third Floor Plan	James E. McAfee	2/12/2024	---
P5	Schematic Design Elevations	James E. McAfee	2/12/2024	---
P6	Schematic Design Elevations	James E. McAfee	2/12/2024	---
	• Topographic Survey	George Swensen, PLS	3/18/2021	---

The application will require variances 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. Minimum Side Yard Setback	15 ft. ENC	11.5 ft.	3.5 ft.	26-46.4
2. Min. Side Yard Setback	5 ft. ENC.	3.8 ft. North Side Deck	1.2 ft.	26-46.5.a
3. Aggregate Side Yard Setback	15 ft.	14.9 ft.	0.1 ft.	26-46.5.a
4. Max. Building Height	31 ft.	32 ft. -2inches	1 ft. 2inches	26-46.8.a

ENC = Existing Non-Conformity

II. Determination for Completeness

I would advise the Board that the plan is technically complete and could be presented at a hearing. There will be a need to revise the plan to address the comments contained in this report. However, the plans are sufficiently complete to be heard.

III. Comments

1. The application will require variance relief as noted in the Variance Chart. Three (3) of the required variances are for existing non-conforming conditions. The only new variance as far as I can see is a variance for maximum building height where thirty one (31) feet is permitted, and the applicant is proposing a building height of thirty two (32' - 2") feet two inches thus requiring a height variance. This would be a "C" variance since the increase in height does not exceed ten (10%) percent of the allowable building height.
2. The floor plans for this project should be checked, although, it appears that the proposed modifications to the structure will not exceed FAR. However, the architect's plans as well as the Zoning Schedule on Halbruner Drawing C101 indicate a total floor area of four thousand four hundred ninety-seven (4,497 sq. ft.) square feet where I calculate four thousand four hundred seventy-four (4,474 sq. ft.) square feet based on the area shown on the architect's plans. This should be reconciled.
3. The stormwater management system as designed, and the stormwater calculations are acceptable.
4. There appears to be no change in grading to the site and the existing grading is acceptable.
5. The Halbruner Plan Drawing C101 contains a note that the garage areas are to be used for parking only and no storage shall be below elevation 11. This note is generally acceptable; however I think that the new elevation would be elevation 12 based on the new building height requirements which went into effect on January 1, 2024. Therefore, the note on the Halbruner Drawing C101 should be revised accordingly, and a similar note should be shown on the architectural plans Drawing P1.
6. General Note 4 on Drawing C101 should be revised to reflect an expansion of the existing rear decks not front decks since this lot fronts on the beach as noted previously.
7. General Note 7 refers to the Flood Hazard Zone AE with a BFE of elevation 9. The engineer should confirm the flood zone with the flood plain administrator.
8. Both the architectural plans and the engineering plans appear to indicate that there will be new support columns for the existing first and second floor deck at the front of the building as well as new columns for the proposed deck expansions in the rear. These columns should be labeled on both the engineering and architectural plans.

The existing building has a driveway leading to a garage on the side of the building. However, it appears that this will change, and that two (2) new garage doors and openings will be provided at the eastern end of the building for access to the garage area. The applicant should address this and should indicate how this access will be used. It does not appear that existing driveway at the eastern end of the property can be relocated due to the location of the sand dune system. Therefore, it does not appear that there will be sufficient turning

room to turn a vehicle into these new driveway doors unless there were significant modifications to the adjacent site and on-site conditions. The applicant should address this.

9. The green space requirements are partially met by providing landscaping in the side yard portions of the rear yard with certain limits. Since an eighteen (18) foot wide utility easement crosses the western end of this lot and provides for access to the adjacent lots 3.01 & 4.01 it is not possible to provide a landscape area in the technical rear yard. I have not listed this as a need for a variance since it is not possible to block the access easement in my opinion.
10. The proposed landscaping plan is acceptable and meets code requirements.
11. The garage floor is and will be above elevation 7.0. Therefore, the project will conform to the requirements of Code Section 14-102.4 as revised by Ordinance Mo. 1707.
12. The architect should explain the proposed construction since it appears that new walls will be built on the ground level. The architect's plans on the ground floor plans on Drawing P1 also appears to show a new shower for each of the units. There is an existing shower, but it is under the stairs and therefore the architect should address whether this is a proposed new shower. If it is then this should also be shown on the engineering plans by Mr. Halbruner.
13. 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 as amended, and all FEMA regulations required by the City.
14. **If this application is approved and following memorialization of the Board's action in a resolution the professionals should revise their plans 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 each plan set should be sent to my office for signature (engineering plans) along with cost estimates for on and off-site improvements. A performance guarantee will be required off-site improvements and inspection fees will be calculated based on the total of both on-site and off-site improvements.**

Construction permits will not be issued until plans signed by the Board Chairperson, Secretary and Engineer are on file with the Construction Official and the necessary performance guarantee and inspection fees are posted. It will be the responsibility of the owner to contact the municipal engineer when inspections are necessary and these inspections should take place during the actual construction of the improvements.

III. Recommendations

1. The applicant and his professionals should provide testimony as to why the Board should grant the variance relief applied for.

2. The plan should be revised to reflect the comments contained in this report as well as any additional conditions 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 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)
Chris Gillen-Schwartz, Planning Board Solicitor (via email)
Cornelius Byrne, Construction Official (via email)
Mariah Rodia, Construction Clerk (via email)
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John E. Halbruner, PE, RA (via email)
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