

SEA ISLE CITY
ZONING BOARD OF ADJUSTMENT
AGENDA

Regular Meeting, Monday, April 6, 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

APPLICANT: BELL (Walter C. Bell & Silvana Bell)

Postponed from previous meetings

- **Property:** 209 - 93rd Street
Block 93.03 / Lots 29 & 30 / R-2 Zone
- **Development Proposal:** Applicant is proposing to raise existing single family residential structure to eliminate habitable area below flood elevation and reconstruct second floor, deck and stairs, install new stair entrance on East side.
- **Relief Sought:** Applicant is requesting Variances for undersized non-buildable lot (26-20.3), front yard (26-46.3), rear yard (26-46.6), side yard minimum (26-46.5), lot coverage (26-46.9), impervious coverage (26-36.1) and any other relief deemed necessary

APPLICANT: 6001 Central Avenue, LLC

- **Property:** 6001 Central Avenue
Block 61.03 / Lot 15 / R-2 Zone
- **Development Proposal:** Applicant is proposing a third story deck at 32.95' above the existing grade on a new duplex under construction
- **Relief Sought:** Applicant is requesting Variances relief for deck definition – height in excess of 31' above natural ground level (26.11)

APPLICANT: KELLY (Michael J. Kelly & Deborah R. Kelly)

- Property: 121 - 93rd Street
Block 93.02 / Lots 17.02 & 18 / R-2 Zone
- Development Proposal: Applicant is proposing to replace an existing 90+ year old single family dwelling with a new single family dwelling on a lot that is too small
- Relief Sought: Applicant is requesting Variances for total side yards setback (26-46.5), front yard setback (26-46.4), rear yard setback (26-46.6), pre-existing lot area/frontage/depth (26-47.7), buildable lot (26-20.3), and any and all other variances deemed necessary

5. Resolutions to be Memorialized

Resolution No. 2015 – 01 - 01

Professional Services Contract Award of Zoning Board Solicitor

Resolution No. 2015 – 01 - 02

2015 Re-Organization of Zoning Board/Board Officers & Professional Services

6. Adoption of Minutes

Minutes of March 2, 2015 Zoning Board Meeting

7. Adjourned

**SEA ISLE CITY
ZONING BOARD OF ADJUSTMENT**

**Minutes of Regular Meeting
Monday, April 6, 2015, 2015 @ 7:00 PM**

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

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

~ **Announcement** – Swearing in of Zoning Board Member Mr. Scott Laidlaw to fulfill the term of Alternate #2, whereas Mrs. Elko will fulfill the term of Alternate #1 and Mr. Organ will fulfill and finish the term of former member Mr. Primavera.

~ **Applicant:** BELL – Walter & Silvana Bell – 209 93rd Street, Block 93.03, Lots 29 & 30. Mr. & Mrs. Bell – Applicant and Mr. LaRosa – Architect are sworn in. Mr. Wilkinson, attorney on behalf of applicant, begins with brief summary of the property, current conditions and what is being proposed. Mr. Bell and Mr. LaRosa provide testimony and offer photographs entered as exhibits, however there was questioning in regards to the need for a Use Variance. An in depth discussion determined a Use Variance would be required due to an increase in size, and suggestions like eliminating the loft to reduce the square footage were changes significant enough for the determination to be made that it would be best to consider a preliminary and have the applicant return for a final so the board can review this with all of the changes as it is to be constructed. Board Engineer Andy Previti reviews his 6/25/15 report. Floor is open for public comment where Donald Winters of 9206 Landis Avenue, 1st Floor, questions some setbacks, and Jeff Vogt of 9205 Landis Avenue expresses confusion over what is being requested. Mr. Wilkinson states for the record that the applicant has no objection to submitting revised plans and returning before board.

Mr. Hillegass explains the applicant's requests which are now for 1) use variance to allow for 2 principal structures where in 2007 there was testimony in regards to this but no vote was taken on these 2 pre-existing structures on the lot since prior to 1996 (apt & house) of which would be the board just cleaning up an existing issue if granted; 2) front yard variance; and 3) side yard variance; and concludes with a summary of the changes and a comment regarding the preliminary approvals. Therefore,

- For a Use Variance to clear up what is existing, for 2 principal structures, a Motion is made by Mr. McGinn and second by Mrs. Elko
Roll call : Mr. Feola-y, Mr. McGinn-y, Mrs. Elko-y, Mr. Laidlaw-y, Mrs. Urbaczewski-y
(Additionally Mr. Hillegass notes that this is not subject to preliminary and approved of regardless as required)

- For a Variance of minimum front yard setback where 15' is required and 5' to the deck, 10' to the building at ground level, and 15' to the second floor, a Motion is made by Mr. McGinn and second by Mr. Feola
Roll call : Mr. Laidlaw-y, Mrs. Elko-y, Mr. McGinn-y, Mr. Feola-y, Mrs. Urbaczewski-y

- For a Variance of minimum side yard setback where 5' is required and 3.9' is proposed, a Motion is made by Mr. Feola and second by Mrs. Elko
Roll call : Mr. McGinn-y, Mr. Feola-y, Mrs. Elko-y, Mr. Laidlaw-y, Mrs. Urbaczewski-y
- For Preliminary Site Plan Approval whereby the applicant will amend plans to add parking, notes to fix computation errors, to eliminate note on plans limiting the ground level deck in a specific section, will comply with landscape ordinance to show tree on street, add grading information, add note to plan that driveway is being reduced from 30' to 24', add note that pent roof will be eliminated where it encroaches in the front yard setback however will stop at the west side where building ends, along with any other comments within Andy Previti's review letter of November 24, 2014, a Motion is made by Mr. McGinn and second by Mr. Laidlaw.
Roll call : Mrs. Elko-y, Mr. Laidlaw-y, Mr. McGinn-y, Mr. Feola-y, Mrs. Urbaczewski-y

~**Applicant:** - 6001 CENTRAL AVENUE, LLC. - 6001 Central Avenue, Block 61.03, Lot 15. Mr. McGrath and Ms. Grupp – Applicants are sworn in. Mr. Wilkinson, attorney on behalf of applicant, begins with brief summary of property, structure currently under construction, and what is being proposed. Mr. LaRosa, architect for applicant, provides testimony regarding the fourth story, not quite roof top, deck of which the height variance relief is requested for. Legal implications are discussed, as well as what safety precautions will be taken. Floor open to public comment where Bob Dilorio of 134 59th Street west unit questions the original plans showing this so why coming to the board now. Board Members discuss the City Ordinance and other considerations in their determination and it is stated for the record that Mr. Feola had stepped down for this application due to conflict. Therefore,

- For approval of a variance for a deck to exceed a height of 31' by 1.95', with a locking gate at the bottom of the access stairs, a Motion is made by Mr. McGinn and second by Mrs. Elko
Roll call: Mr. McGinn-y, Mrs. Elko-y, Mr. Laidlaw-y, Mrs. Urbaczewski-y

~**Applicant:** - KELLY – Michael & Deborah Kelly – 121 93rd Street, Block 93.02, Lots 17.02 & 18. Mrs. Kelly – Applicant and Mr. Gleeson – Builder for Applicant are sworn in. Mr. Wilkinson, attorney on behalf of applicant, begins with a brief summary of the property and what is being proposed. Mrs. Kelly offers testimony to the history of the property and home followed by Mr. Gleeson's testimony in regards to the structure. Mr. LaRosa, the applicant's architect, testifies to the existing structure and the surrounding area, providing photos entered into exhibit that relate to his testimony and variance relief being requested. Board Engineer, Andy Previti, reviews his report dated 4/1/15 followed by open public comment. James Corcoran -123-93rd Street – speaks opposed with issues regarding setbacks, blocking his ocean view and moving the structure back. Joe Meier – 117 92nd Street – speaks opposed on setback issue. Linda Hassel – 124 92nd Street – questions suggestion of moving it back and where water runoff will go. Genevieve (Gene) Corcoran- 123 93rd Street – speaks opposed to same reasons regarding setbacks and view. Adrienne Hassel – 124 92nd Street- speaks in favor but to be careful about moving it back due to underground waterway that could cave in. John Spagnola – 127 93rd Street east – speak opposed due to domino affect with encroachments, structure sizes and issues with neighbors. Jeff Vogt – 9205 Landis Avenue – just to note cascading effect that everyone will try to outdo the next one. With no one else requesting to speak, Mr. Wilkinson and Mr. LaRosa offer some closing comments.

Chairperson Mrs. Urbaczewski clearly states in consideration of all comments from the board members and the audience, and the unclear or lack of information or insufficient way of looking at the application, it should be revised and reviewed again in order to be able to make a much clearer and better determination from.

Mr. Wilkinson hereby requests that it would be in the best interest of the applicant to continue this application and provide additional information based on what has been discussed, therefore a continuance is being requested.

- To approve a continuance of this application with no further notice required, a Motion is made by Mr. McGinn and second by Mr. Laidlaw
Roll call: Mr. Feola-y, Mr. McGinn-y, Mrs. Elko-y, Mr. Laidlaw-y, Mrs. Urbaczewski-y

Mr. Hillegass further advises for the record that this does not mean the board will be granting any approvals and all zoning board apps rise and fall on their own merits, therefore this will continue on the basis of additional information being provided as so noted.

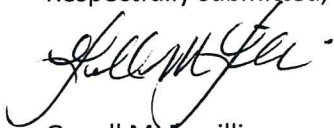
~ **Meeting Minutes to Adopt** - from the March 2, 2015 Regular Zoning Board Meeting

- To approve the minutes of the March 2nd Meeting, a Motion is made by Mr. McGinn and second by Mr. Feola
Roll call : Mr. Feola-y, Mr. McGinn-y, Mrs. Elko-y
(Mr. Hillegass notes that only one vote is needed for minutes)

~With no further business a Motion to adjourn is made by Mr. McGinn

Meeting adjourned

Respectfully submitted,



Genell M. Ferrilli
Zoning Board Secretary