

Adopted _____, 2005

**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: 110 45th Street
 Tax Block: 45.03 Lot(s): 22.01
 Zoning District in which premises are located: R-2

2. Name, address, phone nos. for Applicant(s): [see Notes page]

110 45th Street Stateside, LLC
303 45th Place
Sea Isle City, NJ 08243

Designate a **contact person:**

Name: Donald A. Wilkinson, Esq.
 Best method(s) to reach the contact person:
 Telephone 609-263-0077 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: Donald A. Wilkinson, Esq.
 Address: 4210 Landis Avenue
Sea Isle City, NJ 08243
 Telephone: 609-263-0077 Fax: _____

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

The Principal Structure was originally built (date) 1920+/-.

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

_____.

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 s.f. 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: _____ How many are stacked parking? _____
- Number and location of driveways: _____

Elevation level.

Flood elevation of the property is: 6.44
 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
- two family dwelling
- three family dwelling
- other multi-family dwelling
- Other (describe) _____
- restaurant
- store
- public building
- office

The property has been used in this manner since Unknown. Before that time, the property was used as _____

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:

Replace existing single family residence with new single family residence.

9. **Variance Relief Requested.** The changes Applicant wishes to make will require variances from the following Sections of the Sea Isle City Zoning Ordinance:
- 26-46.5 Side yards and aggregate side yards
- 26-20.1 Undersized lot
- _____
- _____
- _____
- _____

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.

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>
Zoning District:	<u>R-2</u>			
<u>LOT AREA/DIMENSIONS:</u>				
Lot Frontage	<u>26</u>	<u>50</u>	<u>26</u>	<u>Existing</u>

Lot Depth	110	100	110	No
Lot Area (s.f.)	2860	5000	2860	Existing

PRINCIPAL STRUCTURE For the principal structure on the property, indicate the following: Note: "SB" = setback

Front Yard SB	7.7	15	15	No
Side yard SB #1	0.3	5	4	Yes
Side yard SB #2	6.3	10	4	Yes
Total SYSB	6.9	15	8	Yes
Rear Yard SB	38.7	20	25.54	No
Building Height	2.4	31	31	No

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

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

	<u>EXISTING CONDITIONS</u>	<u>REQUIRED BY ORDINANCE</u>	<u>PROPOSED</u>	<u>VARIANCE REQUIRED YES/NO</u>
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LOT COVERAGE

Principal building (%)	30.6%	35%	35%	No
Accessory building (%)				

FLOOR AREA RATIO

Principal bldg			85%	No
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Accessory bldg _____

PARKING

Location _____
 No. spaces on-site 0 3 4 No

Driveway _____

SIGNS N/A

Dimensions _____

Number _____

Location _____

Type _____
 (Freestanding or Building Mounted)

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.
 Not to our knowledge.

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.

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.

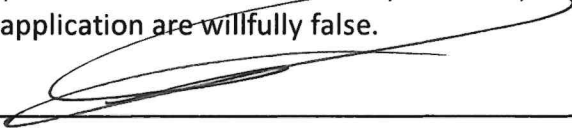
Name	Address	Phone	Fax
John E. Halbruner	4 Clermont Drive, Clermont, NJ 08210	609-398-4477	

12, 13, 14. The property is a pre-existing undersized lot containing a single family residence of approximate 100 years age. Applicants are proposing to replace the existing residence with a new single family residence. The relief requested is appropriate under both the C1 (hardship) and C2 (benefits criteria). The existing residence does not meet current construction codes as it is 100+ years old and is well under required flood elevation at 6.44 ft (1st floor.) Additionally, it is non-conforming in front yard, each side yard and aggregate side yard setbacks as well as containing no off- street parking. The proposed structure will eliminate the front yard setback non-conformity as well as increase side yard and aggregate side yard setbacks. It will also provide conforming on site parking. The proposed structure will benefit the City and neighborhood by increasing fire and flood safety by conforming to existing construction codes and requirements of the flood prevention ordinance. It will also eliminate existing front yard setback non- conformity and provide conforming on- site parking. The requested relief is also appropriate as a hardship given the undersized and narrow width of the existing lot. The relief will not substantially impair the intent of the Zoning Ordinance or public good given the enumerated benefits of the proposed project.

VERIFICATION OF APPLICATION

I, DONALD A. WILKINSON, ESQ., 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.



 (Signature of Applicant; print name beneath)

DONALD A. WILKINSON
 ATTORNEY FOR APPLICANT

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 Cape May : ss.
:


Name of Appellant/Applicant: 110 45th Street Stateside, LLC

Address of Subject Property: 110 45th Street


Tax Block: 45.03 Lot(s): 22.01

Donald A. Wilkinson, Esq., 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 John E. Halbruner, NJPE and dated 4/28/26 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
DONALD A. WILKINSON, ESQ.
ATTORNEY FOR APPLICANT

Sworn and subscribed to before me
this 14 day of May, 2026.


Notary Public

MAIGHDA-CAIT MOIRIN GLEESON
A Notary Public of New Jersey
My Commission Expires November 14, 2027

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

NAME of Appellant/Applicant: 110 45th STREET STATESIDE, LLC

Address of Subject Property: 110 45th STREET

Tax Block: 45.03

Lot(s): 22.01

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					
1. Appeals (40:55-70a)		\$ 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	2000
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	+	\$ 1500	=\$ 2000

** 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.)

SEA ISLE CITY ZONING BOARD OF ADJUSTMENT
CERTIFICATION OF PAYMENT OF TAXES AND MUNICIPAL LIENS

Name of Appellant/Applicant: 110 45th Street Stateside, LLC

Address of Subject Property: 110 45th Street

Tax Block: 45.03

Lot(s): 22.01

The above-named appellant or applicant hereby certifies as follows:

1. I am the attorney for 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 all real estate taxes for the property are current as of the date of this appeal or application, and that they will be current as of the date of the Zoning Board hearing.
3. I verify that all municipal charges against the property, such as water and sewer charges, are current as of the date of this appeal or application, and that they will be current as of the date of the Zoning Board hearing.
4. I have obtained a certification from the Sea Isle City Tax Collector, attached hereto, attesting to the status of real estate taxes and municipal charges against the property.
5. I understand that I have a continuing obligation to satisfy any municipal lien against this property.
6. I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing is willfully false, I am subject to punishment.



 Signature of Owner/Appellant/Applicant
 DONALD A. WILKINSON, ESQ.

***Attach to this form the signed certification of paid taxes provided by
the Sea Isle City Tax Collector.***

CITY OF SEA ISLE CITY
TAX & UTILITY COLLECTOR
233 JFK BLVD ROOM #204
SEA ISLE CITY, NJ 08243
PHONE: (609) 263-4461 EXT. 1215
FAX: (609) 263-6139

DATE: 5/14/2026

RE: Certification of Taxes Accounts For Planning and Zoning Board

BLOCK / LOT / QUAL: 45.03/ 22.01
ACCT ID#: 00002111/1925-0
LOCATION: 110 45TH STREET
OWNER OF RECORD: BEACH TO BUILDERS LLC

This is to certify that Taxes ARE or **ARE NOT** paid to date on the above property.

Comments: **Property taxes are delinquent for both first and second quarters of 2026 as well as water and sewer is delinquent for the 1st quarter of 2026.**

Please contact the Tax Collector's Office if you have any questions.

Jessica Gibson
CITY OF SEA ISLE CITY
TAX COLLECTION DEPARTMENT

5/14/2026

Date

Proposed 200' List Letter

Applicant's & Owners Name and Address:

110 45th Street Stateside, LLC
303 45th Place
Sea Isle City, NJ 08243

Subject Property-Street Address:

110 45th Street, Sea Isle City, New Jersey

Subject Property-Block & Lot Numbers:

Lot 22.01 Block 45.03

Dear Property Owner:

NOTICE OF APPLICATION FOR DEVELOPMENT

TAKE NOTICE that a Hearing will be held before the Zoning Board of the City of Sea Isle City, on the **1st of June, 2026** at the City Hall of Sea Isle, 233 JFK Boulevard, Sea Isle City, New Jersey at 7:00PM, to consider an Appeal or Application for Development regarding the above mentioned property, wherein, the Applicant or Appellant is requesting variance relief for side and aggregate side yard and undersized lot to replace the existing residence on the site with a single family residence.

In connection thereto applicant will further request any and all other variances, waivers, or other relief deemed necessary.

ALL PERSONS wishing to make a statement or offer evidence concerning this application must appear in person at the hearing or through an attorney or agent. The zoning board can not accept petitions or letters and must rely on live testimony.

The application and all Maps and documents relating to the said matter, will be available for public inspection at Construction Office, 233 JFK Boulevard, Sea Isle City, New Jersey 10 days prior to the Hearing date, during normal business hours.

This Notice is given pursuant to N.J.S.A. 40:55D-11, et seq.

**DONALD A. WILKINSON, ESQUIRE
4210 LANDIS AVENUE
PO BOX 153
SEA ISLE CITY, NEW JERSEY 08243
609-263-0077**

**JOSEPHSON
WILKINSON &
GILMAN, P.A.
ATTORNEYS AT LAW**



4210 LANDIS AVENUE
SEA ISLE CITY, NJ 08243
(609) 263-0077
FAX: (609) 368-6033
E-MAIL: donald.wilkinson@lawjwg.com

FLORENCE E. JOSEPHSON (1943-79)
DONALD A. WILKINSON
CORY J. GILMAN

May 13, 2026

Genell Ferrilli, Zoning Board Secretary
City of Sea Isle City
233 JFK Blvd
Sea Isle City, New Jersey 08243

Re: 110 45th Street Stateside, LLC
110 45th Street
Sea Isle City, New Jersey
Our File No. L0032-26

Dear Ms. Ferrilli:

This office represents 110 45th Street Stateside, LLC in reference to the enclosed Zoning Board application.

I enclose 2 sets of application. We request that the matter be scheduled for the June 1st meeting.

Please advise if you require any further items.

Very truly yours,
JOSEPHSON, WILKINSON, & GILMAN P.A.


DONALD A. WILKINSON

DAW/mmg
Enclosures

Sea Isle City Zoning Board of Adjustment	Applicant's Last Name: 110 45 th Street Stateside, LLC
	Property Address: 110 45 th Street
	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:

1 copy of this Checklist (on top of Package), plus:

- Three self-addressed stamped envelopes.
- 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

Plus, 18 sets of Applications, each set compiled of the following documents:

- ZB-1 SICZB current Application form, including signed and dated verification
- ZB-2 Survey, Plan, or Plat Affidavit
- ZB-5 Proposed form of Notice of Hearing
- ZB-7 Proposed letter to the "200 foot list"
- Copy of 200 foot list obtained from Sea Isle City Tax Assessor
- 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 Secretary in 18 complete sets. Plans, drawings and similar documents must be folded (not rolled). Each set shall be bound together (rubberband, 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 Secretary.

Finally: On or before 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 Secretary.