

SEA ISLE CITY
ZONING BOARD OF ADJUSTMENT
AGENDA

Regular Meeting – Monday, October 5, 2015 @ 7:00 PM

1. Pledge of Allegiance

2. Open Public Meetings Acts Statement

In accordance with the provisions of the New Jersey Open Public Meetings Act, Chapter 231 of the Public Laws of 1975, the Sea Isle City Zoning Board caused notice of the date, time and place of this meeting to be posted on the City Clerk's Bulletin Board at City Hall, Sea Isle City Web Site and published in the Atlantic City Press and/or Ocean City Sentinel.

3. Roll Call

_____ Patrick Pasceri, Chairperson	_____ Joseph Morrissey
_____ Patricia Urbaczewski, Vice Chair	_____ Daniel E. Organ
_____ Gerard A. Brangenberg	_____ Jacqueline Elko, Alt I
_____ Louis Feola, Jr.	_____ Scott Laidlaw, Alt II
_____ William McGinn	

4. New Business

- **NEW APPLICANT: 'CLARK' (Douglas W. Clark)**
207 – 91st Street / Block: 91.03 / Lots 30 & 31 / R-2 Zone
Proposed: To replace existing residence with a new single family residence
Requested Variance Relief: Buildable Lot (26-20.3), rear yard (26-46.6). aggregate side yards (26-46.5), lot area/frontage/depth –existing condition (26-47.7), drainage calculation and water table depth, and any and all other variance relief deemed necessary.

- **NEW APPLICANT: 'VALLASTER' (Robert & Elizabeth Vallaster)**
4302 Central Avenue / Block: 43.04 / Lots 29.02, 30.02, 31.02 & 32.02 / R-2 Zone
Proposed: To raise and renovate existing duplex structure and add curb cut
Requested Variance Relief: Alteration of non-conforming use two principal structures – existing (26-17.4), three units –existing (26-46.4), front yard setback (26-46.4), rear yard setback –existing (26-46.6), and any and all other variances or relief deemed necessary.

5. Resolutions to be Memorialized

RESOLUTION No. 2015-09-02 - W. Craig KNAUP @ 105 East 49th Street /
B: 48.03 / Lots 11.01 & 12.01

RESOLUTION No. 2015-09-03 - Michael & MaryEllen ROBERTS @ 9110 Pleasure
Avenue / B: 92.02 / Lots 44 & 45

6. Adjourned

SEA ISLE CITY ZONING BOARD OF ADJUSTMENT

Minutes of Regular Meeting Monday, October 5, 2015 @ 7:00 PM

~**Called to Order** –Chairperson, Mr. Pasceri leads in the Pledge of Allegiance, calls meeting to order and begins with open public meetings act announcement.

~**Attendance** - (Roll Call): Mr. Brangenberg, Mr. Feola, Mr. McGinn, Mr. Organ, Mr. Laidlaw, Mrs. Urbaczewski & Mr. Pasceri. Also in attendance: Mr. Tom Hillegass – Board Solicitor and Mr. Andy Previti – Board Engineer.

~**Applicant:** Douglas W. CLARK @ 207 91st Street, Block 91.03, Lots 30 & 31, Zone R-2.

Don Wilkinson, attorney on behalf of Applicant, offers a brief summary of the property and existing older duplex, pointing out it is not a single as shown, located in the Townsend Inlet area and what is being proposed by the applicant. The applicant's intention is to demolish the existing structure and rebuild a new single family residence, eliminate or reduce existing non-conformities that will be detailed in further testimony which will also support the requests being appropriate for variance relief under both the benefits and hardship criteria of the municipal land use act. As a classic Townsend Inlet 40 X 74 size lot and deemed a non-buildable undersized lot they are seeking branch relief to build on a non-buildable lot, approval of the existing size` depth` & width of the structure, aggregate side yard relief, as well as rear yard relief. The front yard is designed to be in conforming 15' back. Doug Clark (Applicant & Contract Purchaser of property) and Carmen LaRosa (Architect for Applicant), are both sworn in to provide testimony, and Andrew Previti of Maser Consulting (Board Engineer) who will remain sworn in for entire evening. Mr. Clark comments on the family intentions for the proposed new single family that is a welcomed improvement by all the neighbors. Mr. LaRosa begins first with testimony on the existing duplex, conditions, setbacks and elevation. His continued testimony details the proposed new structure starting with flood elevation and compliance, setbacks, parking, fire and flood safety as well as electrical and plumbing being brought up to current code. He adds comments pertaining to encroaching decks from the upper level and discusses on record that purchasing additional adjacent property to be conforming cannot be done without making another lot more non-conforming than it already is, considering all the surrounding lots are already undersized and too much would have to be purchased to make this lot conforming. Therefore, to have it on record, it was looked into and concluded that purchasing adjacent properties is not a viable solution.

Mr. Previti reviews his report, the 7 variances being sought, and verifies several items pertaining to the zoning schedule, the FAR, gutters and downspouts, utilities, the driveway and FEMA regulations. Board Member comments are followed by the Floor being open to the public

Roco Tedesco, Esquire (Attorney representing Finley's –adjacent property owners at 9016 Landis Avenue) – to express that they do not object as long as Applicant's construct what is approved and drainage area is located as proposed per plans

With no other show of hands the public portion of this app is closed.

Mr. Hillegass provides a complete explanation of the variances and how they should be considered in making a determination on this application and taken by the Board as motions, therefore:

- To approve pre-existing non-conforming conditions listed in variance chart as items 1- buildable lot, 3- minimum lot area, 4- minimum lot width & frontage, and 5- minimum lot depth, for motion made by Mr. McGinn and second by Mr. Organ
Roll Call: Brangenberg-Y, Feola-Y, McGinn-Y, Organ-Y, Laidlaw-Y, Urbaczewski-Y, Pasceri-Y

Setback question raises discussion about what is actually an appropriate side yard setback or even with other setbacks if it may be something necessary to be looked into further. Mr. LaRosa comments about taking the 5' deck and making it a 4' deck if necessary, where following further discussion it is agreed the rear yard setback will be changed and 1' only will be needed instead of 2' as originally proposed.

- To approve variance listed in chart as item 6- minimum rear yard setback based on 15' required and 14' being proposed, for motion made by Mr. Brangenberg and second by Mr. McGinn
Roll Call: Organ-Y, McGinn-Y, Feola-Y, Brangenberg-Y, Laidlaw-Y, Urbaczewski-Y, Pasceri-Y
- To approve variance listed in chart as item 7- aggregate side yard setback where 15' is required and 10' is proposed- 5' on each side, for motion made by Mr. Organ and second by Mr. McGinn
Roll Call: Laidlaw-Y, Brangenberg-Y, Feola-Y, McGinn-Y, Organ-Y, Urbaczewski-Y, Pasceri-Y
- To approve variance listed in chart as item 2- building on a non-buildable lot whereby 3,500 s.f. is required, the applicant has 2,960 s.f. pre-existing, however building on a non-buildable lot consistent with the plans submitted; and with the condition that if there were to be a change in the drainage to anywhere other than the west side to the trench they would be required to return before the board, for motion made by Mr. Brangenberg and second by Mr. Feola
Roll Call: Brangenberg-Y, Feola-Y, McGinn-Y, Organ-Y, Laidlaw-Y, Urbaczewski-Y, Pasceri-Y

Next Applicant: Robert & Elizabeth VALLASTER @ 4302 Central Avenue, Block 43.04, Lots 29.02, 30.02, 31.02 & 32.02, R-2 Zone.

Don Wilkinson, attorney on behalf of the applicant, introduces into record 4302 Central Avenue Condominium Association and Applicants's, Mr. & Mrs. Robert Vallaster, followed by a brief summary in regards to the property being what is considered a triplex, or having three units on it, of which the Vallaster's own Units A & B located in the front and what is known as Unit C in the rear is owned by Mr. Joe LaRosa. This application has been submitted by the Vallaster's proposing to raise their current structure that sits below flood elevation to be conforming in addition to including renovations for an elevator in the rear, a wrap around front deck, another deck and stair renovations. Due to Applicant's Engineer and Architectural professionals not attending and per Mr. Hillegass, the Board Solicitor, it is noted on record the Applicant's Attorney cannot technically offer testimony and since there is a Use Variance required 5 affirmative votes are necessary and if not received could jeopardize the entire application. Added square footage is questioned since the application did not make reference to any additions leading to some suggestions to consider and a request for more information. Mr. Hillegass reads into record a letter representing a signed form of consent that he is in agreement from Mr. LaRosa, the other unit owner. It is further suggested that Mr. LaRosa also sign the verification of application as well. Several brief comments are made addressing this Application before they return at next month's meeting and an opportunity is offered for the public to speak of which there is no response. Therefore, this application will be continue to the next Zoning Board Meeting with no further notice required.

~Resolutions:

Resolution No. 2015-09-02 - W. Craig KNAUP @ 105 East 49th Street

With noted corrections at last 'whereas' on page 3 to read as follows: " WHEREAS, the Zoning Board has determined that a three foot high fence and patio in the front yard is permitted and it would not impair the intent Plan. " & " NOW, THEREFORE, BEare both denied; however, a three foot high fence and patio are permitted. "

- To memorialize Resolution #2015-09-02 with noted changes in wording as read, a Motion is made by Mr. Organ and second by Mr. McGinn
Roll Call: Brangenberg-Y, Feola-Y, McGinn-Y, Organ-Y, Laidlaw-Y, Urbaczewski-Y, Pasceri-Y

Resolution No. 2015-09-03 - Michael & Mary Ellen ROBERTS @ 9110 Pleasure Avenue

- To memorialize Resolution #2015-09-03, a Motion is made by Mr. Brangenberg and second by Mr. McGinn
Roll Call: Brangenberg-Y, Feola-Y, McGinn-Y, Laidlaw-Y - All others abstained

~With no further business a Motion to adjourn made by Mr. McGinn and second by Mr. Feola

Meeting adjourned

Respectfully submitted,



Genell M. Ferrilli
Zoning Board Clerk