

SEA ISLE CITY
ZONING BOARD OF ADJUSTMENT
AGENDA

Regular Meeting, Monday, February 1, 2016 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. Returning Business

APPLICANT: KELLY (Michael Kelly & Debbie Kelly)

Property: 121 - 93rd Street / Block 93.02 / Lots 17.02 & 18 / R-2 Zone

Proposed: To replace small older existing structure with a new single family dwelling

Requested Variance Relief: Building on non-buildable lot (26-20.3), minimum lot area (26-46.7a), minimum lot width/frontage/depth (26-46.7b), min. rear yard-reduced for lot size (26-46.6 & 26-27.3), aggregate side yard-existing (26-46.5a), and any and all other relief deemed necessary

5. New Business

APPLICANT: LYNCH (Gregory Lynch & Erika Lynch)

Property: 128 West Jersey Avenue / Block: 41.03 / Lot: 5.01/ R-2 Zone

Proposed: To raise and renovate existing single family dwelling to conform to flood elevation, add parking on ground floor, add stair/deck entry to raised 1st floor and add a loft

Requested Variance Relief: Building on non-buildable lot (26-20.3), lot area/frontage/depth-existing (26-46.7), front yard-existing (26-46.4), side yard-existing (26-46.5), rear yard-existing (26-46.6), and any and all other variances or relief deemed necessary.

6. 2016 Zoning Board Re-organization

7. Resolutions to be Memorialized

Resolution #2016-01-02 – VALLASTER, Robert & Elizabeth @ 4302 Central Avenue

Resolution #2016-01-03 – KULP/CICIONE, Joseph & Maureen Kulp and Helene @ 3002 Marine Place

8. Adoption of Minutes

9. Adjourned

"Tentative - Additional items pending"

**SEA ISLE CITY
ZONING BOARD OF ADJUSTMENT**

**Minutes of Regular Meeting
Monday, February 1, 2016 @ 7:00 PM**

~**Called to Order:** Mrs. Urbaczewski, Vice Chairperson, 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, Mr. Morrissey, Mr. Organ, Mrs. Elko, Mr. Laidlaw, Mrs. Urbaczewski. Also in attendance: Mr. Tom Hillegass – Board Solicitor and Mr. Andy Previti – Board Engineer (sworn in for evening).

~**Returning Applicant:** KELLY – Michael & Deborah - 121 -93rd Street, Block 93.02, Lots 17.02 & 18, in an R2 zone. Don Wilkinson, attorney on behalf of applicant, begins with a brief review of the prior presentation given before the board on this application and states for the record that the front yard setback of 15' will be accommodated as requested by the neighbors so the request for front yard setback variance relief is eliminated, as he summarizes the other variances involving parking, rear yard setbacks and the raising of the structure that will still be sought. Applicants Michael & Debbie Kelly are sworn in offering personal testimony of history and what is proposed. Carmen LaRosa, Architect, is sworn in and continues with more detailed testimony, including exhibits and photographs, in regards to what is being sought by the applicant, also commenting on adjustments that were made in order to accommodate prior neighbor issues from the first presentation. Andy Previti reviews his report which is followed by the floor being open to the public for comment:

Fred Cuddy – 130 93rd Street – speaks in opposition and does not see the reason for it

Joe Meier – 117 92nd Street – speaks in opposition and does not see the hardship

James Corcoran - 125 93rd Street – says thank you for meeting the front yard setback but is in opposition of encroachment into any setback and questions the rear yard especially

Adrienna Hassel – 124 92nd Street – offers a hand drawn diagram of the neighborhood and speaks in opposition of the rear yard setback of the proposed deck

With no further show of hands the public portion of this application is closed. Mr. Hillegass reviews the motions, therefore

- Motion to approve pre-existing non-conformity variances #1) buildable lot, #3) minimum lot area, #4) minimum lot width and frontage, and #5) minimum lot depth, a Motion is made by Mr. McGinn and second by Mr. Organ, followed by roll call – *aye* all 7 in favor / none opposed
(Roll Call - Mr. Feola-y, Mr. McGinn-y, Mr. Morrissey-y, Mr. Organ-y, Mrs. Elko-y, Mr. Laidlaw-y, Mrs. Urbaczewski-y)

- Motion to approve variance #2) building on a non-buildable lot where no improvements are permitted on less than 3,500 s.f. and the applicants lot is only 2,442 s.f., a Motion is made by Mr. McGinn and second by Mrs. Elko, followed by roll call - *aye* 5 in favor / *nay* 2 opposed
(Roll Call - Mr. Organ-y, Mr. Morrissey-y, Mr. Feola-y, Mrs. Elko-no, Mr. McGinn-y, Mr. Laidlaw-no, Mrs. Urbaczewski-y)

- Motion to approve variance #7) minimum rear yard setback where 15' is required & proposed is 10' to shower and HVAC for a 5' variance, a Motion is made by Mr. Organ and second by Mr. McGinn, followed by roll call - *aye* 6 in favor / *nay* 1 opposed
(Roll Call – Mrs. Elko-no, Mr. Laidlaw-y, Mr. Feola-y, Mr. McGinn-y, Mr. Morrissey-y, Mr. Organ-y, Mrs. Urbaczewski-y)
- Motion to approve variance #8) Aggregate side yard setback where 15' is required & proposed is 11' for a 4' variance, a Motion is made by Mr. Morrissey and second by Mr. McGinn, followed by roll call - *aye* 5 in favor / *nay* 2 opposed
(Roll Call –Mr. Organ-y, Mr. McGinn-y, Mr. Feola-y, Mr. Morrissey-y, Mrs. Elko-no, Mr. Laidlaw-no, Mrs. Urbaczewski-y)

~**Applicant:** LYNCH – Gregory J. & Erika D. Lynch, 128 West Jersey Avenue, Block 41.03, Lot 5.01.

Don Wilkinson, attorney on behalf of applicant, begins with a brief summary of the existing structure, how it currently sits below flood elevation, and the improvements being proposed to raise the existing structure above flood level and add a loft. Mr. and Mrs. Lynch, applicants, and Mr. Carmen LaRosa, Architect, are sworn in to provide testimony as the applicants proceed with brief testimony in regards to the history and condition of the existing structure. Mr. LaRosa enters exhibits, reviews what currently exists and proceeds with testimony pertaining to the proposed raising and refurbishing of the existing structure, followed by details in regards to elevation, setbacks, codes, lot coverage, layout, aesthetics, other details and the neighborhood. There is some clarification necessary on the structure footprint, utilities, and a more defined description of the raising of the structure. Questions are raised regarding the property per the tax records, the tax map, and the layout as referred to by deed. Mr. Previti reviews his report and addresses the variances and several of his comments. Floor is open for public comment

Ron Scavuzzo – 135 42nd Street- questions regarding AC units placement, room in garage area and construction process itself if approved since they are located only feet away from structure

Mike McHale – 225 43rd Street – inquires about grade of lot, fencing, landscaping and few other items directed more towards engineer's report

However they both feel it will be an improvement. With no further show of hands the public portion of this application is closed. There is one board member comment to point out seeing no reason for the loft area addition. Mr. Hillegass reviews the motions, therefore,

- Motion to approve existing non-conformity Variance items #1) buildable lot, #3) minimum lot area, and #4) minimum lot depth, a Motion is made by Mr. Organ and second by Mr. Feola, followed by roll call – *aye* 7 in favor / none opposed
(Roll Call – Mr. Feola-y, Mr. McGinn-y, Mr. Morrissey-y, Mr. Organ-y, Mrs. Elko-y, Mr. Laidlaw-y, Mrs. Urbaczewski-y)
- Motion to approve #2) building on a non-buildable lot where no improvements are permitted on less than 3,500 s.f. lot and existing is 2,400 s.f. lot, a Motion is made by Mr. Laidlaw and second by Mrs. Elko, followed by roll call – *aye* 7 in favor / none opposed
(Roll Call – Mr. Organ-y, Mr. Morrissey-y, Mr. Laidlaw-y, Mrs. Elko-y, Mr. McGinn-y, Mr. Feola-y, Mrs. Urbaczewski-y)
- Motion to approve #5) minimum front yard setback where 15' is required & 5'6" is proposed for a 9'6" variance, a Motion is made by Mr. Organ and second by Mr. McGinn, followed by roll call - *aye* 7 in favor / none opposed
(Roll Call – Mr. Morrissey-y, Mr. Organ-y, Mr. Feola-y, Mr. McGinn-y, Mr. Laidlaw-y, Mrs. Elko-y, Mrs. Urbaczewski-y)
- Motion to approve #7) aggregate side yard setback where 15' is required & 10'4" is proposed for a variance of 4'8", a Motion is made by Mr. Morrissey and second by Mr. Laidlaw, followed by roll call – *aye* 7 in favor / none opposed
(Roll Call - Mr. Laidlaw-y, Mrs. Elko-y, Mr. Organ-y, Mr. Morrissey-y, Mr. McGinn-y, Mr. Feola-y, Mrs. Urbaczewski-y)

- Motion to approve #8) minimum rear yard setback where 20' is required & proposed is 7'8" for a variance of 12'4", a Motion is made by Mrs. Elko and second by Mr. Feola, followed by roll call – *aye* 7 in favor / none opposed
(Roll Call – Mr. McGinn-y, Mr. Feola-y, Mrs. Elko-y, Mr. Organ-y, Mr. Laidlaw-y, Mr. Morrissey-y, Mrs. Urbaczewski-y)
- Motion to approve #9) maximum building coverage where 35% is permitted & 42.5% is proposed for a variance of 7.5%, a Motion is made by Mr. Morrissey and second by Mr. Organ, followed by roll call – *aye* 7 in favor / none opposed
(Roll Call – Mr. Feola-y, Mr. McGinn-y, Mr. Morrissey-y, Mr. Organ-y, Mrs. Elko-y, Mr. Laidlaw-y, Mrs. Urbaczewski-y)

~Resolutions:

Resolution No. 2016-01-02 - VALLASTER, Robert & Elizabeth @ 4302 Central Avenue

- To memorialize Resolution #2016-01-02, with one minor correction regarding a name on page 3, #8, a motion is made by Mr. McGinn and second by Mr. Laidlaw, followed by roll call - *aye* ALL in favor / *none* opposed (2 abstain due to absence @ time of application)
(Roll Call: Mr. Feola-y, Mr. McGinn-y, Mr. Morrissey-y, Mr. Organ-y, Mr. Laidlaw-y)

Resolution No. 2016-01-03 - KULP, Joseph & Maureen and CICIONE, Helene @ 3002 Marine Place

- To memorialize Resolution #2016-01-03, a motion is made by Mr. Laidlaw and second by Mr. Organ, followed by roll call - *aye* ALL in favor / *none* opposed (2 abstain due to absence @ time of application)
(Roll Call: Mr. Morrissey-y, Mr. McGinn-y, Mr. Feola-y, Mr. Laidlaw-y, Mr. Organ-y)

Resolution for BELL, Walter & Silvana @ 209 93rd Street

Whereas Mr. Hillegass explains the reason for Preliminary approval that follows up from the applicant coming before the board in April of 2015 which will allow them to bring revisions back to the board in order to receive Final Approvals for their project if so granted, therefore reading into record minutes of Monday, April 6, 2015 Zoning Board Meeting, including 4 motions taken, followed by a brief follow up to this application as noted in the minutes of the May 4, 2015 Zoning Board meeting, which need to be incorporated. Mr. Previti adds comment followed by Mr. Hillegass stating for the record that this will not be approved of now and will be tabled until the next meeting due to the number of things need to added or modifications necessary at this point.

~Meeting Minutes to Adopt:

- To approve minutes of October 5th, 2015 Regular Zoning Board Meeting, Motion is made by Mr. McGinn and second by Mr. Organ, followed by roll call - *aye* ALL in favor / *none* opposed (2 abstain due to absence @ time of meeting)
(Roll call : Mr. Feola-y, Mr. McGinn-y, Mr. Organ-y, Mr. Laidlaw-y, Mrs. Urbaczewski-y)
- To approve minutes of November 2nd, 2015 Regular Zoning Board Meeting, Motion is made by Mr. McGinn and second by Mr. Laidlaw, followed by roll call - *aye* ALL in favor / *none* opposed (4 abstain due to absence @ time of meeting)
(Roll call : Mr. McGinn-y, Mrs. Elko-y, Mr. Laidlaw-y)

- To approve minutes of December 7th, 2015 Regular Zoning Board Meeting, Motion is made by Mr. Organ and second by Mr. Laidlaw, followed by roll call - *aye* ALL in favor / *none* opposed (1 abstain due to absence @ time of meeting)

(Roll call : Mr. Morrissey-y, Mr. McGinn-y, Mrs. Elko-y, Mr. Organ-y, Mr. Laidlaw-y, Mrs. Urbaczewski-y)

~With no further business Motion to adjourn made by Mr. Morrissey and second by Mr. Organ

Meeting adjourned

Respectfully submitted,



Genell M. Ferrilli
Zoning Board Clerk
City of Sea Isle City Zoning Board