

Memorandum

To: Sea Isle City Zoning Board

From: Chris Eaton, P.E., CME

Date: October 21, 2026

Subject: Katherine Hutchinson – Variance Application
7913 Roberts Ave
Block: 79.04 Lot: 358
R-2 Two-Family Residential Zoning District
City of Sea Isle City, Cape May County, New Jersey

Project No.: SIZ0291

I. Background

The applicants have submitted an application for Hardship and Flexible “c” Variance Relief. The property in question is known as Block 79.04, Lot 358 and is located at 7913 Roberts Street. The property is in the R-2 Two Family Residential Zoning District

The property in question is a corner lot and has one hundred feet of frontage on 80th Street and fifty five feet of frontage on Roberts Street. Therefore, the property has two front yards. The lot area is five thousand five hundred square feet and is a conforming lot in the R-2 Zoning District. The property supports an existing single family structure.

The applicant is proposing to construct an inground pool of approximately ten feet by twenty feet as shown on the plans. The pool would be placed within the designated rear yard and adjacent the front yard setback off 80th Street. The existing concrete patio is to be removed and replaced with concrete pavers adjoining the proposed pool with a proposed fence enclosing that area.

In addition to the requirements of the R-2 Zoning District at Code Section 26-46, the proposed pool use is also subject to the requirements of Code Section 26-26.7, Swimming Pools and Code Section 26-27.7, Building Setbacks from accessory structures.

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

<u>Drwg.</u>	<u>Title</u>	<u>Prepared By</u>	<u>Date</u>	<u>Revision</u>
1 of 1	Swimming Pool Plan	Shirnath J. Kotdawala, PE	9/1/2025	8/15/2026

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

<u>VARIANCE CHART</u>				
<u>Parameter</u>	<u>Required or Permitted</u>	<u>Proposed</u>	<u>Variance</u>	<u>Code Section</u>
1. Rear Yard Accessory Structure (Pool)	5.0 ft.	3.0 ft.	2.0 ft.	26-46.6
2. Rear Yard Accessory Structure (Equipment Platform)	5.0 ft.	0.0 ft.	5 ft.	26-46.6
3. Setback Accessory Structure from Main Building (Pool)	10 ft.	5.1 ft.	4.9 ft.	26-27.7a
4. Setback Accessory Structure (Equipment Platform)	5.0 ft.	0.0 ft.	5.0 ft.	26-27.7a
5. Setback Accessory Structure from Main Building (Pool)	60 ft.	± 37.0 ft.	23.0 ft.	26-27.7b
6. Four Foot Green Space Rear/Side Yards	4.0 ft.	0.0 ft.	4.0 ft.	26-38.2.c.6

ENC=Existing Non-Conformity.

II. Determination for Completeness

The plan is technically complete. The plan will require revisions to satisfy the comments contained in this report. However, the application could proceed to a hearing.

III. Comments

1. Variances are required for this project and are noted within the variance chart due to that which is proposed. The listed variances all relate to the size and placement of the proposed pool. Variances could be eliminated or reduced by altering the dimensions of the proposed pool and the location of the necessary equipment platform.
2. A survey has been reference within the shown general notes. A copy of this survey should be provided.

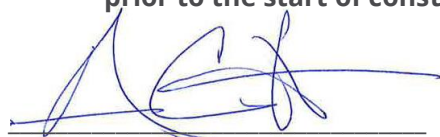
3. As per Section 26.26.7, a six foot fence is required to surround the pool area. Notes on the plan contradict, General note no. 12 indicates a four foot height while the call out on the site plan indicates a six foot height, this should be resolved. Details for the fence and noted gate should be provided. Additionally, the limits of the proposed fence and proposed gates are unclear on the design plan. This may impact the shown parking spaces and should be clearly shown.
4. Section 26-38.2.c.6 requires a four foot (4') green space along the side and rear property lines. This combined with the City's established standard requiring a two foot solid surface adjoining any pool mandate that the water's edge of the pool should be no closer than six feet (6') to the property line. The dimensions of the pool should be revised to allow for this, which may eliminate the need for certain variances.
5. Existing utility locations should be provided on the plan. Records and a site investigation show that both sanitary sewer and water services for the lot are provided off of 80th Street. Their locations may have impacts on the proposed stormwater management system and necessitate revisions.
6. The proposed mechanical equipment for the pool is shown to be placed at grade (elev. 9.2). Documentation provided by Construction Code Official Neil Byrne indicate that the base flood elevation for this property is elev. 9, therefore the equipment must be placed at a minimum of elev. 12.0 (BFE + 3ft.).
7. Zoning chart(s)
 - a. Indication of "B ZONE" is incorrect and should be removed.
 - b. In ground swimming pool chart shows both columns as 'PROVIDED'.
 - c. Provide an impervious coverage row showing compliance.
 - d. Provide accessory structure coverage row showing compliance.
 - e. A floor area ratio calculation should be provided.
8. Landscaping on site is abundant and well maintained, however, section 26-25.4 requires that for the one hundred fifty five feet (155 ft.) of frontage, the property should have four (4) street trees. I would advise that the existing landscaping on the property is sufficient.
9. Stormwater management
 - a) The shown pipe on the downspout detail should be labeled as to type and size. A callout on the plan view indicates a four inch p.v.c roof drain but no other designation of pipe has been indicated. A portion of the piping is to be installed below the existing parking area. Applicant's professional should provide testimony regarding the proposed piping in this area due to its shallow install depth.

- b) The engineer should provide testimony regarding the composition of the proposed 'exfiltration trench'. The plan view indicates what may be a clean out or access point. This should be clarified.
 - c) Shown 'Hydrograph Report' shows the drainage area to be 0.0 acres. Testimony should be provided to clarify/justify this value.
10. A standard signature block shall be placed on the plan for approval signatures.
11. Any action taken by the Board should be conditioned on the improvements being constructed in accordance with Chapter 14 – Flood Damage Prevention Ordinance and all FEMA regulations required by the City.
12. **If this application is approved and following memorialization of the Board's action in a resolution the design professional should revise the plans as necessary and provide an electronic copy to me 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 should be sent to my office for signature along with a cost estimate for on-site improvements.**

Construction permits will not be issued until plans signed by the Board Chairperson and Secretary and Engineer are on file with the construction Official and the necessary inspection fees have been posted. It will also be necessary for the pool contractor to contact the Municipal Engineer to set up a time for a pre-construction meeting for this project. This should be a condition of approval.

IV. Recommendations

1. The applicant and their professionals should provide testimony as to why the Board should grant the variance relief applied for.
2. The plans should be revised to reflect the comments contained in this report as well as any additional comments the Board may have.
3. The Board has the discretion to grant or deny the variances as requested and could decide to grant some of the variances while denying others. The Board solicitor will advise you relative to this issue.
4. **A condition of approval should be the requirement to have a pre-construction meeting prior to the start of construction.**



A. Christopher Eaton, P.E., C.M.E.
Engineer

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)
Michael J. Lario, Jr., Esq. (via email)
Katherine Hutchinson, Applicant (via email)

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