

SEA ISLE CITY
ZONING BOARD OF ADJUSTMENT
AGENDA

Monday, May 6, 2019 - 7:00 pm 'Regular Meeting'

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	_____ Louis Feola, Jr.
_____ Patricia Urbaczewski, Vice Chair	_____ William McGinn
_____ Gerard Brangenberg	_____ Daniel Organ
_____ Jacqueline Elko	_____ William J. Keller, Alt I
	_____ Patrick Roberts, Alt II

4. New Business

- ◆ **APPLICANT: MULLIN, J Edmund & Bernadette & 6400 Pleasure Avenue Condominium Assoc**
(*Hardship/Bulk & Flex 'C' Variance*)
6400 Pleasure Avenue / Block 64.02 / Lot(s) 14 / Zone R-2
Proposed: installation of pool
Requesting: variance relief for accessory structure from main bldg & within front yard, height of fence, out building from curb line if applicable and any other relief deemed necessary
- ◆ **APPLICANT: MARKLE, Edwin & Catherine (*Hardship/Bulk & Flex 'C' Variance*)**
212 - 92nd Street / Block 93.03 / Lot(s) 52 & 53 / Zone R-2
Proposed: remove existing and build a replacement single family structure
Requesting: variance relief for rear yard setback, lot coverage and buildable lot

As a courtesy to those interested

PLEASE MAKE NOTE THE FOLLOWING APPLICATIONS HAVE BEEN CONTINUED
on Agenda for June Zoning Board Meeting

- ◆ **APPLICANT: KLING, Shirley A. & CROWLEY, Terrance L. (Use or 'D' Variance)**
229 and 233 81st Street / Block 80.04 / Lot(s) 273, 275 / Zone R-2 & P-2
Proposed: to construct a new single family dwelling
- ◆ **APPLICANT: 42nd PLACE, LLC aka: "THE LUDLAM" (Height 'D' Variance)**
4000 Landis Avenue / Block 40.03 / Lot(s) 1.04, 4, 12, 2, 21, 22, 23 & 24 / Zone C-5
Proposed: Commercial - Hotel, Retail, Bar/Lounge, Restaurant

5. Resolutions

N/A

6. Meeting Minutes - Minutes of April 1, 2019 Regular Meeting

7. Adjourn

* Please note - changes are possible *

SEA ISLE CITY
ZONING BOARD OF ADJUSTMENT
Minutes of Regular Meeting
Monday, May 6th, 2019 @ 7:00 PM

~Meeting called to order: by Chairperson Mr. Pasceri. All rise for Pledge of Allegiance. Opening comments begin with Open Public Meetings Act statement.

~Board Roll Call:

Present: Mr. Brangenberg, Mrs. Elko, Mr. Feola, Mr. McGinn, Mr. Organ, Mr. Roberts (Alt #2), Mrs. Urbaczewski, Mr. Pasceri
Absent: Mr. Keller (Alt #1)

Professionals of Board: Mr. Christopher Gillin-Schwartz, Esq., Zoning Board Solicitor and Mr. Andrew A. Previti, P.E. of Maser Consulting, Board Engineer.

~NEW BUSINESS:

ANNOUNCEMENTS:

- 1) **Applicant Announcement: KLING, Shirley A. & CROWLEY, Terrance L. @ 229 & 233 -81st Street**
Block 80.04; Lot(s) 273 & 275; Zone(s) R-2 & P-2; as represented by Richard Hluchan, Esq. of Hyland Levin, LLP has requested a continuance to the next meeting with no further notice required due to seven members not being present for application.
- 2) **Applicant Announcement: 42nd Place, LLC aka: 'The Ludlam' @ 4000 Landis Avenue**
Block 40.03; Lot(s) 1.04, 4, 12, & 20-24; Zone C-5; Representative Michael Malinsky, Esq. of Fox Rothschild, LLP has agreed for a continuance to the next meeting in order to **complete** noticing requirements

APPLICATIONS:

- 1) **APPLICANT: MULLIN, J. Edmund & Bernadette @ 6400 Pleasure Avenue, Block 64.02, Lot(s) 14, Zone R-2**
& 6400 Pleasure Ave Condo Associates ***PROPOSED: installation of spa type pool & fence around yard***

Professionals: Donald Wilkinson, Esq., provides brief summary of existing conditions, what is being proposed and the reason why the applicant is bringing this before the board seeking relief due to it being a corner lot; Carmen LaRosa, RA (Architect) provides overall details regarding the pool/spa design, placement, and the fence that will be needed to enclose what is considered a front yard

Witness(s): Applicant, Mr. Mullin, provides testimony in regards to his back problems being the reason for wanting this pool/spa to rest in and having nowhere else to put it due to the property layout and what part of the property actually belongs to his portion of the condominium master deed

Exhibits/Reports: Ex A1/A2-Full Deed/Survey; read into record - DPW Memo of approval dated 5/6/19; & Fire Dept. Memo of approval dated 5/6/19; Traffic Maintenance/Code Enforcement Memo dated 5/6 & Police Chiefs' letter of approval dated 5/7/19

Board Comment: comments address accessory structure/pool in the front yard which is not permitted, going way over in a space that is not large enough, issues with drainage and major concern with the fence and fence height creating safety hazard

Public Comment: Eleanor Seeger @ 8-E 64th St to speak in opposition with issues over fence; Earl Seeger @ 8-E 64th St with concern regarding fence height and safety issues; Alex Vint @ 16 -64th St West to object to the 6' fence and the problem parking to begin with and the drainage issue since construction that could only become worse with a pool and permeable surface changed

- Therefore due to issues raised and project being noticeably unacceptable to the board, Applicant requested a continuance to consider redesign and revision of drawings, whereas if substantial changes are made would then require re-noticing, which would be determined at that time. The applicant waived any timing issues associated with the request for continuance.

(Alternate Board Member Mr. Roberts excuses himself at this time, with a full board present)

2) **APPLICANT: MARKLE, Edwin & Catherine** @ 212 - 92nd Street, Block 93.03, Lot(s) 52 & 53, Zone R-2

PROPOSED: *remove existing and build a replacement single family structure*

Professionals: Donald Wilkinson, Esq., begins with brief introduction of the proposed applicant, project and professionals and provides history and summary what is being proposed and why; Gary Thomas (Planner) begins with testimony regarding the existing structure and provides overview of the bulk variances and conformities; Sam Gordon, RA (Architect) provides detailed testimony pertaining to layout and interior design of house as he offers complete visual presentation and rendering as he further explains how they want to be raised above flood elevation and have enough space for their 3 daughters and grandchildren and enough parking area

Witness(s): Mr. Markle (Applicant) provides testimony pertaining to their intent to retire to this house full time and wanting it to be flood compliant (after Sandy) for themselves

Exhibits/Reports: read into record - DPW Memo of approval dated 3/21/19; & Fire Dept. Memo of approval dated 3/21/19; Traffic Maintenance/Code Enforcement Memo dated 4/1 & Police Chiefs' letter of approval dated 4/3/19

Board Comment: there were questions raised regarding the storage area which opened a major discussion regarding the area labeled storage, the breezeway to entranceway, garage, curb cut and parking arrangements, which leads to several agreed changes

Public Comment: Jeff Vogt @ 9205 Landis Ave to speak in favor of this project and comment on what an improvement it would be to the neighborhood and to comment on uselessness of requiring a sidewalk to nowhere

- For Variance Items 1 and Existing Non-Conforming Items 2-4: 1) building on lot less than 3,500 S/F (non-buildable lot) where New Single Family is proposed, 2) min. lot area where 5,000 S/F is required & 2,960 S/F is proposed, 3) min. lot width where 50 Ft is required & 40 Ft is proposed, and 4) min. lot depth where 100 Ft is required & 74 Ft is proposed; Mr. McGinn makes motion, Mr. Organ seconds; roll call - *aye* 7 in favor / none opposed "*and so approved*"
- For Variance Items 5-8: 5) max. building coverage where 35% is permitted & 39.5% is proposed, 6) aggregate side yard setback where 15 Ft is required & 14 Ft is proposed, 7) min. rear yard setback where 15 Ft is required & 9 Ft is proposed, 8) parking variance, including 20' depressed curb & eliminate 12' x 25' separate garage area conditions of approval; Mr. McGinn makes motion, Mr. Feola seconds; roll call - *aye* 7 in favor / none opposed "*and so approved*"

~Meeting Minutes to Adopt:

- **Minutes of Monday, April 1st, 2019 Zoning Board Meeting:** Mrs. Urbaczewski makes motion, Mr. McGinn seconds, roll call of those eligible to vote - all ayes 4 in favor / none opposed

~Resolutions: N/A

~With no further business

- Mrs. Urbaczewski makes motion, second by Mr. Feola, with all in favor to adjourn

Meeting Adjourned

Respectfully submitted,



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