

Memorandum

To: Sea Isle City Zoning Board

From: Andrew A. Previti, P.E.

Date: May 18, 2026
July 24, 2026 - Update

Subject: Robert Shrader – Variance Application
315 40th Street
Block: 39.05 Lots: 11.02, 12 & 13.01
R-2 Two-Family Residential Zoning District
City of Sea Isle City, Cape May County, New Jersey

Project No.: SIZ0281

I. Background

The applicant has submitted an application for Hardship and Flexible “C” variance relief. The application was supplemented by a March 13, 2026 letter from the applicant’s attorney which also requests variance relief for a D4 Floor Area Ratio Variance Relief.

The property in question is known as Block 39.05, Lots 11.02, 12 & 13.01 and is located at 315 40th Street in the R-2 Two Family Residential Zoning District. The property has 44 ft. of frontage on 40th Street and a lot depth of 110 feet. Therefore, the lot has a lot area of 4,840 square feet and is an existing substandard lot. As such the substandard lot is governed by the Requirements of Code Section 26-20.

The existing structure on the property is described as a two-family dwelling. The applicant should provide testimony to support the fact that the existing structure is a two family dwelling. The applicant is proposing to demolish the two family dwelling and build a new two family structure. Code Section 26-20.2 - Use Limitations, limits the development on a buildable substandard lot of less than 5,000 square feet in any district to a single family detached dwelling. **The applicant is proposing a two family dwelling and the Board has previously determined that in instances such as this, what is being proposed is considered an increase in density and therefore, a D5 variance is also required in addition to the D4 – Floor Area Ratio variance.**

STATUS: Revised plans for this project have been submitted in an attempt to address Board concerns at the prior meeting. The revised plans eliminate the need for a minimum side yard variance as well as an off-street parking variance. The revised plans also reduce the Floor Area Ratio from the originally proposed 1.16 to a now proposed 0.96. These modifications are reflected in the variance chart found on pages 2 & 3 of this report.

The architectural plans should be dimensioned to be consistent with the engineering plans in order to avoid conflict with submission of architectural plans for a building permit. The Construction Official will utilize the engineering plans signed by the Board ___ in his review of the architectural plans.

The application has been accompanied by the following document which has been submitted for review:

<u>Drwg.</u>	<u>Title</u>	<u>Prepared By</u>	<u>Date</u>	<u>Revision</u>
1 of 5	Cover Sheet	Vincent C. Orlando, PE	2/9/2026	7/17/2026
2 of 5	Existing Conditions & Utility Plan	Vincent C. Orlando, PE	2/9/2026	7/17/2026
3 of 5	Utility & Roadway Restoration	Vincent C. Orlando, PE	7/1/2026	7/17/2026
4 of 5	Grading & Drainage & Landscape Plan	Vincent C. Orlando, PE	2/9/2026	7/17/2026
5 of 5	Engineering Details	Vincent C. Orlando, PE	2/9/2026	7/1/2026
ZP-1	Proposed Plot Plan, Schedule, Notes & Maps	Arthur J. Sanfilippo, AIA	11/21/2025	7/17/2026
ZP-2	Proposed Floor Plans	Arthur J. Sanfilippo, AIA	11/21/2025	7/17/2026
ZP-3	Proposed Floor Plans	Arthur J. Sanfilippo, AIA	11/21/2025	7/17/2026
ZP-4	Proposed Elevations	Arthur J. Sanfilippo, AIA	11/21/2025	7/17/2026
ZP-5	Proposed Elevations	Arthur J. Sanfilippo, AIA	11/21/2025	7/17/2026

- Letter to Chairman and Members of the Zoning Board from Daniel J. McCann, Esquire dated March 13, 2026 supplementing application.

The application will require Variance Relief as noted in the Variance Chart below:

VARIANCE CHART

<u>Parameter</u>	<u>Required or Permitted</u>	<u>Proposed</u>	<u>Variance</u>	<u>Code Section</u>
1. Permitted Floor Area Ratio	0.80	1.16 0.96	0.36	26-46-10

NOTE: D4 Variance Relief Required.

<u>VARIANCE CHART - Continued</u>				
<u>Parameter</u>	<u>Required or Permitted</u>	<u>Proposed</u>	<u>Variance</u>	<u>Code Section</u>
2. Building on existing Sub-standard Lot Use Limitation	Limit to Single Family	Two-Family	1 Addition Family Unit	26-20.2
NOTE: D5 Density Variance Relief Required.				
3. Min. Side Yard	5 ft.	3 ft. 5.5 ft.	2 ft. Conforms	26-46.5.a
4. Aggregate Side Yard	15 ft.	6 ft. 11 ft.	9 ft. 4 ft.	26-46.5.a
5. Max. Building Coverage	35%	38.7% 40.4%	3.7% 5.4%	26-46.9
6. Off-Street Parking	4 Spaces Based On Proposed FAR Of 1.16 Per Unit	2 4 Spaces Per Unit	2 4 Spaces Conforms Per Unit 4 Total	26-46-11
7. Min. Lot Area ENC	5,000 sq. ft.	4,840 sq. ft.	160 sq. ft.	26-46.7
8. Side Yard Encroachments	1 ft encroachment for Stairs	2 ft.	1 ft.	26-46.13

ENC = Existing Non-Conforming Conditions

STATUS: The minimum side yard variance has been eliminated as well as the off-street parking variance. The Floor Area Ratio has been reduced from 1.16 to 0.96.

II. Determination for Completeness

I would advise the Board that this application is complete for review in my opinion. However, there are certain items which the Board must discuss relative to the variance relief requested and there will be a need to provide additions to the plan as I will note in this report. However, the application can proceed to hearing.

STATUS: Comment Continues.

III. Comments

1. The application will require variance relief as noted in the variance chart. The application seeks variance relief for lot width. However, by definition this variance is not needed since the lot depth is more than 100 feet.

Variance No. 7 in the chart is an existing non-conforming condition.

STATUS: SEE VARIANCE CHART

2. The application will require a D4 – Floor Area Ratio and a D5 – Increase in Permitted Density variance relief. An affirmative votes of 5 members is required for “D” variance relief as the Board solicitor will advise you.

STATUS: Comment Continues. The Board indicated that the D5 increase in permitted density would be acceptable at the prior meeting.

3. A copy of the Gibson survey should be submitted.

STATUS: SATISFIED.

4. Building dimensions should be noted on the engineering plans.

STATUS: SATISFIED.

5. This application requires 1 street tree, 2 on-site trees and 20 on-site shrubs. The plans as proposed provide for 1 street tree, 2 on-site trees and 25 shrubs plus 12 grass types. The application addresses the requirements of Code Section 26-25 relative to landscaping requirements. The engineer should provide testimony concerning the suitability of the Northern Switch Grass and the Little Blue Stem as to whether they will be able to survive a coastal environment.

STATUS: NORTHERN SWITCH GRASS & LITTLE BLUESTEM ELIMINATED.

I will have additional comments concerning the required 4 foot green space as required by the Stormwater Management regulations in a further comment in this report.

STATUS: COMMENT CONTINUES.

6. The EDA plans on Sheet 2 indicate that the project is for a 3-story, 2 family dwelling over a garage/storage area. Storage is not permitted below the Local Design Flood Elevation (LD FE) therefore, **a note should be added to both the engineering and the architectural plans that storage below the Local Design Flood Elevation (Elevation 14.0) is not permitted.**

The architectural plans also show an entry door into the crawl space area which would not conform to the requirements of Chapter 14. Chapter 14 limits entrance opening into crawl spaces of 9 square feet. Therefore, the architectural plans should be revised accordingly. I would also note that the crawl space area should also be shown on the EDA plans Sheet 2 as part of the site plan and the garage area and the crawl space area should be shown on the EDA plans.

STATUS: The revised plans indicate that the building will now be a 3-story, 2-family dwelling over a garage with no crawl space. The crawl space has been eliminated.

The engineering plans have been revised to add the note concerning storage not being permitted below the Local Design Flood Elevation of 14. The architectural plans should be revised accordingly.

The architectural plans on Drawing ZP-1 under General Note 2 indicates that the minimum proposed habitable floor elevation is 11.0. This is incorrect and should be corrected to be consistent with the engineering plan which shows the Local Design Flood Elevation as 14.0.

7. 40th Street was constructed with full-depth construction with an underdrain system. I will provide the design engineer with our plans for the construction of 40th Street and he should provide detailed instructions on the plans indicating how the areas of the roadway are to be repaired

40th Street is under the City's Street Opening Moratorium and will be under this moratorium until April 12, 2028.

STATUS: The various geotextiles noted on Engineering Drawings 3 & 5 are not appropriate for the proposed uses, for example the storm sewer pipe bedding detail and the sewer pipe bedding detail on Drawings 3 & 5 call for a Mirafi – 140N material. This material is not appropriate for those uses. A Mirafi – 500X would be appropriate. I will review this as well as the engineering details on Sheet 5 with the design engineer.

8. I have reviewed the stormwater management plan prepared by EDA and have the following comments concerning the calculations and the plans as follows:

1. Calculations

- a. The calculations are generally acceptable. The C_2 of 0.30 is low given the high seasonal ground water conditions. A value of 0.45 should be used. Applying this value to the calculations provides a volume of approximately 413 cubic feet and a 30% value of approximately 124 cubic feet. Since the design is applying the Pre-Development runoff of 152 cubic feet for required storage and the proposed system would provide 161 cubic feet of storage the design is acceptable. However, the calculations should be revised to reflect a C_2 of 0.45 which will be used for future projects under similar conditions.

STATUS: SATISFIED.

2. Plans

- a. The permeable paver detail should specify the geotextile which will be used around the 4" thick No. 57 stone base. The geotextile should be wrapped around the entire 4" thick base in order to prevent the bedding sand layer from migrating into the No. 57 stone base layer.

STATUS: SATISFIED.

- b. A 4 foot green space in the rear yard and along the side yard portions of the rear yard is not being provided. The vegetation in this 4 foot green space is in addition to the vegetation required by Code Section 26-25 which has been commented on previously. Additional vegetation should be provided.

STATUS: SATISFIED.

- c. The Stone Trench Detail should be revised to reflect that the geotextile will be placed on all sides of the stone trench.

STATUS: SATISFIED.

9. The Driveway Apron Detail and the Depressed Curb Detail should be revised to indicate an epoxy coated rebar.

STATUS: SATISFIED.

10. The Concrete Curb Detail should reflect concrete with a compressive strength of 4,000 psi.

STATUS: SATISFIED.

11. The Water Service Detail should be revised to reflect the use of polyethylene pipe. C900 PVC Pipe is only manufactured in sizes ranging from 4" to 12" with some larger sizes by certain manufacturers. I will provide the engineer with the City's standard 1" Water Service Detail.

STATUS: SATISFIED.

12. Any action taken by the Board should be conditioned on the improvements being constructed in accordance with Chapter 14 – Flood Damage Prevention Ordinance and all FEMA Regulations required by the City.

STATUS: COMMENT CONTINUES.

13. If this application is approved and following memorialization of the Board's action in a resolution the design professionals should revise the plans as necessary and provide an electronic copy for me to review. If the plans have been revised to satisfy the comments contained in this Memorandum as well as any conditions imposed by the Board, then 7 signed and sealed sets should be sent to my office for signature along with cost estimates for both on-site and off-site improvements.

Construction permits will not be issued until plans signed by the Board Chairperson, Secretary and Engineer are on file with the Construction Official and the necessary inspection fees have been posted. It will be necessary for the owner and/or his contractor to contact the Municipal Engineer to set up a time for a pre-construction meeting for this project. This should be a condition of approval.

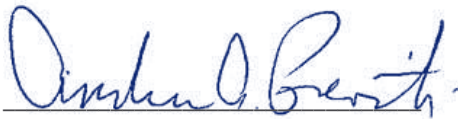
STATUS: Comment Continues.

IV. Recommendations

1. The applicant and his professional should provide testimony as to why the Board should grant the variance relief applied for.
2. The plans should be revised to reflect the comments contained in this report as well as additional comments that the Board may have.

3. The Board has the discretion to grant or deny any of the variances requested. The Board Solicitor will advise you relative to this.
4. **A condition of approval should be the requirement to have a pre-construction meeting prior to the start of construction.**

STATUS: RECOMMENDATIONS CONTINUE.



Andrew A. Previti, P.E.
Municipal & Board Engineer

AAP/dpm

cc: Genell Ferrilli, Board Secretary (via email)
Chris Gillin-Schwartz, Planning Board Solicitor (via email)
Cornelius Byrne, Construction Official (via email)
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