

Memorandum

To: Sea Isle City Zoning Board of Adjustment

From: Andrew A. Previti, P.E.

Date: October 30, 2024

Subject: Richard & Michelle Massi – Variance Application
121 91st Street
Block: 91.02 Lots: 17.02 & 18
R-2 Two-Family Residential Zoning District
City of Sea Isle City, Cape May County, New Jersey

Project No.: SIZ0258

I. **Background**

The applicants have submitted an application for Hardship and Flexible “C” variance relief from the various requirements of the R-2 District. The property is located in Block 91.02, Lots 17.02 & 18 and is located at 121 91st Street. The property is located in the R-2 Zoning District.

The property has thirty (30) foot of frontage on 91st Street and a lot depth of seventy-four (74) feet. Therefore, the lot has a lot area of two-thousand two hundred twenty (2,220) square feet and as such is considered a Non-Buildable Substandard Lot as defined by Code Section 26-20.3. Based on previous applications it would appear that the project requires “C” variance relief since the proposed structure is being proposed as a single family dwelling which reflects no increase over the existing density which is an existing single family dwelling. However, the Board Solicitor will advise you relative to this.

The applicant is proposing to construct a new single family dwelling which would have a total area of one thousand eight hundred eighty-one (1,881) square feet. The existing single family dwelling has a lot area of eight hundred nine (809) square feet.

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>
CZ101	Site & Landscape Plan	John E. Halbruner, PE, RA	8/06/2024	9/27/2024
CZ102	Grading & Utility Plan	John E. Halbruner, PE, RA	8/06/2024	8/16/2024
V101	Survey of Premises	Thoams R. Dereka, PLS	6/07/2024	---
P1	Schematic Design - Floor Plans	James E. McAfee, RA	9/26/2024	---
P2	Schematic Plans Elevations	James E. McAfee, RA	9/26/2024	---

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. Building on Lot Less than 3,500 sq.ft.	Not Permitted	New Single Family Dwelling	New Single Family Dwelling on Lot Less 3,500 sq. ft.	26-20.3 & 26-20.2
2. Min. Lot Area	5,000 sq. ft. ENC	2,220 sq. ft.	2,780 sq. ft	26-46.7a
3. Min. Lot Width	50 ft. ENC	30 ft.	20 ft.	26-46.7b
4. Min. Lot Depth	100 ft. ENC	74 ft.	26 ft	26-46.7b
5. Min. Side Yard	5 ft.	4 ft. Chimney	1 ft.	26-46.5a & 26-27.6.e.1
6. Aggregate Side Yard	14 ft.	10 ft.	4 ft.	26-46.5a
7. Min. Rear Yard	20 ft.	11.68 ft. to Shower 13.51 ft. to 2 nd Floor	8.32 ft. 6.49	26-46-.6
8. Max Building Coverage	35%	37.4%	2.4%	26-46.9

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 in order to construct the new single family dwelling. However, there will be a need for some revisions to 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 Numbers 2, 3 & 4 are existing non-conforming conditions and deal with the size of the lot. The remaining variances are necessary due to the project as it is being proposed.

The Zoning Conformance Schedule on Drawing CZ101 requires revision as follows:

- a. The maximum building height should be noted as thirty-one (31) feet above LDFE and not thirty-two (32) feet.
 - b. The minimum side yard permitted or required is fourteen (14) feet not fifteen (15) feet due to the small size of the lot. This refers to the aggregate side yard setback.
 - c. The floor area ratio under the Permitted Column should be one thousand eight hundred eighty-seven (1,887) square feet and not one thousand eight hundred seventy (1,870) square feet. The proposed floor area is one thousand eight hundred eighty one (1,881) square feet and would be conforming provided that the floor area has been calculated in accordance with the City's Code Requirements which will be addressed in a following comment.
2. The proposed chimney should be labeled on the architectural plans.
 3. 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 (3,499) square feet. Since the property in question is only two thousand two hundred twenty (2,220) there are no standards for driveway width. The Halbruner plan indicates that the existing driveway width is seventeen point three seven (17.37) feet and proposes to maintain this driveway. Since this is an existing condition, I think that the driveway width of seventeen point three seven (17.37) feet would be acceptable for the proposed development.
 4. The architect should explain how the floor areas of each of the floors illustrated on Drawing P1 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 PB1 were calculated in this matter.
 5. Drawing CZ101 indicates that curb and sidewalk if damaged is to be replaced at the discretion of the city engineer. This should also apply with any driveway areas. Therefore, details for concrete curb, sidewalks and driveways in accordance with the City's Standards should be added to the plans. The design engineer should have copies of the City's standards from previous applications.
 6. Drawing CZ101 addresses proposed landscape plan, and I have the following comments relative this plan:

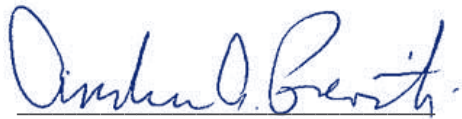
- a. The planting schedule should be revised to reflect the correct quantities for each of the plant materials indicated. The quantities are reversed on the planting schedule.
- b. The proposed Red Osier Dogwood is listed as a shrub in the Plant Materials in Code Section 26-25.6.d and not a tree. A different on-site tree should be selected from the plant material list.
- c. In addition to the requirements of Code Section 26-25, Code Section 26-38.2.c.6 requires the following:
 - **All development shall provide a four (4) foot wide planted green space along the rear and side property lines within the rear yard to increase infiltration, improve esthetics and provide space for grading and the conveyance of stormwater.**

Neither the architectural or the engineering plans reflects this four (4) foot wide planted green space in the rear yard area, and this should be addressed.

7. I have reviewed the Stormwater Recharge Trench Calculations as noted on Drawing CZ102 as prepared by John Halbruner, PE, RA, and find them to be acceptable. I do have the following comments concerning the overall storm management plan as follows:
 - a. The lengths of the proposed six (6) inch PVC pipe which is to connect to the stormwater recharge trench should be noted on the Utility Plan, Drawing CZ102.
 - b. The Concrete Retaining Wall Detail on Drawing CZ102 appears to not accurately show the wall face along the westerly property line. The exposed face of the wall would exceed six (6) inches at certain locations along the westerly line and the detail should be revised accordingly. There maybe a need for separate details for the proposed concrete retaining wall along the easterly and westerly property lines.
8. A note should be added to both the engineering and architectural plans that the garage is to be used for parking only and storage is not permitted below the Local Design Flood Elevation of 12.0 at this location.
9. Any action taken by the Boad should be conditioned 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.
10. **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 then seven (7) signed and sealed copies of the engineering plans should be provided as well as three (3) copies of the architectural plans. Construction permits will not be issued until signed plans are on file with the Construction Official.**

III. 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.
3. The Board has the discretion to grant the variance relief as requested or as required by testimony and could decide to grant some of the variances while denying others. The Board Solicitor will advise you relative to this and to the type of variance required for deviation from the requirements of Code Section 26-20.3



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)
Andrew Cantanese, Esquire (via email)
John A. Halbruner, PE, RA, The Hyland Group (via email)
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