



Memorandum

To: Sea Isle City Zoning Board of Adjustment

From: Andrew A. Previti, P.E.

Date: January 20, 2025

Subject: Paul J. Cody, Jr. & Jacqueline Cody – Variance Application
29 -85th Street
Block: 85.01, Lot: 20
R-2 Two Family Residential Zoning District
City of Sea Isle City, Cape May County, New Jersey

Project No.: SIZ0261

I. Background

The applicants have submitted an application for a D4 – Floor Area Ratio Variance as well as Hardship and Flexible “C” Variance Relief from the various requirements of the R-2 District. The property is located in Block 85.01. Lot 20 and the street address is 29 85th Street. The property is located in the R-2 Zoning District.

The property has thirty-seven point eight feet (37.8 ft.) of frontage on 85th Street and a lot depth of sixty feet (60ft.). Therefore, the lot has a lot area of two thousand two hundred sixty-eight square feet (2,268 sq. ft.) and as such is considered a non-buildable substandard lot as defined by Code Section 26-20.3. Non-compliance with the requirements of Code Section 26-20.3 would require “C” variance relief since what is being proposed is a single family dwelling to replace the existing single family dwelling. This has been the Board policy. The variance relief to exceed the permitted floor area ratio would be a D4 Variance.

The applicant is proposing to demolish the existing single family dwelling and construct a new single family dwelling which would have a total floor area of one thousand nine hundred seventy four square feet (1,974 sq. ft.). The existing single family dwelling has a floor area of one thousand ninety-five point four square feet (1,095.4 sq. ft.).

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>
SV-1	Site Plans & Building Data	Paul A. Kiss, AIA	11/11/2024	---
SV-2	Block Plan & Foot Print Comparison Diagram	Paul A. Kiss, AIA	11/11/2024	---



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SV-3	Floor Plans	Paul A. Kiss, AIA	11/11/2024	---
SV-4	Design Elevations	Paul A. Kiss, AIA	11/11/2024	---
SV-5	Design Elevations	Paul A. Kiss, AIA	11/11/2024	---
C101	Grading Plan	John E. Halbruner, PE	11/22/2024	---
V101	Survey	Thomas R. Deneka	02/02/2024	---

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	0.87	0.07 (158.76 S.F.)	26-46.10
NOTE: D4 Variance Relief Required				
2. Building on Lot Less Than 3,500 S.F.	Not Permitted	New Single Family Dwelling	New Single Family Dwelling On Lot Less than 3,500 S.F.	26-20.3 & 26-20.2
3. Minimum Lot Area	5,000 S.F. ENC	2,268 S.F.	2,732 S.F.	26-46.7a
4. Minimum Lot Width	50 Ft. ENC	37.80 Ft.	12.2 Ft.	26-46.7b
5. Minimum Lot Depth	100 Ft. ENC	60 Ft.	40 Ft.	26-46.7b
6. Min. Front Yard Setback	15 Ft. Less 1ft. Encroachment For Steps	4.75	9.25 (Reflects 1 ft. Encroachment Permitted)	26-46.4
7. Max Building Coverage	35%	40.4%	5.4% (122.47 S.F.t)	26-46.9



VARIANCE CHART - CONTINUED

<u>Parameter</u>	<u>Required or Permitted</u>	<u>Proposed</u>	<u>Variance</u>	<u>Code Section</u>
8. Rear Yard Set Back	20 Ft.	4 Ft. to Stairs	16 Ft.	26-46.6
9. Side Yard Overhang Setback	5 Ft.	3.75 Ft.	1.25 Ft.	26-27.6.e.1
10. Rear Yard Overage Setback	5 Ft.	4 Ft.	1 Ft.	26-27.6.e.1
11. Street Tree	1	0	1	26-25.4.b

ENC = Existing Non-Conforming Conditions

II. Determination for Completeness

I would advise the Board that this application is complete for review relative to the variance relief which will be necessary to construct the new single family dwelling. However, there will be a need for revisions of the submitted plans as will be discussed in Section III below.

III. Comments

1. The variances required for this project are listed in the Variance Chart. Variance Nos. 3, 4, & 5 are existing non-conforming conditions and deal with the size of the lot. All of the remaining variances are necessary due to the project as it is being proposed.

2. Code Section 26-23.4 addresses driveways but limits standards to conforming lots and non-conforming lots which are at least three thousand four hundred ninety-nine square feet (3,499 sq. ft.). Since the property in question is only two thousand two hundred sixty eight square feet (2,268 sq. ft.) there are no standards for driveway width. The architect's plans show a proposed driveway width of twelve feet (12 ft.); this would be acceptable.

It is not clear if the remaining frontage of the lot will have new vertical curb constructed. The architect's plans should indicate this. The Halbruner Plans appear to indicate that new concrete curb will be constructed at both the proposed driveway as well as the remaining portion of the lot frontage.

3. The architect should explain how the floor areas of each of the floors illustrated on the drawing have been calculated. Floor Area Ratio should be calculated to the exterior surface of the exterior walls of the structure and also is to include stair and elevator areas within the

- exterior building limits. The architect should provide testimony that the floor areas noted on the drawings were calculated in this manner.
4. The Paver on Concrete Driveway Detail on the architect's plans should be revised to reflect a paver thickness of 2 ¾".
 5. The Stormwater Management Calculations as well as the Recharge Trench Detail on the architect's plans should be eliminated since this information is noted on the Halbruner plans.
 6. A Retaining Wall Detail is shown on the architect's plans and a Concrete Retaining Curb Detail is shown on the Halbruner plans. These details are not consistent, and this must be reconciled. Only one (1) type of retaining wall should be provided and this should be consistent on each of the plans.
 7. The proposed grading of the property and the elevation of the proposed retaining wall is not consistent on the architect and the engineer's plans. For example, the portion of the retaining wall shown on the architect's plans in blue has a top of wall elevation of seven point eight zero (7.80) while the engineer's plans has a top of wall of eight point zero zero (8.00). All differences should be reconciled. I would recommend that the grading information be shown only on the Halbruner plans in order to avoid confusion.
 8. A signature block should be added to the Halbruner plans and these plans should be part of the plan set which would require approval.
 9. The architect's plans indicates that one (1) on-site tree and ten (10) shrubs would be provided, and this would conform to Code Requirement. However, the plans do not include a landscape schedule which specifies the type of plants to be used. Plant material should conform to the requirements of Code Section 26-25.

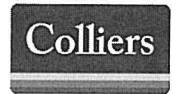
In addition to the code requirements of "Code Section 26-25, Code Section 26-38.2.c.6 requires the following:

All development shall provide a four foot wide planted green space along the rear and side property lines within the rear yard to increase infiltration, improve aesthetics and provide space for grading and the conveyance of stormwater.

Neither the architectural or the engineering plans reflects this four foot wide planted green space in the rear yard area and this should be addressed. If variance relief is being requested from this code requirement, then the plans should be revised to reflect this.

The application is not including a street tree, and I have listed this in the Variance Chart. If the applicant proposes a street tree, then this variance could be eliminated.

10. I will send the architect the City's standard details for concrete sidewalk, concrete driveway aprons and driveways and concrete curb. These details should be provided on the plans.



11. I have reviewed the Stormwater Recharge Trench Calculations on the Halbruner plan as well as the details of the plan. I have the following comments concerning these items:

A. Stormwater Recharge Trench Calculations

- a. The Design Parameters indicates a rainfall intensity of five point seven inches (5.7") per hour. However, the Storm Data indicates a rainfall intensity of five point two inches (5.2") per hour. It appears that the calculations were performed based on the five point two inch (5.2") per hour intensity and this would not be correct. The correct intensity should be five point seven inches (5.7") per hour and the calculations should be revised accordingly.
- b. The stone void ratio of zero point four (0.4) is excessive and a ratio of zero point three five (0.35) should be used.
- c. I will review the design calculations when the necessary revisions have been made.

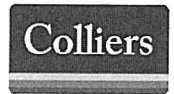
B. Stormwater Plan

The lengths of the proposed six inch (6") PVC collector pipe which is to correct recharge trenches should be indicated on the plans.

12. The Halbruner plans indicate new concrete sidewalk and new concrete apron for the driveway as well as new curb. This is not clear on the architects plans and all proposed concrete should be called out and should be consistent on both plans.
13. Any action taken by the Board should be conditions on the improvements being constructed in accordance with the requirements of Chapter 14 – Flood Damage Prevention Ordinance and all FEMA regulations required by the City.
14. **If this application is approved and following memorialization of the Board's actions in a resolution the professionals should revise the plans and provide me with an electronic copy for review. If the plans have been revised to satisfy the comments contained in this Memorandum as well as any conditions imposed by the Board the seven (7) signed and sealed copies of the total plan set including architectural and engineering plans should be provided. Construction permits will not be issued until signed plans are on file with the Construction Official.**

IV. Recommendations

1. The applicants and their professionals 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 any additional comments that the Board may have.



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3. The Board has the discretion to grant the variance relief as requested or as required by testimony and can decide to grant some of the variances while denying others. The Board Solicitor will advise you relative to this.

A handwritten signature in black ink that reads "Andrew A. Previti".

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

AAP/dpm

cc: Genell Ferrilli, Board Secretary (via email)
Chris Gillen-Schwartz, Planning Board Solicitor (via email)
Cornelius Byrne, Construction Official (via email)
Mariah Rodia, Construction Clerk (via email)
Jeffrey P. Barnes, Esquire (via email)
John E. Halbruner, PE via email
Paul Kiss, AIA, PP, OSK Design Partners (via email)
Paul J. Cody, Jr. & Jacqueline Cody (via email)

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