

**City of Cape May Zoning Board of Adjustment Meeting Minutes
Thursday, March 27, 2014**

Opening: In compliance with the Open Public Meetings Act, adequate notice of the meeting was provided. Chairperson White called the meeting to order at 6:30 P.M.

Roll Call:	Mr. White, Chairperson	Present
	Mrs. Hutchinson, Vice Chairperson	Present
	Mr. Iurato	Present
	Mr. Schmidtchen	Present
	Mr. Meier	Present
	Mrs. Inderwies	Present
	Mr. Atwell	Present
	Mrs. McAlinden, Alt #1	Present
	Mrs. Pharo, Alt #2	Present

Also Present: George Neidig, Board Solicitor
Craig Hurless, PE, PP, CME, Board Engineer
Mary Rothwell, Board Assistant/Zoning Officer
Edie Kopsitz, Recording Secretary

Minutes: January 23, 2014

Motion made by Mr. Iurato to approve the minutes. Seconded by Mrs. Hutchinson and carried **6-0**. Those in favor: Mr. Iurato, Mrs. Inderwies, Mr. Meier, Mr. Schmidtchen, Mrs. Hutchison and Mr. White. Mr. Atwell abstained.

Resolutions: #3-27-2014:1 – Phinney/Elaine’s Block 1053 Lot 13

Motion made by Mr. Schmidtchen to approve the resolution. Seconded by Mrs. Inderwies and carried **5-0**. Those in favor: Mr. Iurato, Mrs. Inderwies, Mr. Meier, Mr. Schmidtchen and Mrs. Hutchison. Those abstaining Mr. Atwell and Mr. White.

Resolution # 3-27-2014:2 – Darocha & Picariello, Block 1125 Lot 6

Motion made by Mr. Iurato to approve the resolution. Seconded by Mr. Schmidtchen, and carried **5-0**. Those in favor: Mr. Iurato, Mrs. Inderwies, Mr. Meier, Mr. Schmidtchen and Mrs. Hutchison. Those abstaining Mr. Atwell and Mr. White.

**Applications: Danzi & Danzi, 1106 Missouri Avenue, Block 1125 Lot 6
Hardship Variance**

Sworn in were Harold Noon, LS, Geosurv New Jersey LLC, along with Robert & Anthony Danzi, Principals of Danzi Construction and applicants for the proposal. Also Craig R. Hurless, PE, PP, CME, as Board Engineer.

Louis Dwyer, Esquire represented the applicants. He first called upon Mr. Noon who testified it was an isolated undersize lot, and does not meet the lot width nor frontage standards in the R2 Zone. A single family home was located on the property prior to its demolition. The proposal for a new single family dwelling has been designed to meet all the other zoning regulations and is in keeping with the character of the neighborhood. A letter was sent on March 13, 2014 from Mr. Dwyer to the adjoining property owners attempting to acquire additional property that has been made a part of the file, he testified he received a phone call from the neighbors that they were not interested in selling any property. Mr. Neidig was satisfied with the applicant's attempt. The Zoning Officer confirmed that the taxes were current for the record. Mr. Dwyer indicated that the variance relief was a classic C1 request as an undersized lot.

Mr. Hurless addressed his memorandum of March 12, 2014. He supported the completeness details on page 2 of 5 in his report. Reviewed the variances for lot size, lot width & frontage from § 525-15B(1) Table 1 of the Zoning Code for construction of a two-story new single family detached dwelling, 2,261 square feet in size with three (3) bedrooms. The lot size required in the R2 Zoning District is 7,500 square feet; this property is 6,250 square feet. He noted the landscaping and stormwater system has been provided on the plan. He confirmed items #1 to #10 under his general review comments, should be implemented as conditions.

Chairperson White opened the meeting for public comment, no one came forward in this forum, and therefore it was closed.

Motion made by Mrs. Hutchinson to grant variance relief for lot size (§525-15B (1) Table 1). Seconded by Mr. Schmidtchen and **carried 7-0.** Those in favor: Mr. Iurato, Mrs. Inderwies; Mr. Meier, Mr. Schmidtchen, Mr. Atwell, Mrs. Hutchison and Mr. White.

Motion made by Mr. Iurato to grant variance relief for lot width and frontage (§525-15B (1) Table 1). Seconded by Mr. Schmidtchen and **carried 7-0.** Those in favor: Mr. Iurato, Mrs. Inderwies; Mr. Meier, Mr. Schmidtchen, Mr. Atwell, Mrs. Hutchison and Mr. White.

Motion made by Mr. Iurato to grant the completeness waivers request, listed on page 2 of 5 in Mr. Hurless report of March 12, 2014, the detail items are #20, #21, #24, and #26. Seconded by Mr. Meier **carried 7-0.** Those in favor: Mr. Iurato, Mrs. Inderwies; Mr. Meier, Mr. Schmidtchen, Mr. Atwell, Mrs. Hutchison and Mr. White.

Motion made by Mr. Iurato to grant approval for the application, with the conditions outlined in Mr. Hurless report of March 12, 2014 noted on pages 4 & 5, items as #1, #3, #5, #6, #7, #8, #9, & #10. Seconded by Mr. Meier and **carried 7-0.** Those in favor: Mr. Iurato, Mrs. Inderwies; Mr. Meier, Schmidtchen, Mr. Atwell, Mrs. Hutchison and Mr. White.

**412-414 W Perry Street Holdings LLC, 412-414 W Perry Street
Block 1031 Lot 17, 18 & 75
Use & Hardship Variances**

Louis Dwyer, Esquire appeared for the applicants. Introduced were Architect, Catherine Lorentz and Brian Murphy, PE, PP. Ms. Rothwell confirmed that the taxes were current for this application. Mr. Iurato questioned his concerns on the building height recorded on page 7

of the application and the discrepancy on the plan. It was confirmed the Board had in front of them for review, an amended application received on February 5, 2014. He pointed to Ordinance section 515-15B on the same page of the application that should read 525-15B. Mr. Iurato also noted on Page 8 of the application it does not define the rooms that exist and proposed.

Mr. Neidig swore in, Brian Murphy PE LS, Catherine Lorentz, Licensed Architect, and Craig R. Hurless, PE, PP, CME of Polistina & Associates, the Board Engineer

Ms. Lorentz, confirmed that there are three (3) existing bedrooms in each unit; two dwelling units exist and are proposed; four (4) bedrooms for each unit is planned; two and one half bath for each residence is proposed, where a total of three baths for both units exist; and one kitchen is present in each unit and the same is proposed. Testimony continued that the structure did not meet FEMA regulations and the proposal was to raise the building to meet said standards. It is a Contributing Historic Structure, of which the proposal had been reviewed by the Historic Preservation Commission. There is no formal parking on site and the lot extends from West Perry Street with the rear of lot abutting Claghorn Place where the parking will be implemented. Mr. Dwyer explained that an exclusive easement had been granted by the City and a curb cut & driveway will provided access to the four parking spaces proposed which are located on lot 75. Two (2) parking spaces for each unit, totaling four (4), are being provided and the applicant is requesting waivers from the RSIS standards and variance relief for the additional one (1) space required.

The members requested verification of the plans that were being presented for consideration. Catherine Lorentz testified the architectural plan was dated 2/28/14, revised through 3/1/14. A Martinelli plan dated 8/9/2013, with the latest revision date of 3/07/14. An EDA drainage plan that is dated 3/5/14. The members had before them a Martinelli plan dated 8/9/13, revised 10/10/13 and did not receive a copy of the latest revision through 3/7/14. Mr. Hurless indicated that he had received a copy via email.

Following a poll of members, it was agreed that the since Mr. Martinelli was not in attendance and they did not have the latest survey plans before them the application should be continued and the public given every opportunity to review all plans that the Board considers.

Motion made by Mrs. Hutchinson that this application is continued to April 24, 2014. Seconded by Mr. Iurato recognizing that the application was incomplete, and then carried 7-0. Those in favor: Mr. Iurato, Mrs. Inderwies; Mr. Meier, Mr. Schmidtchen, Mr. Atwell, Mrs. Hutchison and Mr. White. Mr. Neidig announced that this application will be heard on Thursday, April 24, 2014 at 6:30 PM in the City Hall Auditorium.

Motion made by Mr. Schmidtchen to adjourn at 7:15 PM, carried with all in favor.

Respectfully submitted: Mary L. Rothwell, Zoning Officer

A verbatim recording is available in the Construction/Zoning Office