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MEMORANDUM

To: Sea Isle City Zoning Board of Adjustment

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

Date: August 31, 2020

**Re: Hans Lampart & Lori Anne Fiocchi – Variance Application
 2213 Landis Ave - Block 22.02 Lot 1
 R-2 Two Family Residential Zoning District
 City of Sea Isle City, Cape May County, NJ
MC Project No. SIZ167**

I. Background

The applicants have submitted an application for Hardship “C” Variances. The property in question is known as Block 22.02, Lot 1 and is located at the corner of 23rd Street and Landis Avenue. The property is located in the R-2 Two Family Zoning District.

The parcel has 55.05 foot of frontage on Landis Avenue and a lot depth of 100 feet. Therefore, the lot area is 5,505 sq. ft. and would be a conforming lot in the R-2 District.

The applicants are the owners of the southernmost unit in this existing two-family dwelling and are proposing to install an elevator for their use. The elevator installation would require the relocation of the stairs located adjacent to 23rd Street.

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

<u>Drwg.</u>	<u>Title</u>	<u>Prepared By</u>	<u>Date</u>	<u>Revision</u>
EPD-202	Plot Plan Block 22.02, Lot 1 2213 Landis Ave.	William J. Parkhill, II, PE	6/3/2020	---
EPD-202	Plan of Survey	Suzanne E. Warren, PLS	3/24/2020	---



The application will require variances 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. Min. Front Yard Setback	15 ft.	4.50 ft.	10.50 ft.	26-46.46
23 rd Street		(Stairs) 8.68 ft. (Elevator)	6.32 ft.	26-46.4
2. Min. Front Yard Setback	15 ft. ENC	13.6 ft. (Building)	1.4 ft.	26-46.4

ENC=Existing Non-Conformity

The existing building only has a front yard setback from 23rd Street of 13.6 feet. Since 15 feet is required this represents an existing non-conforming condition and will require a variance in addition to the variances applied for.

Lots which are located on the beach front and which have their long dimension perpendicular to the beach would normally have the front yard on the beach and the rear yard on the street, in this case Landis Avenue. However, it appears that at some time in the past when this structure was built the construction office and Zoning Officer must have determined that due to restrictions with the dunes in the area that the front yard setback should be taken from Landis Avenue and not the beach set back. Therefore, while technically the rear yard would be off of Landis Avenue and would require a 20 foot setback, I do not think a variance would be necessary for the existing setback of 15.9 feet due to the location of sand dunes in this area.

II. Determination for Completeness

I would advise the Board that this application is complete for review relative to the variance which will be necessary in order to construct the proposed elevator addition. I will have some comments in this report which will require plan revisions.

III. Comments

1. The project will require variances as listed in the Variance Chart.
2. The dimensions of the proposed elevator shaft should be indicated on the plans.



3. The applicant's engineer should indicate if the building is equipped with gutters and downspouts. If it is not equipped with gutters and downspouts they should be added **and this should be made a condition of approval.**
4. The site does not comply with the landscape requirements of Code Section 26-25. The construction official will review this at the time of submission for a building permit. Therefore, it is not necessary for the Board to review landscape requirements at this time for this particular project.
5. Due to the location of this property a Dune Line Determination will be necessary **and this should be made a condition on approval.** The applicant can obtain an application for a dune line determination from the City's construction office.
6. The Zoning Chart on the Drawing should be revised under the "Required" column to reflect the minimum lot depth of 100'. This chart should also be revised to correct the use as a two-family dwelling and not a single family dwelling.

The Zoning Chart should also be revised at Item 2 to reflect the correct way in which building height is determined, which is 32 feet above the City's Base Flood Elevation of 11.0 based on NAVD 1988. Measurement from the curb is only applicable to accessory structures.

7. The plans should reflect the required onsite parking. Parking spaces should be clearly delineated and the size of the spaces should be shown on the plans.
8. A note should be added to the plans that the parking areas are to be used for parking only and that storage is not permitted below elevation 11.0.
9. Any action taken by the Board should be conditioned on the improvements being constructed in accordance with Chapter 14 and all FEMA regulations as required by City Code.

IV. Recommendations

1. The applicants and their professionals should provide testimony as to why the Board should grant the variances applied for.
2. The plans submitted should be revised to reflect the comments contained in this report as well as any additional comments that the Board may have.



3. The Board has the discretion to grant or deny the variances as requested or could grant some of the variances while denying others. The Board Solicitor will advise you relative to this issue.

A handwritten signature in blue ink that reads 'Andrew A. Previti'.

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

AAP/dpm

cc: Genell Ferrilli, Board Secretary (via email)
Christopher Gillin-Schwartz, Attorney (via email)
Cornelius Byrne, Construction Official (via email)
Gail Snyder, Construction Office (via email)
Andre Cipaldo, Director of Public Works (via email)
Mary Romano, Safety Officer (via email)
Charles W. Gabage, Esquire (via email)
Hans Lampert (via email)
William J. Parkhill, (via email)

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