

**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: 106 50th Street, East Unit  
 Tax Block: 50.03 Lot(s): 22.03  
 Zoning District in which premises are located: C2

2. **Name, address, phone nos. for Applicant(s):** [see Notes page]  
Joseph McAllister  
 \_\_\_\_\_  
 \_\_\_\_\_  
Horsham, PA 19044

Designate a **contact person:**  
 Name: Andrew D. Catanese, Esq.  
 Best method(s) to reach the contact person:  
 Telephone Cell Fax  e-mail regular mail  
acatanese@mcdpclaw.com ; rvargas@mcdpclaw.com

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: Andrew D. Catanese, Esq. - Monzo Catanese DeLollis, P.C.  
 Address: 211 Bayberry Drive, Suite 2A  
Cape May Court House, NJ 08210  
 Telephone: (609) 463-4601 Fax: (609) 463-4606

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-35
- 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) 2025.

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 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: 4 / unit
- How many are stacked parking? 4 / unit
- Number and location of driveways: 1 driveway - located in front yard

Elevation level.

Flood elevation of the property is: AE Elevation 8  
 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 2025.  
 Before that time, the property was used as duplex

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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:

Construct an in-ground swimming pool and concrete patio on the easterly portion of the rear yard. The existing four foot high fence in the rear of the property will be removed and replaced with a six foot high fence and latching gate.

9. **Variance Relief Requested.** The changes Applicant wishes to make will require variances from the following Sections of the Sea Isle City Zoning Ordinance:

§ 26-53.1

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.

Expansion of non-conforming use as duplexes are not permitted in the C2 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:	C-2			
<b><u>LOT AREA/DIMENSIONS:</u></b>				
Lot Frontage	50'	50'	50'	No
Lot Depth	110'	100'	110'	No
Lot Area (s.f.)	5,500 SF	5,000 SF	5,500 SF	No

<b><u>PRINCIPAL STRUCTURE</u></b>	<i>For the principal structure on the property, indicate the following: setback</i>			Note: "SB" =
Front Yard SB	15'	15'	no change	No
Side yard SB #1	5'	7.5'	no change	No
Side yard SB #2	5'	7.5'	no change	No
Total SYSB	15'	15'	no change	No
Rear Yard SB	20.2'	20'	no change	No
Fence Building Height	4'	6'	6'	No

<b><u>ACCESSORY STRUCTURES</u></b>	<i>Pool</i>	<i>For all accessory structures on the property, indicate the following:</i>		
Front Yard SB				
Side Yard SB #1	n/a	5.0'	6.28'	No
Pool Deck				
Patio Setback				
Side Yard SB #2				
Rear Yard SB	n/a	5'	5'	No
Pool setback to dwelling	Distance to other buildings	n/a	10'	No
	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 (%)	35%	35%	no change	No
Impervious coverage	Accessory building (%)	72.3%	75%	74.9%	No

**FLOOR AREA RATIO** No change

Principal bldg	_____	_____	_____	No
Accessory bldg	_____	_____	_____	No

**PARKING** No change

Location	_____	_____	_____	No
No. spaces on-site	_____	_____	_____	No
Driveway	_____	_____	_____	No

**SIGNS**

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.  
Resolution 2024-06-01 - Use Variance for two unit residence (approved)  
Resolution 2025-10-01 - Use Variance expansion of non-conforming use (denied)

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.

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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
Andrew D. Catanese, Esq.	211 Bayberry Drive, Suite 2A	(609) 463-4601	(609) 463-4606
<hr/> Monzo Catanese DeLollis, P.C. CMCH, NJ 08210			
Vincent C. Orlando, L.L.A., P.E., P.P., C.M.E.	5 Cambridge Drive	(609) 390-0332	(609) 390-9204
<hr/> Engineering Design Associates, P.A. Ocean View, NJ 08230			

**VERIFICATION OF APPLICATION**

I, Joseph McAllister, 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.

3/20/26  
(date)

*Joseph C McAllister*  
(Signature of Applicant; print name beneath)  
*JOSEPH C McAllister*

**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~~ Pennsylvania (PB)

County of ~~CAPE MAY~~ Montgomery (PB) ss.

Name of Appellant/Applicant: Joseph McAllister

Address of Subject Property: 106 50th Street, East Unit

Tax Block: 50.03 Lot(s): 22.03

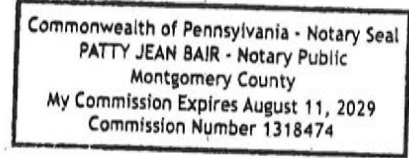
.....  
Joseph McAllister, being duly sworn according to law, upon his/her oath, deposes and says:

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 Cape Land Surveying and dated 12/27/22, rev. 10/7/25 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.

*Joseph McAllister*  
Signature of Owner/Appellant/Applicant

Sworn and subscribed to before me  
this 20th day of March, 2026.

*Patty Jean Bair*  
Notary Public



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

NAME of Appellant/Applicant: Joseph McAllisterAddress of Subject Property: 106 50th Street, East UnitTax Block: 50.03Lot(s): 22.03

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
<b>VARIANCES</b>					
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	
4. Use Variance (40:55D-70d) (Incl. floor area ratio)		\$ 200.00	+	\$ 1,500.00	\$1,700.00
5. Permits (40:55D-34 & 35)		\$ 200.00	+	\$ 1,000.00	
6. Appeals (City Ordinances)		\$ 250.00	+	\$ 1,000.00	
<b>PLANNING BOARD</b>					
Each informal review		\$ 100.00	+	\$ 1,500.00	
<b>SUBDIVISION</b>					
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	
<b>SITE PLANS</b>					
1. Preliminary		\$ 500.00	+	\$ 3,000.00	
2. Final Plan		\$ 750.00	+	\$ 1,500.00	
3. Minor Site Plan		\$ 250.00	+	\$ 1,200.00	
<b>OTHER</b>					
**Any special meeting at the request of appellant/applicant**		\$ 400.00	+	\$ 1,200.00	
<b>TOTALS</b>		\$ 200.00	+	\$ 1,500.00	= \$ 1,700.00

\*\* 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.)

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

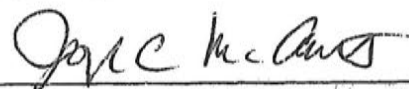
Name of Appellant/Applicant: Joseph McAllister

Address of Subject Property: 106 50th Street, East Unit

Tax Block: 50.03 Lot(s): 22.03

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

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 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

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

**DRAFT**

ZB-5  
Proposed Form of Notice of Hearing

No

**SEA ISLE CITY ZONING BOARD OF ADJUSTMENT**  
**NOTICE OF APPLICATION FOR DEVELOPMENT**

Applicant's Name & Address: Joseph McAllister  
 \_\_\_\_\_  
 \_\_\_\_\_

Owner's Name & Address: Same as applicant  
 \_\_\_\_\_  
 \_\_\_\_\_

Subject Property, Street Address: 106 50th Street, East Unit  
 Subject Property, Block & Lot No.: Block 50.03, 22.03  
 Zoning District C2

TAKE NOTICE that a hearing will be held before the Sea Isle City Zoning Board of Adjustment on Monday, TBD, 20     at 7:00 p.m., in the City of Sea Isle City Municipal Building at 233 John F. Kennedy Blvd., Sea Isle City, NJ to consider an Application for Development regarding the above described property. The property is/will be developed with a duplex

     Applicant seeks variance relief to do the following       
      
construct a pool in the rear yard.

In order to do this, the Applicant is seeking the following variances from the Sea Isle City Zoning Ordinance:     

Variance relief is requested for expansion of non-conforming use  
as duplexes are not permitted in the C2 zone.

Maps and documents relating to this matter will be available for public inspection ten (10) days prior to the hearing date, during normal business hours, through the Clerk of the Zoning Board of Adjustment, within the Construction Office of Sea Isle City's Municipal Services -2<sup>nd</sup> Floor, 233 John F. Kennedy Blvd., Sea Isle City, NJ.

If you wish to make a statement or offer evidence concerning this application, you must appear in person at the hearing or through an attorney or agent. The Zoning Board cannot accept petitions or letters, and must rely on live testimony.

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

Name of Applicant or Attorney  
 Address, Telephone Number









**RESOLUTION  
OF  
106 50<sup>TH</sup> STREET CONDOMINIUM ASSOCIATION**

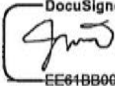
**WHEREAS**, 106 50<sup>th</sup> STREET CONDOMINIUM ASSOCIATION (the “Condominium”) is a condominium consisting of two units owned by Joseph and Jennifer McAllister and Janine Furia (the “Members”).

**WHEREAS**, Joseph and Jennifer McAllister own the East Unit and Janine Furia owns West Unit.

**WHEREAS**, the Members authorize this application to the City of Sea Isle City Zoning Board for a D-2 Use variance to permit the construction of an in-ground pool in the east unit rear yard at the property. A D-2 Use Variance is required for the expansion of an existing non-conformance (two-family dwellings are not permitted in the C-2 zone), and any other variance relief and waivers as needed and/or required.

**NOW, THEREFORE, BE IT RESOLVED** by the members of 106 50<sup>th</sup> Street Condominium Association hereby consents to a zoning board application for a use variance and, other variance relief and waivers as needed and/or required.

The undersigned hereby certify the foregoing Resolution was adopted by the members of the 106 50<sup>th</sup> Street Condominium Association as of March <sup>23</sup>\_\_, 2026.

DocuSigned by:  
  
EE61BB00EE3649C...  
Joseph McAllister

Signed by:  
  
78E0AB195F3546E...  
Jennifer A. McAllister

Signed by:  
  
25110130E119485...  
Janine Furia

CITY OF SEA ISLE CITY - ZONING BOARD OF ADJUSTMENT

COUNTY OF CAPE MAY  
STATE OF NEW JERSEY

RESOLUTION NO. 2024 – 06 - 01

A RESOLUTION OF FINDINGS AND CONCLUSIONS OF THE ZONING BOARD OF  
ADJUSTMENT OF THE CITY OF SEA ISLE CITY

WHEREAS, Uncle Oogie’s Housing, LLC (“the applicant”) is the owner of property known as Block 50.03, Lot(s) 22.02, 23.01 & 23.02 in Sea Isle City, New Jersey, also known 104 & 106 50<sup>th</sup> Street, Sea Isle City, New Jersey (“the property”); and

WHEREAS, the application proposes a use variance for construction of a two (2) family residential dwelling structure not permitted in the C-2 Zoning District which is not a permitted use; and

WHEREAS, the applicant appeared at a regular meeting of the Zoning Board of Adjustment of Sea Isle City on June 3, 2024 at which time the board held a hearing on the application which included the opportunity for public comment; and

WHEREAS, the applicant submitted a proposed plot plan as part of their application; and

WHEREAS, the board, having considered the evidence presented by the applicant, the plans, the testimony of the applicant and their professionals, the application, and having considered the comments of its engineer and solicitor, has made and hereby memorializes the following findings of fact and/or conclusions of law:

1. The applicant has standing to present this application by virtue of its status as owner of the property.
2. The board has jurisdiction to hear this application.

3. A majority vote of a quorum of qualified board members is required for requested variances and waivers sought pursuant to N.J.S.A. 40:55D-70(c). An affirmative vote of five (5) qualified members is required for variances pursuant to N.J.S.A. 40:55D-70(d).

4. The application is deemed complete for purposes of the land use law.

5. Applicant has given all notices required under law.

6. At the time of the hearing, Louis Cerone personally appeared as principal of the applicant and was represented by their attorney Donald Wilkinson, Esq., and their planner Paul Kates, P.P., and engineer Andrew Shawl, P.E.

7. The applicant has submitted an application for a use variance for a structure not permitted in the C-2 Zoning District. The applicant is proposing to construct a two (2) family residential dwelling in this district, and this is not a permitted use.

8. The parcel has fifty (50') foot of frontage on 50th Street and a lot depth of one hundred ten (110') feet. Therefore, the parcel has a lot area of five thousand five hundred (5,500 sq.ft.) square feet which would be a conforming lot in the C-2 District.

9. In cases where a non-permitted residential use is proposed in a commercial district, the Board has previously determined that in these circumstances the bulk regulations of the C-2 District would not be applicable and that the Board would apply appropriate residential bulk requirements to the proposed structure if the Board were to grant the use variance.

10. The proposed structure would meet the majority of the bulk requirements of the R-2 Zoning District. The Zoning Conformance Schedule under the required column for R-2 indicates the permitted Floor Area Ratio of eighty-five (85%) percent is applicable and four (4) parking spaces per unit are required in order to accommodate the FAR.

11. Mr. Cerone testified that he is familiar with Sea Isle City and 50<sup>th</sup> Street and that the property is a duplex and has always been used in that manner. He confirmed that although the property appears from the street to be a duplex, the existing site is two separate lots with two separate dwellings sharing a party wall on the lot line. The application seeks to demolish the existing dwellings, consolidate the lots (Lots 22.02, 23.01, & 23.02), and construct a new duplex dwelling.

12. Mr. Shawl indicated that the buildings are not compliant with the current flood standards. The proposed replacement duplex structure would be a benefit to the City by making improvements to flood resiliency. Mr. Shawl indicated that the “conforming” uses available under the commercial zone regulations could result in a 40 ft. tall mixed-use development with commercial on the first floor and residential above. He contrasted that with the proposed residential use which is more compatible with the uses in the surrounding neighborhood.

13. Mr. Kates described the zoning boundaries and neighborhood. The C-2 zone in the area of the application is isolated. All other areas are part of the R-2 Zone including structures directly to the west of the subject property. Mr. Kates noted that the lot does not have frontage on Landis Avenue and has very little visibility from that area. Due to the age of the building, it appears that residential use has been present for many years. Mr. Kates indicated the proposed structure is compatible with the neighborhood and proposes 4 parking space for each unit required under the code (eight (8) total off street parking spaces) and provides additional relief to the surrounding area from parking issues. The proposal by the applicant to reduce the height to R-2 limitations provides a more compatible addition to the surrounding neighborhood than the additional massing permitted under the C-2 district. Mr. Kates indicated that the application preserves adequate light, air, and open space, promotes appropriate population

densities and provides for safer zoning alternative that is compatible with the surrounding neighborhood.

14. The Board questioned the nature of a historic easement referenced on the project survey indicating the property is subject to “easement as set forth in Deed by Leo E Lane Sr to Joseph V Melas Jr, Et Ux Recorded in Deed Book 914, Page 270”. Mr. Cerone indicated his understanding that the easement pertained to a driveway access which has been abandoned for some time. Ultimately, the applicant was unable to indicate with any certainty the nature of the easement and what impact it may have on the application, if any. The Board Solicitor confirmed that the Board does not have the authority to override, extinguish, or vacate easement rights of others and that to the extent the application was approved and resulted in a conflict with any private restriction, the applicant would be proceeding at their own risk as to those issues.

15. Andrew Previti, P.E., the board engineer, reviewed his April 15, 2024 report with the board and the applicant. The applicant agreed to address all comments and conditions of the report.

16. Mr. Previti questioned the parking arrangement and referred to the parking as “stacked-stacked” parking in its proposed configuration. Mr. Shawl indicated there will be a walkway of at least 3 ft. around the parking areas for pedestrian access to the units. Mr. Shawl confirmed the applicant intends to strictly conform to the height requirements under R-2 and the established flood standards.

17. The board opened the application to public comment.

18. Michael Minchelli, 124 50<sup>th</sup> Street, owns within 200 feet and is in favor of preserving residential character of the property and the parking plan.

19. Joseph Garofolo, 118 50<sup>th</sup> Street, owns within 200 feet and echoed the preference to preserve the residential character of the property.

20. No one else spoke for or against the application.

21. With regard to the applicant's required relief pursuant to N.J.S.A. 40:55D-70(d)(1), the board finds special reasons for granting this variance. The applicant proposes an improved two-family use where a dilapidated residential structure currently exists. The application advances the purposes of zoning by enhancing the visual environment, promoting the general health, safety, and general welfare through improved safety from fire and flood, and preserving adequate light, air, and open space by conforming to the R-2 bulk requirements.

The board further finds that the application meets the "site suitability" test. The applicant is proposing the continuation of a two-family use on a site that for all practical purposes has appeared and been utilized for many years as a duplex and is situated in close proximity to other residential uses. The board expressed concern generally with the loss of commercial property but this site in particular has not contained commercial use despite its zoning classification and also does not front along Landis Avenue.

The board finds that there are minimal detriments to deviating from the requirements under the code, and the benefits of this application outweigh any detriments. Particularly, the applicant is proposing a duplex structure that conforms to the requirements under R-2 and the flood adaption standards in the Code. The variance can be granted without causing substantial detriment to the public good and will not substantially impair the intent and purpose of the municipal zoning ordinance and municipal master plan.

22. A motion was made to approve the application. The board voted 7-0 in favor of the application as follows:

Roll Call	Yes	No	Absent	Abstain
Pasceri, Chairperson	X			
Feola, Vice-Chair	X			
Elko	X			
Cloud	X			
Ianelli			X	
McGinn	X			
Durling	X			
Curtin, Alternate I			X	
Tull, Alternate II	X			

NOW THEREFORE, on July 1, 2024, be it resolved by the Zoning Board of Adjustment of Sea Isle City as follows:

1. The applicant's request for variance relief, pursuant to N.J.S.A. 40:55D-70(c) from the requirements set forth in the below table, is hereby **GRANTED**:


VARIANCE CHART:

<u>Parameter</u>	<u>Required or Permitted</u>	<u>Proposed</u>	<u>Variance</u>	<u>Code Section</u>
1. Use (D)(1)	Various Commercial & Mixed Use Per Section 26-53.1	Two (2) Family Residential Dwelling	Two (2) Family Residential Dwelling	26-53.1

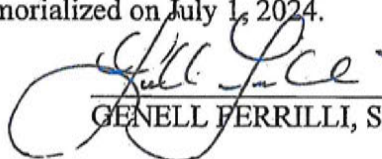
2. The grant of approval is subject to the following conditions:
  - A. The applicant shall address all comments, revisions, and conditions as indicated in the engineering review letter by Board Engineer Andrew A. Previti, P.E. dated April 15, 2024, incorporated herein by reference.

- B. The applicant shall be required to strictly conform to the height requirements pursuant to the R-2 zone and the flood elevation as set forth in the City Code without deviation. The board's decision to grant a use variance is expressly conditioned on the applicant proposing strict compliance with these provisions.
- C. Any and all outstanding escrow fees shall be paid in full and the escrow account shall be replenished to the level required by ordinance prior to the issuance of a zoning permit, construction permit; temporary and/or final certificate of occupancy, or, within 30 days written notice that a deficiency exists in the escrow account, whichever is applicable.
- D. The applicant shall ensure that the property remains orderly during the course of construction (i.e. materials are appropriately stored, construction debris timely removed). The applicant shall call for inspection of any stormwater management system and recharge during the construction process and prior to those elements being covered or finished so that the City Engineer may inspect those elements and confirm they will function as represented by the applicant at the time of hearing.
- E. Applicant shall comply with all other applicable Sea Isle City Codes. The Applicant shall obtain and comply with all other applicable government agency approvals and regulations required by law.
- F. Any agreements or conditions acknowledged by the applicants that are set forth in the application or contained within the record of the hearing are adopted even if not forth herein at length.

This resolution is adopted in full memorialization of the Decision made by the Zoning Board of Adjustment of Sea Isle City at its regular meeting held on June 3, 2024.

  
~~CHRISTOPHER GILLIN~~ CHAIRMAN  
William McGinn, Acting Chair

This is to certify that this is a true copy of a Resolution adopted verbally by the Zoning Board of Adjustment of Sea Isle City at its regular meeting on June 3, 2024 at 7:00 p.m. at the Sea Isle City Municipal Building and memorialized on July 1, 2024.

  
GENELL FERRILLI, SECRETARY

Prepared by:  
CHRISTOPHER GILLIN-SCHWARTZ, ESQUIRE

Gillin  
Schwartz Law

1252 NJ Route 109 | Cape May | NJ 08204  
Tel: 609.884.0153 | cgseq.com

CITY OF SEA ISLE CITY - ZONING BOARD OF ADJUSTMENT

COUNTY OF CAPE MAY  
STATE OF NEW JERSEY

RESOLUTION NO. 2025 – 10 - 01

A RESOLUTION OF FINDINGS AND CONCLUSIONS OF THE ZONING BOARD OF  
ADJUSTMENT OF THE CITY OF SEA ISLE CITY

WHEREAS, Uncle Oogie’s Housing, LLC (“the applicant”) is the owner of property known as Block 50.03, Lot(s) 22.02, 23.01 & 23.02 in Sea Isle City, New Jersey, also known 104 & 106 50<sup>th</sup> Street, Sea Isle City, New Jersey (“the property”); and

WHEREAS, the application proposes a D(2) variance for an expansion of a nonconforming use by constructing two (2) residential pools in the rear yard of a two (2) family residential dwelling structure not permitted in the C-2 Zoning District; and

WHEREAS, the applicant appeared at a regular meeting of the Zoning Board of Adjustment of Sea Isle City on October 6, 2025 at which time the board held a hearing on the application which included the opportunity for public comment; and

WHEREAS, the applicant submitted a proposed plot plan as part of their application; and

WHEREAS, the board, having considered the evidence presented by the applicant, the plans, the testimony of the applicant and their professionals, the application, and having considered the comments of its engineer and solicitor, has made and hereby memorializes the following findings of fact and/or conclusions of law:

1. The applicant has standing to present this application by virtue of its status as owner of the property.
2. The board has jurisdiction to hear this application.

3. A majority vote of a quorum of qualified board members is required for requested variances and waivers sought pursuant to N.J.S.A. 40:55D-70(c). An affirmative vote of five (5) qualified members is required for variances pursuant to N.J.S.A. 40:55D-70(d).

4. The application is deemed complete for purposes of the land use law.

5. Applicant has given all notices required under law.

6. At the time of the hearing, Louis Cerone personally appeared as principal of the applicant and was represented by their attorney Donald Wilkinson, Esq., and engineer Andrew Shawl, P.E.

7. The board previously granted approval to the applicant to construct a two (2) family residential dwelling structure in the C-2 Zoning District requiring a D(1) Use Variance. This approval was memorialized in Zoning Board of Adjustment Resolution No. 2024-06-01.

8. The current application is proposing to construct two (2) pools in the rear yard area of the previously approved site. Variance relief is necessary since it has been determined that what is being proposed would be an expansion of a non-conforming use (2-family dwelling in a C-2 District) as well as variance relief from setback from the main building as well as impervious coverage relief.

9. The parcel has fifty (50) feet of frontage on 50th Street and a lot depth of one hundred ten (110) feet. Therefore, the parcel has a lot area of five thousand five hundred square feet (5,500) which would be a conforming lot in the C-2 District.

10. The proposed pool use is subject to the requirements of Code Section 26-26.7, Swimming Pools and Code Section 26-27.7, Building Setbacks From Accessory Structures.

11. Mr. Wilkinson introduced the application and indicated the property is currently under construction and the applicant is seeking approval to construct pools in the rear of each unit.

12. Mr. Shawl summarized the proposal to include a pool for each unit in the proposed duplex and that the use of the same would be consistent with the approved residential duplex use. Mr. Shawl indicated the applicant proposes to strictly comply to setbacks for rear and side yard and the Green Space requirements under the City Code. The applicant requires relief for the 5 ft. distance proposed to the main building where 10 ft. is required by the City Code. Mr. Shawl indicated that the original proposal for impervious coverage resulting from this addition (85.7%) will be reduced so that impervious coverage will strictly comply with the 70% requirement and eliminating the need for that variance. Mr. Shawl indicated that the applicant proposes to comply by modifying the hardscaping in the areas of the front and side yards to be pervious or semi-pervious material. Mr. Shawl indicated a self-closing gate would be installed to fence in the pool area proposed. Mr. Shawl indicated that the pool addition will require the shrub count to be reduced from the original approval to accommodate the pool, but that the applicant would coordinate with the Board Engineer to establish a landscaping plan that was appropriate to the site and these modifications.

13. Andrew Previti, P.E., the board engineer, reviewed his September 9, 2025 report with the board and the applicant. The applicant agreed to address all comments and conditions of the report.

14. Mr. Previti indicated the dimensions of the pool would have to yield to provide at least 2 ft. of hardscaping around the entirety of the pool for safety and access purposes. The applicant indicated the pool could be reduced from 17' x 10' to 16' x 10' and pool equipment

will be shown on the revised plans in the area of the HVAC and showers and above flood elevation.

15. The board opened the application to public comment. No one spoke for or against the application.

16. A motion was made to approve the application. The board vote was 2-4 in favor of the application as follows:

Roll Call	Yes	No	Absent	Abstain
Pasceri, Chairperson			X	
Feola, Vice-Chair	X			
Cloud		X		
Elko		X		
Fitzpatrick		X		
McGinn	X			
Tull		X		
Browne, Alternate I			X	
Screnci, Alternate II			X	

As a result, the motion failed and the application is therefore denied.

17. With regard to the applicant's requested relief pursuant to N.J.S.A. 40:55D-70(d)(2) and (c), the Board finds that the variances requested are not appropriate. The applicant failed to meet their burden of demonstrating to the Board that either a unique hardship exists or that there are any "special reasons" advancing the purposes of zoning under the application. The applicant also failed to demonstrate that the relief sought could be granted without substantial detriment to the surrounding neighborhood or without substantial impairment to the intent and purpose of the zone plan.

The Board specifically finds that the proposed plan would crowd an already limited rear yard area within a tight neighborhood lot configuration, and within an area where such uses are

not permitted. As the New Jersey Supreme Court explained in Kaufman v. Planning Board for the Township of Warren, 110 N.J. 551, 563 (1988), “no c(2) variance should be granted when merely the purposes of the owner will be advanced. The grant of approval must actually benefit the community in that it represents a better zoning alternative for the property.”


That the applicant previously received a use variance for construction of the principal structure does not, by itself, justify expansion of that nonconforming use to the maximum extent permitted under the Municipal Land Use Law. Here, the proposed modifications to the site would undoubtedly benefit the applicant, but no showing was made that the zoning outcome would provide any corresponding benefit to the City of Sea Isle City, the zone plan, or the surrounding neighborhood.

The applicant failed to demonstrate that the benefits of granting relief would outweigh the detriments to the zone plan, particularly the elimination of setbacks that are specifically intended to preserve light, air, and open space, and to provide sufficient separation for appropriate uses. The Board finds that granting variance relief in this case would negatively impact both the zone plan and the public good. The Board further finds that the detriments of the application outweigh any benefits. The addition of two (2) accessory pools in the rear yard does not provide sufficient benefit to justify the expansion of an already preexisting nonconforming use in this particular area.

NOW THEREFORE, on November 5, 2025, be it resolved by the Zoning Board of Adjustment of Sea Isle City as follows:

1. The applicant’s request for variance relief is hereby **DENIED**.

This resolution is adopted in full memorialization of the Decision made by the Zoning Board of Adjustment of Sea Isle City at its regular meeting held on October 6, 2025.

  
\_\_\_\_\_  
LOUIS FEOLA, JR. VICE CHAIRMAN

This is to certify that this is a true copy of a Resolution adopted verbally by the Zoning Board of Adjustment of Sea Isle City at its regular meeting on October 6, 2025 at 7:00 p.m. at the Sea Isle City Municipal Building and memorialized on November 5, 2025.

  
\_\_\_\_\_  
GENELL FERRILLI, SECRETARY

Prepared by:  
CHRISTOPHER GILLIN-SCHWARTZ, ESQUIRE

Gillin  
Schwartz Law

1252 NJ Route 109 | Cape May | NJ 08204  
Tel: 609.884.0153 | cgsesq.com



# City of Sea Isle City

MUNICIPAL SERVICES - 2ND FLOOR

233 JOHN F. KENNEDY BLVD.

SEA ISLE CITY, NJ 08243

609-263-4461

I, Joseph A. Berrodin, Jr., CTA, Tax Assessor of the City of Sea Isle City, New Jersey, hereby certify that the attached is a list of owners within two hundred (200) feet of Block 50.03 - Lot 22.02, as determined by the official Tax Map and Tax Duplicate of the City of Sea Isle City, New Jersey.

Note: If this is an application for subdivision or site-plan approval, the applicant must notify the corporate secretary of all public utilities and the general manager of all cable television companies that own land or any facilities that possess a right-of-way or easement within two hundred (200) feet of the applicant's property.

Dated 03-13-26



Joseph A. Berrodin, Jr., CTA  
Tax Assessor

UTILITY COMPANIES LISTED BELOW MUST ALSO BE NOTIFIED:

SOUTH JERSEY GAS COMPANY  
CORPORATE HEADQUARTERS  
1 SOUTH JERSEY PLAZA  
FOLSOM, NJ 08037

VERIZON ENGINEERING DEPT.  
10 TANSBORO ROAD FLR 2  
BERLIN, NJ 08009

CAPE MAY CO. MUNICIPAL UTILITIES AUTHORITY  
ATTN: CORPORATE SECRETARY  
P.O. BOX 610  
CAPE MAY COURT-HOUSE, NJ 08210

COMCAST CABLE  
ATTN: GREGORY SMITH, PROJECT MANAGER  
901 WEST LEEDS AVE  
ABSECON, NJ 08201

ATLANTIC CITY ELECTRIC COMPANY  
5100 HARDING HIGHWAY SUITE 399  
MAYS LANDING, NJ 08330

SEA ISLE CITY MUNICIPAL WATER AND SEWER  
ATTN: CITY CLERK  
4501 PARK ROAD  
SEA ISLE CITY, NJ 08243

TO ALL APPLICANTS:

PLEASE BE ADVISED THAT IT IS THE APPLICANT'S BURDEN TO DETERMINE WHETHER THE CAPE MAY COUNTY PLANNING AND/OR THE COMMISSIONER OF THE NJ DEPARTMENT OF TRANSPORTATION MUST BE PROVIDED NOTICE IN ACCORDANCE WITH NJSA 40:55D-12.

Block Lot Qual	Property Location Additional Lot Additional Lot	Property Class	Owner Address City, State	Zip Code
49.02 1.01	35 50TH ST 2.01	4A	CURRENT OWNER 2966 E THOMPSON ST PHILADELPHIA, PA	19134
49.02 1.02 C-E	29 50TH ST EAST 2.03	2	CURRENT OWNER 627 GUILFORD RD CHERRY HILL, NJ	08003
49.02 1.02 C-W	29 50TH ST WEST 2.03	2	CURRENT OWNER 196 HIDDEN HILLS RD MEDIA, PA	19063
49.02 2.02	4911 LANDIS AVE	4A	CURRENT OWNER 4911 LANDIS AVE SEA ISLE CITY, NJ	08243
49.03 10 C-E	109 50TH ST EAST	2	CURRENT OWNER 109 50TH ST SEA ISLE CITY, NJ	08243
49.03 10 C-W	109 50TH ST WEST	2	CURRENT OWNER 25 E 2ND ST MEDIA, PA	19063
49.03 11.01	4914 LANDIS AVE 12.01	4A	CURRENT OWNER 4914 LANDIS AVE SEA ISLE CITY, NJ	08243
49.03 20 C-E	118 49TH ST EAST	2	CURRENT OWNER 835 SULLIVAN DR LANSDALE, PA	19446
49.03 20 C-W	118 49TH ST WEST	2	CURRENT OWNER 2336 A FAIRMONT AVE PHILADELPHIA, PA	19130
49.03 21 C-E	114 49TH ST EAST	2	CURRENT OWNER 6 CHERRY CIR GLEN MILLS, PA	19342
49.03 21 C-W	114 49TH ST WEST	2	CURRENT OWNER 6 CHERRY CIRCLE GLEN MILLS, PA	19342
49.03 22 C-E	110 49TH ST EAST	2	CURRENT OWNER 6 MICHELE CT SEWELL, NJ	08080
49.03 22 C-W	110 49TH ST WEST	2	CURRENT OWNER 891 BOBLINK LN WEST CHESTER, PA	19382

Block Lot Qual	Property Location Additional Lot	Property Class	Owner Address City, State	Zip Code
49.03 24 C-101	4900 LANDIS AVE 23,11.02,12.02	2	CURRENT OWNER 9 GROVES RD GLEN MILLS, PA	19342
49.03 24 C-102	4900 LANDIS AVE 23,11.02,12.02	2	CURRENT OWNER 1545 N TROOPER RD NORRISTOWN, PA	19403
49.03 24 C-103	4900 LANDIS AVE 23,11.02,12.02	2	CURRENT OWNER 225 WILLETS WAY GLEN MILLS, PA	19342
49.03 24 C-104	4900 LANDIS AVE 23,11.02,12.02	2	CURRENT OWNER 264 SILVERBELL CT WEST CHESTER, PA	19380
49.03 24 C-105	4900 LANDIS AVE 23,11.02,12.02	2	CURRENT OWNER 335 REGAL DR ABINGDON, MD	21009
49.03 24 C-201	4900 LANDIS AVE 23,11.02,12.02	2	CURRENT OWNER 204 LINCOLN AVE HAVERTOWN, PA	19083
49.03 24 C-202	4900 LANDIS AVE 23,11.02,12.02	2	CURRENT OWNER 111 HUNTLEY DR WARRINGTON, PA	18976
49.03 24 C-203	4900 LANDIS AVE 23,11.02,12.02	2	CURRENT OWNER 114 RUNNYMEDE DR LANSDALE, PA	19446
49.03 24 C-204	4900 LANDIS AVE 23,11.02,12.02	2	CURRENT OWNER 18 OAKWOOD DR CINNAMINSON, NJ	08077
49.03 24 C-205	4900 LANDIS AVE 23,11.02,12.02	2	CURRENT OWNER 351 TAVISTOCK BLVD HADDFIELD, NJ	08033
49.03 950 C-E	125 50TH ST EAST	2	CURRENT OWNER 1211 SCOTT PL WARWICK, PA	18974
49.03 950 C-W	125 50TH ST WEST	2	CURRENT OWNER 7 S HALL CT WAYNE, NJ	07420
49.03 952 C-E	121 50TH ST EAST	2	CURRENT OWNER 21 WELLESLEY LANE DOWNINGTON, PA	19335

Block Lot Qual	Property Location Additional Lot	Property Class	Owner Address City, State	Zip Code
49.03 952 C-W	121 50TH ST WEST	2	CURRENT OWNER 225 HADDON AVE # 4302 HADDON TWP, NJ	08108
49.03 954 C-E	117 50TH ST EAST	2	CURRENT OWNER 50 WEST 97TH ST APT 14T NEW YORK, NY	10025
49.03 954 C-W	117 50TH ST WEST	2	CURRENT OWNER 50 WEST 97TH ST APT 14T NEW YORK, NY	10025
49.03 955 C-E	115 50TH ST EAST	2	CURRENT OWNER 616 TWICKENHAM RD GLENSIDE, PA	19038
49.03 955 C-W	115 50TH ST WEST	2	CURRENT OWNER 115 50TH ST WEST SEA ISLE CITY, NJ	08243
50.02 1.01	5015 LANDIS AVE	4A	CURRENT OWNER 138 56TH ST SEA ISLE CITY, NJ	08243
50.02 1.02	5009 LANDIS AVE	4A	CURRENT OWNER 406 STARTISH LN EGG HARBOR TWP, NJ	08234
50.02 1.03 C-E	32 50TH ST EAST 8.01,8.02	2	CURRENT OWNER 135 NOTTINGHAM DR RICHBORO, PA	18954
50.02 1.03 C-W	32 50TH ST WEST 8.01,8.02	2	CURRENT OWNER 2 ALDANS WAY NEWTOWN, PA	18940
50.02 2 C-E	27 51ST STREET EAST	2	CURRENT OWNER 7104 RAMSGATE CT CLARKSVILLE, MD	21089
50.02 2 C-W	27 51ST STREET WEST	2	CURRENT OWNER 5224 MUIRFIELD DR DAMSVILLE, MD	21754
50.02 9.01	28 50TH ST 9.02	2	CURRENT OWNER 1401 WHISPERING WOODS DR WILLIAMSTOWN, NJ	08094
50.03 12 C-01	5008 LANDIS AVE	4A	CURRENT OWNER 202 W 17TH ST OCEAN CITY, NJ	08226

Block Lot Qual	Property Location Additional Lot Additional Lot	Property Class	Owner Address City, State	Zip Code
50.03 12 C-02	5010 LANDIS AVE	4A	CURRENT OWNER 4670 STONEY BRIDGE RD MILLVILLE, NJ	08332
50.03 12 C-03	5012 LANDIS AVE	4A	CURRENT OWNER 4670 STONEY BRIDGE RD MILLVILLE, NJ	08332
50.03 12 C-04	5014 LANDIS AVE	4A	CURRENT OWNER 4670 STONEY BRIDGE RD MILLVILLE, NJ	08332
50.03 12 C-05	5016 LANDIS AVE	4A	CURRENT OWNER 4670 STONEY BRIDGE RD MILLVILLE, NJ	08332
50.03 12 C-06	5018 LANDIS AVE	4A	CURRENT OWNER 4670 STONEY BRIDGE RD MILLVILLE, NJ	08332
50.03 12 C-07	5020 LANDIS AVE	4A	CURRENT OWNER 4670 STONEY BRIDGE RD MILLVILLE, NJ	08332
50.03 12 C-08	5020 LANDIS AVE	4A	CURRENT OWNER 4670 STONEY BRIDGE RD MILLVILLE, NJ	08332
50.03 22.01	108-110 50TH ST	2	CURRENT OWNER 212 KENT DR EXTON, PA	19341
50.03 22.02 C-E	106 50TH ST EAST	2	CURRENT OWNER 692 LINDSAY WAY HORSHAM, PA	19044
50.03 22.02 C-W	106 50TH ST WEST	2	CURRENT OWNER 198 UPLAND WAY HADDONFIELD, NJ	08033
50.03 24.01 C-N	5000 LANDIS AVE NORTH 23.04,23.05,24.02	4A	CURRENT OWNER 2966 E THOMPSON ST PHILADELPHIA, PA	19134
50.03 24.01 C-S	5000 LANDIS AVE SOUTH 23.04,23.05,24.02	4A	CURRENT OWNER 44 SUNSET DR PETERSBURG, NJ	08270
50.03 930.01 C-E	125 51ST ST EAST	2	CURRENT OWNER 3030 GRAND BAY BLVD #372 LONGBOAT KEY, FL	34228

Block Lot Qual	Property Location Additional Lot	Property Class	Owner Address City, State	Zip Code
50.03 930.01 C-W	125 51ST ST WEST	2	CURRENT OWNER 1036 S COLLIER BLVD #401 MARCO ISLAND, FL	34145
50.03 930.02	50TH ST 931	15C	CURRENT OWNER 233 JFK BLVD SEA ISLE CITY, NJ	08243
50.03 932 C-E	121 51ST ST EAST	2	CURRENT OWNER 2408 HOLLIS RD HAVERTOWN, PA	19083
50.03 932 C-W	121 51ST ST WEST	2	CURRENT OWNER 322 WEST TWELFTH AVE CONSHOHOCKEN, PA	19428
50.03 933 C-E	124 50TH ST EAST	2	CURRENT OWNER 124 50TH ST E SEA ISLE CITY, NJ	08243
50.03 933 C-W	124 50TH ST WEST	2	CURRENT OWNER 2250 JEFFERSON LN HUNTINGDON VALLEY, PA	19006
50.03 934 C-E	117 51ST ST EAST	2	CURRENT OWNER 20 WYNEWOOD DR COLLEGEVILLE, PA	19426
50.03 934 C-W	117 51ST ST WEST	2	CURRENT OWNER 24 REMINGTON LN MALVERN, PA	19355
50.03 935	118 50TH ST	2	CURRENT OWNER 118 50TH ST SEA ISLE CITY, NJ	08243
50.03 936 C-E	113 51ST ST EAST	2	CURRENT OWNER 1413 VALLEY VW WARRINGTON, PA	18976
50.03 936 C-W	113 51ST ST WEST	2	CURRENT OWNER 103 STONEY CT LANSDALE, PA	19446
50.03 937	114 50TH ST	2	CURRENT OWNER 114 50TH ST SEA ISLE CITY, NJ	08243
50.03 938 C-E	109 51ST ST EAST	2	CURRENT OWNER 109 51ST STREET SEA ISLE CITY, NJ	08243

Block Lot Qual	Property Location Additional Lot Additional Lot	Property Class	Owner Address City, State	Zip Code
50.03 938 C-W	109 51ST STREET WEST	2	CURRENT OWNER 917 EMERALD DOWNS GARNET VALLEY, PA	19060
50.03 939 C-E	105 51ST ST EAST	2	CURRENT OWNER 47 PENN CIR HOLLAND, PA	18966
50.03 939 C-W	105 51ST ST WEST	2	CURRENT OWNER PO BOX 591 SEA ISLE CITY, NJ	08243
51.03 24 C-N	5100 LANDIS AVE NORTH	2	CURRENT OWNER 7 HARVEST DR PITTSBORO, NJ	08318
51.03 24 C-S	5100 LANDIS AVE SOUTH	2	CURRENT OWNER 14 ANNESLEY DR GLEN MILLS, PA	19342
51.03 898 C-E	120 51ST ST EAST	2	CURRENT OWNER 305 STONYPHILL DR CHALFONT, PA	18914
51.03 898 C-W	120 51ST ST WEST	2	CURRENT OWNER 713 TORY LN PHOENIXVILLE, PA	19460
51.03 900 C-E	114 51ST ST EAST	2	CURRENT OWNER 211 GREEN BANK WAY HARLEYSVILLE, PA	19438
51.03 900 C-W	114 51ST ST WEST	2	CURRENT OWNER 16 ERICA DR LANGFORD, PA	19040
51.03 902 C-E	110 51ST EAST	2	CURRENT OWNER 996 S BREWSTER RD VINELAND, NJ	08361
51.03 902 C-W	110 51ST ST WEST	2	CURRENT OWNER 450 PETERS WAY PHOENIXVILLE, PA	19460

Zoning Board Application  
Joseph McAllister  
106 50th Street, East Unit (Block 50.03, Lot 22.03)

**Justification for Relief Sought**

Applicant submits this application for property located at 106 50<sup>th</sup> Street, East Unit (Block 50.03, Lot 22.03). The overall site is currently developed with a 3-story duplex. The Applicant proposes to construct an in-ground swimming pool and concrete patio in the rear yard of the east unit only. The existing four-foot high fence will be removed and replaced with a six-foot high fence and latching gate.

Variance relief is required for expansion of non-conforming use as residential duplexes are not permitted in the C-2 Zoning District. Notably, pools are a permitted use in the zone. However, variance relief is requested pursuant to NJSA 40:55D-70(d)(2), since the introduction of the pool constitutes an expansion of the nonconforming residential use. All other bulk standards are proposed to conform to the R2 standards previously applied to the property.

The proposed application promotes several purposes of zoning including, without limitation, promotion of open space, light, and air. Variance relief can be granted without substantial detriment to the public good and without substantially impairing the intent and purpose of the Plan and Zoning Ordinance because swimming pools are permitted in the C2 zone as an accessory to much more intense commercial uses, whereas the proposed private residential pool will have minimal comparative impact and the expansion of the nonconforming use is negligible. The Applicant reserves the right to supplement the foregoing narrative with expert testimony at the time of hearing.

End.



**Sea Isle City Zoning Board  
of Adjustment**

Applicant's Last Name: McAllister  
 Property Address: 106 50th Street, East Unit  
 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), plus one (1) copy each of the following items:

- Check for Application Fees, made payable to "City of Sea Isle City" (first check)
- Check for Escrow Fees, made payable to "City of Sea Isle City" (second check)
- 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, TWENTY (20) copies of Application submitted via one (1) complete original hardcopy that must include ALL items listed above and below, one (1) ELECTRONIC COPY via Email or USB & eighteen (18) hardcopies with each set compiled of the documents below:**

- ZB-1 SICZB current Application form, including signed & dated verification
- ZB-2 Survey, Plan, or Plat Affidavit
- DRAFT  ZB-5 Notice of Application for Development
- TBS  ZB-6 Certification of Service
- N/A  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.
- N/A  *Undersized lot cases only:* Attach documentation of Applicant's offer to purchase property from or sell property to adjoining property owners, and all responses.
- N/A  *Site plan approval and/or subdivision approval, also include:*  
 ZB-11 Applications Involving Subdivisions and/or  
 ZB-12 Applications Involving Site Plans

**NOTE:**

Application Packages must be submitted to the Board Clerk consisting of **twenty (20) application sets as outlined above\*\***. Plans/drawings and similar documents must be folded (not rolled), and 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 delays and additional costs for processing. The Board Secretary is not responsible for assembling your application. It is the applicant's responsibility to assemble each required copy of the application which must be collated and ready for distribution to board members and board professionals.