

City of Somers Point

DEPARTMENT OF PLANNING & ZONING

Solicitor Manos
Engineer Doran
Construction Official McBrien

Chairman: J. Craddock
S. Rowan
P. Huber
B. Marshall
R. Granus
M. Kedziora
R. Gannon
ALTERNATE: J. McCarrie

A regular meeting of the City of Somers Point Zoning Board of Adjustment will be held September 14, 2020 by remote access only by video and audio means. The meeting will begin at 7:00 p.m.

At the time of the meeting, anyone from the public wishing to attend may do so remotely by accessing the video and audio of the meeting on the internet at

<https://us02web.zoom.us/j/2314924591?pwd=bmZOWHB5UTIGSWNwS2R1TzIFZGpNdz09>

on a supportable desktop computer, laptop computer, tablet or other supportable device. You may be required to download the "Zoom" meeting application at or prior to the time of the meeting. Anyone from the public may also attend the meeting by accessing only the audio of the meeting by telephone by calling 1-301-715-8592 and entering

Meeting 1D: 231 492 4591. Password is 20200914.

ZONING BOARD AGENDA SEPTEMBER 14, 2020 REMOTELY REGULAR MEETING 7:00 PM

1. Flag Salute
2. Open Public Meetings Act
3. Roll Call
4. Approval of minutes from August meeting
5. Approval of Decisions and Resolutions: HENRY & GRACE STEENLAND
6. Applications: OWL MOTEL, LLC , Block 14238/Lot 1. 805 New York Ave. Zoned R-1. Use variance To convert commercial use beauty parlor to two additional motel rooms

DAVID AND DEBORAH ERB, Block 1953/LotS 1.01, 1.02, 1.03. 95-97 Mays Landing Rd. Zoned REC-B. Use variance for residential apartment on second floor of marina building.

7. Public session
8. Other business

Jayne Meischker
Board Secretary



"Small Town Charm On The Bay"

City Hall • 1 West New Jersey Avenue • Somers Point, New Jersey 08244 • (609) 927-9088, Ext. 142 • Fax: 927-0177



SOMERS POINT

NEW JERSEY

the shore starts here!

^{0w1}
City of Somers Point
DEPARTMENT OF TAX & SEWER COLLECTION

Aug 19, 2020

I certify the attached is a list of property owners within 200' of the **Block 1423 lot 1**
Based on the information provided in the maps of the City, which is reasonably accurate
when considering the scale of the tax map and the precision of the instruments used to
measure the distances.

Please notify:

Conectiv Real Estate Department
5100 Harding Highway, Suite #399
Mays Landing, NJ 08330

Public Service Electric and Gas Company
Manager- Corporate Properties
80 Park Plaza, T6B
Newark, NJ 07102

Sincerely,

Meghan Dilks
Tax Clerk

Batch Id: OWL2

Identification		Name Street Address City, State Property Location	Zip
Block:	1422	KIRMAN AUTO FUEL INC	
Lot:	1	6 WITHER'S WAY	
Qual:		HOCKESSIN, DE	19707
		668 NEW RD	
Block:	1422	ROSS, CHARLES JR	
Lot:	12	29 HIGBEE AVE	
Qual:		SOMERS POINT, NJ	08244
		660 NEW RD	
Block:	1422	ROSS, CHARLES JR	
Lot:	13	29 HIGBEE AVE	
Qual:		SOMERS POINT, NJ	08244
		664 NEW RD	
Block:	1423	PATRAS, LLC	
Lot:	2	901 W NEW YORK AVE	
Qual:		SOMERS POINT, NJ	08244
		661 NEW RD	
Block:	1423	ROSS, CHARLES JR	
Lot:	3	29 HIGBEE AVE	
Qual:		SOMERS POINT, NJ	08244
		657 NEW RD	
Block:	1423	CSJ PROPERTIES LLC	
Lot:	7	646 NEW RD	
Qual:		SOMERS POINT, NJ	08244
		816 W CONNECTICUT AVE	
Block:	1423	PATRAS, GEORGIA	
Lot:	8.01	807 W NEW YORK AVE	
Qual:		SOMERS POINT, NJ	08244
		608 NINTH ST	
Block:	1423	PATRAS, GEORGIA	
Lot:	8.02	807 W NEW YORK AVE	
Qual:		SOMERS POINT, NJ	08244
		606 NINTH ST	
Block:	1423	PATRAS, GEORGIA	
Lot:	8.03	807 W NEW YORK AVE	
Qual:		SOMERS POINT, NJ	08244
		604 NINTH ST	
Block:	1423	KELLY, PATRICIA K	
Lot:	8.04	824 W CONNECTICUT AVE	
Qual:		SOMERS POINT, NJ	08244
		824 W CONNECTICUT AVE	

Identification		Name	
		Street Address	
		City, State	Zip
		Property Location	
Block:	1424	MENDEZ-MORALES, TANIA	
Lot:	3.01	650 TENTH ST	
Qual:		SOMERS POINT, NJ	08244
		650 TENTH ST	
Block:	1424	PATRAS, GEORGIA	
Lot:	13.01	807 W NEW YORK AVE	
Qual:		SOMERS POINT, NJ	08244
		645 NINTH ST	
Block:	1424	PATRAS, GEORGIA	
Lot:	13.02	807 W NEW YORK AVE	
Qual:		SOMERS POINT, NJ	08244
		643 NINTH ST	
Block:	1424	PATRAS, GEORGIA	
Lot:	14	901 W NEW YORK AVE	
Qual:		SOMERS POINT, NJ	08244
		901 W NEW YORK AVE	
Block:	1424	NEW JERSEY HOME BUYERS LLC	
Lot:	15	369 E 62ND ST	
Qual:		NEW YORK, NY	10065
		911 W NEW YORK AVE	
Block:	1424	BOYER, CHARLES & ROSEMARIE	
Lot:	16	905 W NEW YORK AVE	
Qual:		SOMERS POINT, NJ	08244
		905 W NEW YORK AVE	
Block:	1523	EMORETA LLC	
Lot:	7	15 VILLAGE DR	
Qual:		SOMERS POINT, NJ	08244
		701 NEW RD	
Block:	1523	BHP PROPERTIES LLC	
Lot:	8	2 CLYDESDALE CT	
Qual:		MARLTON, NJ	08053
		802 W NEW YORK AVE	
Block:	1523	NISHA PREM PAVAN, LLC	
Lot:	9.01	715 NEW RD	
Qual:		SOMERS POINT,NJ	08244
		702 NINTH ST- CAR WASH	
Block:	1523	LEBRON, DEMETRIO	
Lot:	9.02	401 OCEAN HTS AVE APT D-1	
Qual:		SOMERS POINT, NJ	08244
		822 W NEW YORK AVE	

Identification		Name	Street Address	City, State	Zip	Property Location
Block:	1524	MISSION POINT CHURCH				
Lot:	6	900 W NEW YORK AVE				
Qual:		SOMERS POINT, NJ				
		900 W NEW YORK AVE				
Block:	1524	PORTNOY, GERALD (EST.) & MARCIA				
Lot:	7	15 BURNSIDE DR				
Qual:		EGG HARBOR TWP, NJ				
		916 W NEW YORK AVE				

Somers Point Zoning Board of Adjustment Application

In the Matter of the Appeal of:

Name: Owl Motel, LLC

Address: 805 W. New York Avenue, Somers Point, NJ 08244-1429

1. This application concerns Block 1423, Lot 1 on the tax map of the City of Somers Point, having the following street address: 805 W. New York Avenue, Somers Point, NJ 08244-1429

2. The land has frontage on New York Ave. of 200 feet and a depth of 150 feet.

3. I have filed a Plot Plan and Survey of the premises within the Secretary of the Zoning Board of Adjustment of the City of Somers Point which may be examined at the Code Enforcement Office, 1 West New Jersey Avenue, Somers Point, New Jersey, on which Plot I have indicated existing boundary lines and structures and changes requested to be granted herein.

4. The land is in R-1 zone, and the present use of the land is: Motel and beauty parlor

4a. Lot size 30,000 square feet.

5. I desire to make the following changes (insert how the existing use will be changed or modified): Seek to convert the commercial use beauty parlor to two (2) additional motel rooms. See Application Rider.

6. Plan prepared by: Kevin J. Dixon, P.E.

7. Type of Appeal:

- ☐ An inspection of the ☐ Zoning Ordinance ☐ Zoning Map
- ☐ A special exception to the Zoning Ordinance
- ☐ A Variance from the strict application of the Zoning Ordinance
- ☒ A Use Variance (Expansion of Pre-Existing Non-Conforming Use)

8. I desire the Zoning Board of Adjustment to grant a Variance or a Special Use Permit (specify in detail action of the Zoning Officer)
See Application Rider.

Signature of Tax Collector

9. Set Forth in Detail, including all facts that you wish to rely on at the Hearing, why the Zoning Board should grant your application. (Application may be decided on reasons herein in the event that no one desires to be heard on the application).
See attached Application Rider.

10. State Name, Address, and Telephone number of the Attorney representing the Applicant, if any. Bridget A. Sykes, Esq., Fox Rothschild LLP
1301 Atlantic Avenue, Suite 400 Atlantic City, NJ 08401 609-572-2257

11. Set Forth any previous applications made to this Board for the above property indicating date and result. Use Variance for a Retail Commercial Use (beauty parlor)
Approved February 26, 1979
Use Variance for a Jewelry Store and Sign Variance Approved May 16, 1983
**Resolutions attached to Application Rider

12. Applicants Telephone number: Home -
Work - 609-927-9467

SITE PLAN AND SUBDIVISION

SITE PLAN

***WAIVER REQUESTED (details provided for informational purposes)

1. Property Land Use Motel
2. Density - Permitted N/A
- Proposed
3. Percentage of Building Coverage - Permitted 30%
- Proposed 12.1% (Existing)
4. Number of Parking Spaces - Required 25.3 spaces; 1.8 handicapped
- Proposed 36 spaces including 2 handicapped
5. Number of Residential Units Proposed N/A
6. Square Footage of Residential Units - Permitted N/A
Square Footage of Lot 30,000 - Proposed 30,000 (Existing)

7. Front Yard Setback - Required 20 feet minimm
- Proposed Building 1 (23.9'), Building 2 (29.6'), Building 3 (115.5') (Existing)
8. Rear Yard Setback - Required 35 feet minimum
- Proposed Building 1 (68'), Building 2 (91.9'), Building 3 (13.2') (Existing)
9. Side Yard Setback - Required N S E ☒ (Circle One) 10 feet minimum
- Proposed Building 1 (99'), Building 2 (153.3'), Building 3 (8.7') (Existing)
- 9a. Side Yard Setback - Required N S ☒ W (Circle One) 10 feet minimum
- Proposed Building 1 (70.4'), Building 2 (9'), Building 3 (5.2') (Existing)

10. Building Height - Permitted N/A
- Proposed _____

11. Classification of Structure: One Story ☒ Two Story ☒ Three or More ☐ Other _____

12. Facilities for Trash and Garbage Disposal N/A

Private: Yes _____ No _____

13. Buffer Zones - Describe Location and Extent Provided N/A

14. Recreational Facilities Provided N/A

15. If Ten (10) Units or More are Proposed, an Environmental Impact Statement is Required.

SUBDIVISION
N/A

1. Total Area of Tract _____
2. Portion being Subdivided _____
3. Number of Lots being Created _____
4. Purpose of Subdivision _____

5. Proposed Use of New Lots _____

[Signature]
Signature of Applicant or Representative
attly for applicant

State of New Jersey, County of Atlantic

Signature of Applicant or Attorney *[Signature]*

Signature of Notary *[Signature]*

Sworn to Me on this 12th Day of February, 20 20

KRISTIN B GLASSEY
Notary Public - State of New Jersey
My Commission Expires Aug 16, 2024

APPLICATION RIDER

**Owl Motel, LLC
805 W. New York Avenue
Block 1423, Lot 1**

Applicant, Owl Motel, LLC ("Applicant") is the owner of the property designated as Block 1423, Lot 1 on the official tax map of the City of Somers Point, and is commonly known as 805 W. New York Avenue ("Property"). The Property is located in the "R-1" Single-Family Residential District and is developed with three (3) buildings used as a pre-existing non-conforming motel. A portion of one of the structures was previously used as a beauty salon pursuant to a use variance approved February 26, 1979. Applicant files the within application seeking approval pursuant to N.J.S.A. 40:55D-70d(2) to expand the existing non-conforming use of the Property as a motel by converting the beauty parlor into two (2) additional units together with a waiver of site plan review (the "Application").

The development of the Property is as follows: a strip motel structure to the rear of the Property containing fourteen (14) motel units and a laundry room; a 2-story structure on the southeast corner of the Property containing four (4) 1-bedroom units; and a 2-story structure to the center of the Property containing four (4) 1-bedroom units and the beauty parlor on the first floor. The use of the Property is a pre-existing non-conforming use, located in the R-1 District which permits single-family detached dwellings, parks, playgrounds and other publicly operated recreational uses or structures and public utility substations. The motel use and structures on the Property have been in existence since the 1950s.

Applicant received use variances on two prior occasions to use a portion of the Property for a commercial use. In 1979, Applicant received a use variance to use portion of the Property as a beauty parlor. The Board of Adjustment of Somers Point granted the variance finding "special reasons for granting" the relief sought as follows:

[T]he set-backs involved are pre-existing set-backs and therefore no variance is required.

[A]s a matter of fact that the granting of the relief sought by applicant would not be of substantial detriment to the public and would not substantially impair the intent and purpose of the Zone Plan and Zoning Ordinance of the City of Somers Point as there are other commercial uses in the area and the applicant's property has had commercial uses on same in the past.

[A]s a matter of fact that the use contemplated by the applicant on the proper in question is a less offensive use that other uses permitted in the same commercial zone and that the intended use by applicant would be a higher, more productive use and that if its use was not granted the property would remain idle.¹

¹ See Exhibit A, Resolution dated February 26, 1979.

In 1983, Applicant received a use variance to use a portion of the Property as a jewelry store. The Board of Adjustment of Somers Point granted the variance finding "special reasons for granting" the relief sought for substantially the same reasons as were found in approving the beauty parlor.²

Applicant now seeks variance relief to expand the non-conforming motel use and permit the conversion of the beauty parlor into two motel units. As noted by the Board in granting prior D variance relief, the Property is directly adjacent to a major commercial district in the City and surrounding land uses include a restaurant, auto-repair shop and towing lot, car wash, gas station, and retail store. The proposed use of the additional space at the Property as a motel is more in line with the residential use permitted in the R-1 District and is less offensive than the present use and surrounding commercial uses.

The use is also a less intensive use of the Property, as motel occupants will result in less trips to and from the Property, less parking demand, and less parking turnover as compared to beauty parlor with multiple customers visiting the Property throughout the day and at the same time. For the same reasons the use will provide a benefit to the surrounding neighborhood, there will be no negative impact associated therewith, and the use will not impair the intent and purpose of the zone plan.

Applicant also seeks a waiver of site plan review. No exterior improvements or modifications are proposed at the Property with the exception of minor restriping of the parking lot to create two (2) handicapped parking spaces. The Property has excess parking over what is required by ordinance. All other site plan elements are pre-existing and will not be impacted by the interior renovation and conversion of the beauty parlor.

Applicant submits that the expansion of the non-conforming use meets the special reasons criteria for a D variance, such expansion will neither impair the intent and purpose of the zone plan nor negatively impact the surrounding area, and that a site plan waiver is justified based on the scope of development being limited to the interior of existing structures, as further explained hereinabove.

² See Exhibit B, Resolution dated May 16, 1983.

EXHIBIT “A”

BOARD OF ADJUSTMENT
CITY OF SOMERS POINT
COUNTY OF ATLANTIC
STATE OF NEW JERSEY

APPLICATION OF MR. & MRS. GEORGE : RESOLUTION AND JUDGEMENT
PATRIANAKOS FOR A VARIANCE FOR A GRANTING VARIANCE
RETAIL COMMERCIAL USE ON THE PART OF :
APPLICANT'S PROPERTY KNOWN AS LOT 1,
BLOCK 1423 ON THE TAX MAP OF THE CITY:
OF SOMERS POINT, COMMONLY KNOWN AS 807
NEW YORK AVENUE IN THE CITY OF SOMERS:
POINT, COUNTY OF ATLANTIC AND STATE
OF NEW JERSEY. :

This matter having come on to be heard before the Board
of Adjustment of the City of Somers Point on February 26, 1979 at
8 P.M. on the application of Mr. & Mrs. George Patrianakos, and

The Board having considered the testimony of the
applicant, the applicant's witnesses and arguments of counsel, H.
Robert Boney, Jr., Esquire, and notice first having been given
to the adjoining property owners and the general public according
to law and no objections having been made, the Board has made the
following findings of fact:

1. The property in question is owned by Mr. & Mrs.
George Patrianakos and is Lot 1 Block 1423 on the Tax Map of
the City of Somers Point, commonly known as 807 New York Avenue
in Somers Point, New Jersey.

2. The applicant intends to use the property for a
beauty parlor pursuant to a lease agreement which would involve
3 or 4 operators and be by appointment only. Further that there will
be adequate parking spaces on the property, pursuant to the site
plan submitted by Dennis Duffy, licensed engineer and also by
the representations of applicant that two additional parking
spaces will be added in the rear of the building where Lot 1 is
indicated on the plans.

3. The Board further found that there is compliance with
R 7.5 area coverage in the zoning ordinances of the City of Somers

Point and the applicant having approximately 20 percent coverage.

4. The Board further found that the set-backs involved are pre-existing set-backs and therefore no variance is required.

5. The Board further found that certain evergreen trees shown on the plans should be moved closer to the building and away from the street and the applicant represented that it would accomplish this.

6. The Board further found as a matter of fact that the granting of the relief sought by applicant would not be of substantial detriment to the public and would not substantially impair the intent and purpose of the Zone Plan and Zoning Ordinances of the City of Somers Point as there are other commercial uses in the area and the applicant's property has had commercial uses on same in the past.

7. The Board further found as a matter of fact that the use contemplated by the applicant on the property in question is a less offensive use than other uses permitted in the same commercial zone and that the intended use by applicant would be a higher, more productive use and that if this use was not granted the property would remain idle.

8. The Board further found that the foregoing constituted special reasons for the granting of the variance under the applicable statutes. Therefore, the Zoning Board of Adjustment of the City of Somers Point voted to grant this application to allow a use in a district restricted against such use, namely the proposed use of the property as a beauty parlor.

NOW, THEREFORE, BE IT RESOLVED AND ADJUDGED by the Board of Adjustment of the City of Somers Point that the application for a variance to allow the use in the district or use restricted against such use, namely for the proposed use of the property as a beauty shop, pursuant to the revised statutes

40:55-70(d) is based upon the aforesaid findings of fact.

This Resolution and Judgement has been approved by the Board of Adjustment of the City of Somers Point by a roll call vote as follows:

Frank M. Tyson	Yes
Stanley Wirpsza	Yes
William Priestly	Yes
Joseph Hanko	Yes
Ramon Lennie	Yes
Christopher Rigby	Yes
James Ayers	Yes

The foregoing is a true copy of the Resolution adopted by the Board of Adjustment of the City of Somers Point at a meeting held on February 26, 1979 as copied from the minutes of that meeting.

Carol L. Degraffy
CAROL L. DEGRASSY, SECRETARY
Board of Adjustment
City of Somers Point

EXHIBIT “B”

BOARD OF ADJUSTMENT
CITY OF SOMERS POINT
COUNTY OF ATLANTIC
STATE OF NEW JERSEY

GEORGIA PATRIS,	)	
	)	
Appellant	)	RESOLUTION AND JUDGMENT
vs.	)	ON APPEAL
	)	GRANTING VARIANCE
	)	
BOARD OF ADJUSTMENT OF	)	
THE CITY OF SOMERS POINT	)	
Atlantic County,	)	
New Jersey	)	

This matter having come on to be heard before the Board of Adjustment of the City of Somers Point for hearing on May 16, 1983, on the appeal of Georgia Patris, and

The Board having first determined that proper notice of this hearing had been provided to the adjacent property owners and to the general public according to law, and then having considered the testimony of the appellant, the Board has made the following factual findings:

1. Appellant is the owner of premises designated as Lot 1, Block 1423, 807 New York Avenue, Somers Point, New Jersey.
2. Appellant's property is zoned R-1.
3. Appellant seeks a use variance to permit a jewelry store on the premises.
4. Appellant testified that the character of the neighborhood is surrounded by commercial establishments. She testified that she wants to put in a jewelry store there which would be less restrictive than what is currently on the premises. Appellant further testified that she also needed a sign variance and agreed to limit the sign on the premises to one that is two foot by four foot and flush with the building. Appellant testified that there is currently a beauty salon on the premises and that the proposed use represents the highest and best use

for the land and for the citizens of Somers Point, and that the granting of these variances would not substantially impair the intent or purposes of the zoning ordinances nor would they be detrimental to the public welfare of the citizens of Somers Point.

NOW, THEREFORE, BE IT RESOLVED AND ADJUDGED by the Board of Adjustment of the City of Somers Point that the application to grant a use variance permitting a jewelry store on applicant's premises located at Lot 1, Block 1423, 807 New York Avenue, Somers Point, New Jersey, pursuant to N.J.S.A. 40:55D-70(d) is granted.

BE IT FURTHER RESOLVED AND ADJUDGED by the Board of Adjustment of the City of Somers Point that the application to grant a sign variance to permit a sign not to exceed two foot by four foot which said sign being flush with the building on applicant's premises designated as Lot 1, Block 1423, 807 New York Avenue, Somers Point, New Jersey, pursuant to N.J.S.A. 40:55D-70(c) is granted.

This resolution has been approved by the Board of Adjustment of the City of Somers Point, by a roll call vote as follows:

JOSEPH MOHR	YES
FRANK WYNN	YES
JOSEPH HANKO	YES
PAMELA PRIESTLEY	YES
WILLIAM SWAIN	YES
MARY TYSON	YES
JOHN BUNTY	YES

The foregoing requires a vote of two-thirds in favor of the appellant's application by the Somers Point Zoning Board of Adjustment, which requirement was met in this case.

The foregoing is a true copy of a resolution adopted by

the Board of Adjustment of the City of Somers Point at a meeting held on May 16, 1983, as copied from the minutes of that meeting.

Carol DeGrassi
Carol DeGrassi, Secretary
BOARD OF ADJUSTMENT
City of Somers Point



200.0' RADIUS

OWL MOTEL

NEW YORK AVENUE

NEW ROAD (aka ROUTE 9)

OWL MOTEL
BLOCK 1423 LOT 1
CITY OF SOMERS POINT

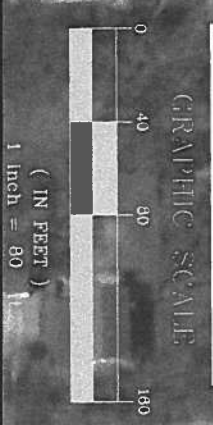
EXHIBIT A-2



DIXON
ASSOCIATES
ENGINEERING, LLC

335 E. JULESS ROAD
2ND FLOOR
GALLOWAY, NJ 08205
N.J. State Board of Professional Engineers & Land Surveyors Certificate of Authorization No. 24-GA21-18100

(609) 652-7131
FAX (609) 652-2933
WWW.DIXONASSOCIATES.COM



SOURCE: UNITED STATES GEOLOGICAL SURVEY
"OCEAN CITY, N.J." QUAD MAP

[illegible]

**SOURCE: OFFICIAL ZONING MAP FOR CITY OF SOMERS POINT
PROJECT SITE ZONE: R-1 : SINGLE-FAMILY RESIDENTIAL DISTRICT**

1. THE PURPOSE OF THIS PLAN IS TO OBTAIN A USE VARIANCE AND SITE PLAN WAIVER FOR THE ADDITION OF 2 UNITS TO THE EXISTING MOTEL, CONVERTING UNUSED OFFICE SPACE TO MOTEL UNITS FOR BLOCK 1423 LOT 1.

PAIKAS, LLC
901 W. NEW YORK AVENUE
SOMERS POINT, NJ 08244

4. OUTBOUND AND EXISTING CONDITIONS INFORMATION OBTAINED FROM SURVEY OF PREMISES SITUATE IN CITY OF SOMER POINT ATLANTIC COUNTY, N.J. BLK 1423, LOT 1 PREPARED BY PAUL KOELLING & ASSOCIATES, LLC, DATED 12/29/15 (REVISED 1/17/20). PAUL M. KOELLING, NEW JERSEY LAND SURVEYOR LICENSE NO. 246504328800

ZONING SCHEDULE

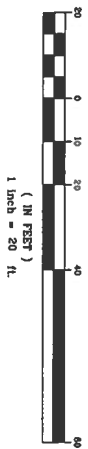
ZONING SCHEDULE

Single-Family Residential District (R-1)

PERMITTED USES	APPLICABLE REQUIREMENTS	EXISTING	CONFORMITY STATUS	BUILDING #1	CONFORMITY STATUS	BUILDING #2	CONFORMITY STATUS	BUILDING #3	CONFORMITY STATUS
Single Family § 116-11	District Ordinance	NOT	N						
ADDITIONAL LOT AREA	7,500 sf	21,000 sf (6.67 acrs)	CONFORMS						

[illegible]

GRAPHIC SCALE



KEVIN J. DIXON, P.P.
PROFESSIONAL PLANNER
N.J. LIC. No. 3339

SITE PLAN
OWL MOTEL
BLOCK 1423 LOT 1
CITY OF SOMERS POINT
ATLANTIC COUNTY, NEW JERSEY

REVISIONS:



335 E. JIM LEEDS ROAD (609) 652-7131
2ND FLOOR FAX (609) 652-2613
GALLOWAY, NJ 08205 WWW.DIXONASSOCIATES.COM

N.J. State Board of Professional Engineers & Land Surveyors Certificate of Authorization No. 24GA20148100

F:\PROJECTS\2019\DA\DA19-074\CAD\PROJECT\2020 02\10 1 of 1 Variance Plan.dwg 3/11/2020 9:39 AM

Somers Point Zoning Board of Adjustment Application

In the Matter of the Appeal of:

Name: DAVID & DEBORAH ERB

Address: 95-97 Mays Landing RD Somers Point, NJ

1. This application concerns Block 1953, Lot 1.01 1.02 1.03 on the tax map of the City of Somers Point, having the following street address: _____

95-97 Mays Landing RD

2. The land has frontage on Mays Landing of 21 FT feet and a depth of _____ feet.

3. I have filed a Plot Plan and Survey of the premises within the Secretary of the Zoning Board of Adjustment of the City of Somers Point which may be examined at the Code Enforcement Office, 1 West New Jersey Avenue, Somers Point, New Jersey, on which Plot I have indicated existing boundary lines and structures and changes requested to be granted herein.

4. The land is in REC-B zone, and the present use of the land is: MARINA

4a. Lot size 76,416.02 square feet.

5. I desire to make the following changes (insert how the existing use will be changed or modified): RESIDENTIAL APARTMENT ON

SECOND FLOOR OF EXISTING BUILDING

6. Plan prepared by: Daniel Ponzio Jr.

7. Type of Appeal:

- ☐ An inspection of the ☐ Zoning Ordinance ☐ Zoning Map
☐ A special exception to the Zoning Ordinance
☐ A Variance from the strict application of the Zoning Ordinance
☒ A Use Variance

8. I desire the Zoning Board of Adjustment to grant a Variance or a Special Use Permit (specify in detail action of the Zoning Officer)

Lisa A. Krug etc 12-30-19
Signature of Tax Collector

9. Set Forth in Detail, including all facts that you wish to rely on at the Hearing, why the Zoning Board should grant your application. (Application may be decided on reasons herein in the event that no one desires to be heard on the application). _____

PROPERTY DID HAVE TWO APARTMENTS AND BEFORE
RESTAURANT, A RESIDENTIAL HOME

10. State Name, Address, and Telephone number of the Attorney representing the Applicant, if any. N/A

11. Set Forth any previous applications made to this Board for the above property indicating date and result. _____

12. Applicants Telephone number: Home - 610-633-6242
Work - 610-275-6280

SITE PLAN AND SUBDIVISION

SITE PLAN

1. Property Land Use N/A
2. Density - Permitted _____
- Proposed _____
3. Percentage of Building Coverage - Permitted _____
- Proposed _____
4. Number of Parking Spaces - Required _____
- Proposed _____
5. Number of Residential Units Proposed _____
6. Square Footage of Residential Units - Permitted _____
Square Footage of Lot _____ - Proposed _____

7. Front Yard Setback - Required _____
- Proposed _____
8. Rear Yard Setback - Required _____
- Proposed _____
9. Side Yard Setback - Required N S E W (Circle One) _____
- Proposed _____
- 9a. Side Yard Setback - Required N S E W (Circle One) _____
- Proposed _____
10. Building Height - Permitted _____
- Proposed _____
11. Classification of Structure: One Story__Two Story__Three or More__Other_____
12. Facilities for Trash and Garbage Disposal _____

- Private: Yes____ No _____
13. Buffer Zones - Describe Location and Extent Provided _____

14. Recreational Facilities Provided _____

15. If Ten (10) Units or More are Proposed, an Environmental Impact Statement is Required.

SUBDIVISION

1. Total Area of Tract _____ *N/A* _____
2. Portion being Subdivided _____
3. Number of Lots being Created _____
4. Purpose of Subdivision _____

5. Proposed Use of New Lots _____

Signature of Applicant or Representative

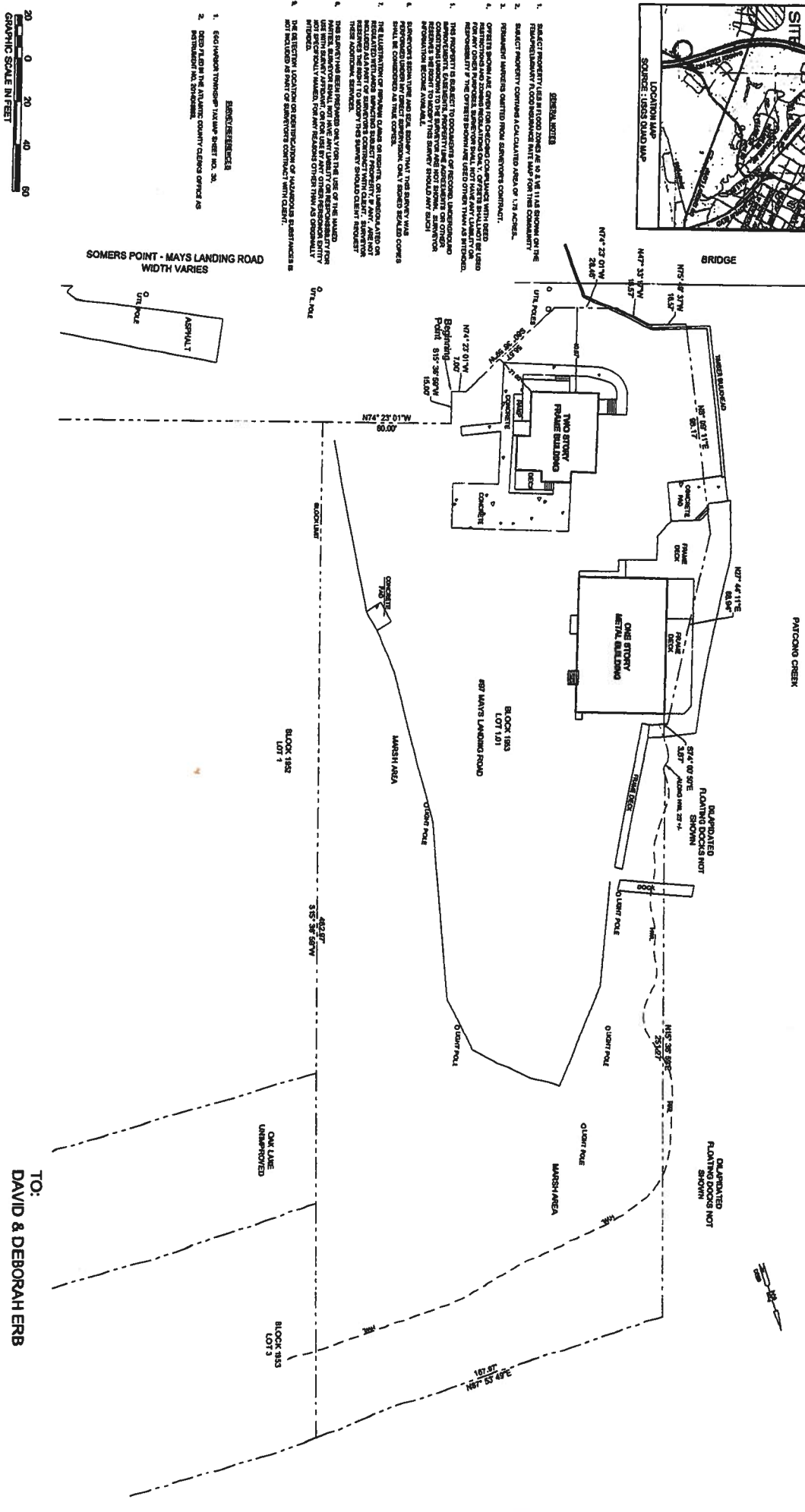
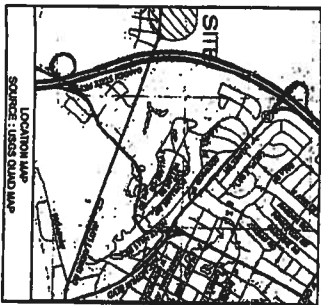
State of Pennsylvania County of Montgomery

Signature of Applicant or Attorney _____

Signature of Notary Cynthia J Rose

Sworn to Me on this 22nd Day of November, 2019

Commonwealth of Pennsylvania - Notary Seal
CYNTHIA J ROSE - Notary Public
Montgomery County
My Commission Expires Oct 3, 2023
Commission Number 1036441



TO:
DAVID & DEBORAH ERB

- GENERAL NOTES**
1. EXISTING PROPERTY LINES AND BUILDINGS SHOWN ON THIS MAP ARE BASED ON THE RECORDS OF THE ATLANTIC COUNTY CLERK'S OFFICE.
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 10. EXISTING PROPERTY LINES AND BUILDINGS SHOWN ON THIS MAP ARE BASED ON THE RECORDS OF THE ATLANTIC COUNTY CLERK'S OFFICE.

- EXISTING BUILDINGS**
1. EXISTING BUILDING: TWO-STOREY FRAME BUILDING.
 2. EXISTING BUILDING: ONE-STOREY FRAME BUILDING.
 3. EXISTING BUILDING: ONE-STOREY FRAME BUILDING.

NO.	DATE	BY	DESCRIPTION
1	11-20-14	THOMAS A. DASE	PROPERTY SURVEY
2	11-20-14	THOMAS A. DASE	PROPERTY SURVEY
3	11-20-14	THOMAS A. DASE	PROPERTY SURVEY
4	11-20-14	THOMAS A. DASE	PROPERTY SURVEY
5	11-20-14	THOMAS A. DASE	PROPERTY SURVEY
6	11-20-14	THOMAS A. DASE	PROPERTY SURVEY
7	11-20-14	THOMAS A. DASE	PROPERTY SURVEY
8	11-20-14	THOMAS A. DASE	PROPERTY SURVEY
9	11-20-14	THOMAS A. DASE	PROPERTY SURVEY
10	11-20-14	THOMAS A. DASE	PROPERTY SURVEY

ARTHUR W. PONZO CO. & ASSOCIATES, INC.
SURVEYING, PLANNING, ENGINEERING, A.S. & LAND
CONSTRUCTION, LAND DEVELOPMENT, LAND ACQUISITION
AND LAND MANAGEMENT SERVICES
1000 ROUTE 100, SUITE 100, NEW JERSEY 07030-1000
TEL: 908-765-1000 FAX: 908-765-1001
WWW.AWPONZO.COM

THOMAS A. DASE
PROFESSIONAL PLANNER N.J. NO. 000000000
PROFESSIONAL ENGINEER N.J. NO. 000000000
PROFESSIONAL LAND SURVEYOR N.J. NO. 000000000
DATE: 11-20-14

PROPERTY SURVEY
BLOCK 1853 LOT 1.01
SOMERS POINT CITY ATLANTIC COUNTY
NEW JERSEY
DATE: 11-20-14
BY: THOMAS A. DASE
PROJ. NO. 32-147

SHEET NO. 1 OF 1

John R. Armstrong, Esquire
Cooper Levenson April
Niedelman & Wagenheim, P.A.
Court House Commons
601 Route 9 South, Suite A-3
Cape May Court House, NJ 08210
Attorneys for Somers Point Planning Board

APPLICATION OF JENNINGS GATEWAY
MARINA, L.L.C. D/B/A "UP THE CREEK
CLAM BAR" FOR PRELIMINARY AND
FINAL MAJOR SITE PLAN APPROVAL,
CERTAIN VARIANCES AND WAIVER OF
CERTAIN SITE PLAN SUBMISSION
REQUIREMENTS FOR DEVELOPMENT TO
BE LOCATED AT BLOCK 1953,
CONSOLIDATED LOTS 1.01, 1.02 AND 1.03,
ALSO KNOWN AS 97 SOMERS POINT-
MAYS LANDING ROAD, SOMERS POINT,
NEW JERSEY

SOMERS POINT
PLANNING BOARD
APP. NO: SP _____

**DECISION & RESOLUTION
GRANTING PRELIMINARY
AND FINAL MAJOR SITE PLAN
APPROVAL AND WAIVER OF
CERTAIN SITE PLAN
SUBMISSION REQUIREMENTS**

This matter having been heard by the Planning Board of the City of Somers Point (the "Board") on April 16, 2003 at its regular meeting at the Somers Point City Hall, and a hearing on the application having been conducted with a quorum present; and

WHEREAS, the Board has reviewed the application submitted by Jennings Gateway Marina, L.L.C. (the "Applicant") dated February 24, 2003, a site plan prepared by Mott, Polistina & Associates, L.L.C. (sheets 1 - 5) dated March 6, 2003 (the "Site Plan"), site plan survey prepared by Thomas A. Prendergast, P.L.S. dated February 5, 2003 (the "Survey"), architectural elevations and floor plan prepared by Harry S. Harper, A.I.A. (sheets 1 - 2) (the "Architectural Plans"), drainage narrative for "Up the Creek Clam Bar" prepared by Mott, Polistina & Associates, L.L.C. dated February 4, 2003 (the "Drainage Narrative"), Traffic

Engineering Assessment prepared by Horner & Canter Associates dated February 26, 2003 (5 pages with attachments) (the "Traffic Engineering Assessment"), correspondence from Vincent J. Polistina to Ms. Nancy Lacey, Atlantic County Department of Regional Planning & Engineering dated April 4, 2003, correspondence from Mott, Polistina & Associates, L.L.C. to Georgiana Hutchinson, Board Secretary dated March 17, 2003, correspondence from Gilbertson & Martin, L.L.C. to the Atlantic County Clerk forwarding Consolidation Deed dated April 8, 2003, and memorandum of the Board's engineer, David W. Munion, P.E., P.P., C.M.E., of JCA Associates, Inc. dated April 14, 2003; and

WHEREAS, the Board has carefully considered the testimony of Applicant's representative, Cheryl Platt, Applicant's engineer, Vincent Polistina, the representations of Applicant's attorney, Patrick Martin, Esquire, and the testimony of an interested party, Patrick Bingham; and

WHEREAS, the Board has made the following findings of fact and has reached the following conclusions of law:

1. The Property is located at 97 Somers Point-Mays Landing Road and is within in the REC-B Recreational Land-Marina District (the "REC-B District"). There is presently located on the Property a marina consisting of 79 boat slips and a 2,500 square foot one-story metal building used in connection with the marina business. There is also located on the Property a 2,250 square foot two-story residential dwelling, which use is a non-conforming use pursuant to Section 114-91 of the City of Somers Point Developmental Ordinance (the "Ordinance").

2. Applicant proposes to convert the existing residential dwelling for use as a restaurant, a permitted accessory use within the REC-B District under Section 114-92 of the

Ordinance. Applicant's representative has testified that it is anticipated that much of the restaurant business will be generated by boaters accessing the marina, and Applicant proposes to dedicate 20 boat slips to customers using the restaurant. The Board accepts Applicant's representation as a condition to the approvals granted herein requiring Applicant to dedicate 20 boat slips for such use.

3. The existing residential structure to be converted for restaurant use has a front yard set back of 21 feet (35 feet is required under Section 114-93A(2) of the Ordinance) and a side yard set back on the western side of the existing metal building used in connection with the marina of 2 feet (8 feet is required under Section 114-93A(5) of the Ordinance). The Board finds that these existing non-conformities are not affected to any extent by Applicant's proposed development; consequently, the Board finds that no variances are required in connection with such existing conditions.

4. Pursuant to Section 114-94S of the Ordinance, Applicant is required to provide for a minimum of .6 spaces per boat slip, or 48 spaces in connection with Applicant's 79 boat slips. The Ordinance does not provide for any off-street parking requirement for the proposed restaurant as a permitted accessory use. Consequently, Applicant is not required to seek a variance in connection with this proposed accessory use. Nevertheless, based upon Applicant's commitment to dedicate 20 boat slips for restaurant customers, as well as in recognition of the findings set forth in Applicant's Traffic Engineering Assessment that the restaurant and marina will have a peak parking demand for 45 parking spaces, the Board finds that the 49 parking spaces to be provided by Applicant for both the marina and restaurant uses will be sufficient to serve these uses without causing negative traffic impacts.

5. Applicant proposes to amend its Site Plan to provide for a deck as a restaurant patron waiting area with dimensions of 35 feet by 25 feet, and the Board conditions those approvals granted herein upon review and approval of the Site Plan amendment by its engineer and Applicant's commitment that the deck will be used as a patron waiting area only and not for outside dining by restaurant patrons. The proposed deck will be located within all set backs mandated by the Ordinance.

6. Applicant has further agreed to provide for the addition of certain architectural features on an amended site plan to shield the outside refrigeration equipment to be used in connection with the restaurant, and the Board further conditions the grant of any approvals upon the review and approval of these architectural features by its engineer.

7. Applicant has sought a waiver from a site plan submission requirement to provide for a four inch asphalt thickness of the proposed handicapped parking spaces as shown on the Site Plan rather than the six inch standard thickness mandated by the Ordinance. In that connection, the Board finds that grant of such a waiver is reasonable and appropriate.

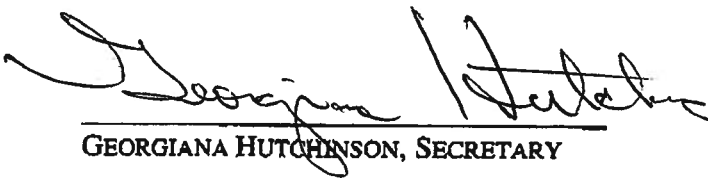
8. Applicant's Site Plan incorporates certain elements, including provision for additional landscaping, lighting, paving adjacent to the proposed restaurant, provision for a solid waste disposal area and new signage. Applicant's proposed improvements will result in minimal increase in impervious coverage of the Property. Applicant has represented that the Site Plan will be amended to provide also for a fence along the existing deck adjacent to the metal building used as a bait shop. The Board finds that subject to the site plan submission waiver granted herein, that Applicant has otherwise satisfied all requirements for preliminary and final major site plan approval as set forth in Article XXII of the Ordinance.

Now, THEREFORE, BE IT DECIDED AND RESOLVED by the Planning Board of the City of Somers Point that this application for preliminary and final major site plan approval, including the site plan submission waiver described herein, is hereby granted subject to the Applicant's compliance with those conditions stated herein and also Applicant's satisfaction of those additional conditions set forth in the memorandum of the Board's engineer dated April 14, 2003, including specifically Applicant's receipt of any other necessary governmental approvals in connection with this proposed development.

SOMERS POINT PLANNING BOARD

DATED: June 18, 2003

BY:


DAVID SHARP, CHAIRMAN
GEORGIANA HUTCHINSON, SECRETARY

City of Somers Point

DEPARTMENT OF TAX COLLECTION

December 22, 2019

I certify the attached is a list of property owners within 200' of the **Block 1953 Lot 1.01**
Based on the information provided in the maps of the City, which is reasonably accurate
when considering the scale of the tax map and the precision of the instruments used to
measure the distances.

Please notify:

Conectiv Real Estate Department
5100 Harding Highway, Suite #399
Mays Landing, NJ 08330

Public Service Electric and Gas Company
Manager- Corporate Properties
80 Park Plaza, T6B
Newark, NJ 07102

Sincerely,



Meghan Dilks
Tax Clerk

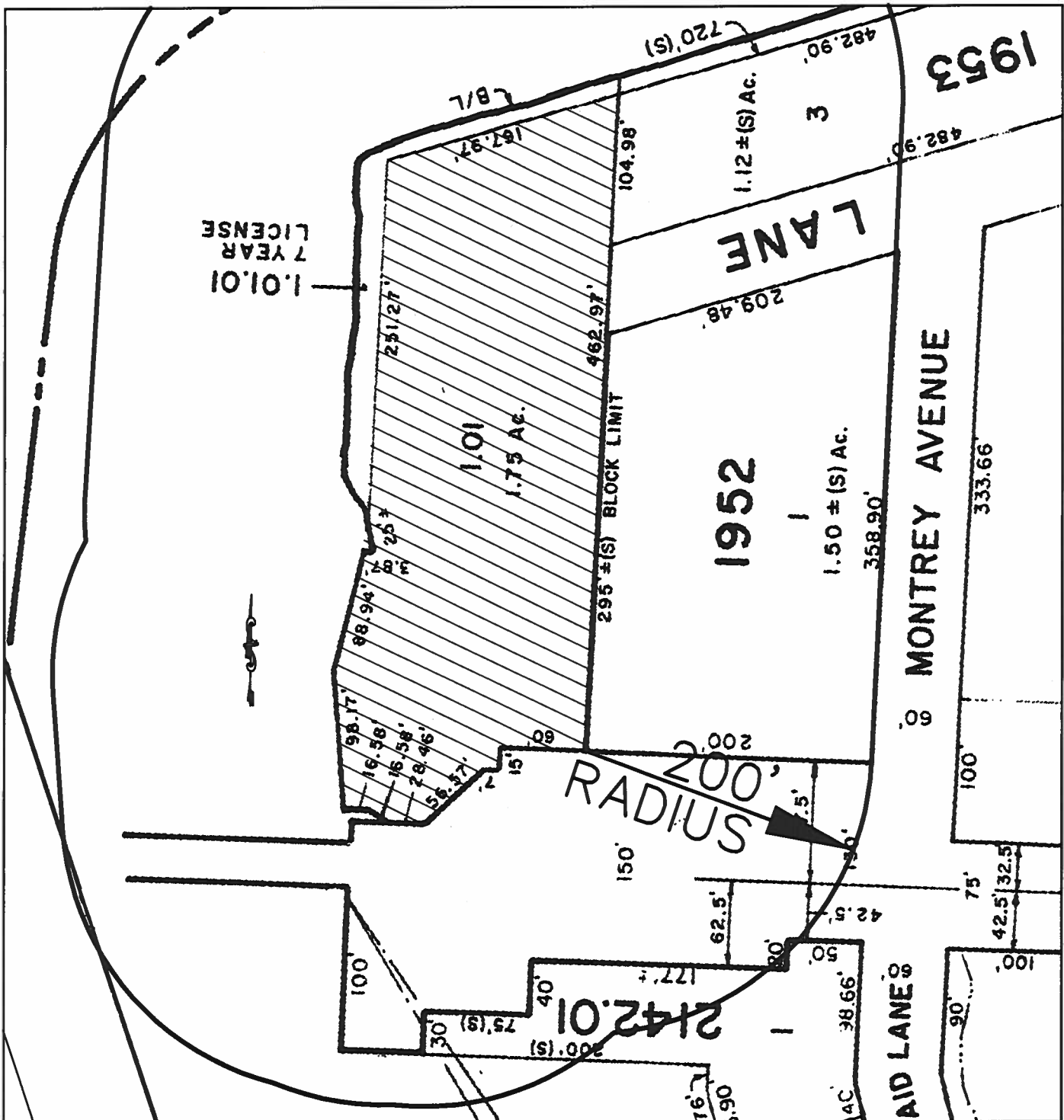


"Small Town Charm on the Bay"

P.O. Box 157 • Somers Point, New Jersey 08244 • (609) 927-9088 Ext. 141 • Fax: (609) 926-0536

Batch Id: ERB

Identification		Name	Street Address	City, State	Zip	Property Location
Block:	1952	NJ DEPT ENVIRONMENTAL PROTECTION				
Lot:	1	401 E STATE ST				
Qual:		TRENTON, NJ 08625				
		MEADOWS				
Block:	1953	NJ DEPT ENVIRONMENTAL PROTECTION				
Lot:	3	401 E STATE ST				
Qual:		TRENTON, NJ 08625				
		OAK LN				
Block:	2142.01	KINCADE, JOSEPH ETALS;C/O HUNSICKER				
Lot:	1	221 MARLBORO RD				
Qual:		ARDMORE, PA 19003				
		120 MAYS LANDING RD				



Graphic Scale - 1"=100'



NOTE: THIS IS NOT A SURVEY

City of Somers Point
Atlantic County
200' Radius Map

Block 1953, Lot 1.01
Tax Map Sheet 30

MOTT ASSOCIATES, LLC
CONSULTING ENGINEERS & PLANNERS

3122 Fire Road
Egg Harbor Township, New Jersey 08234
Phone: (609) 569-1551
Fax: (609) 569-1521

State Board of Professional Engineers & Land Surveyors
Certificate of Authorization No. 0A 279020

James A. Mott
Professional Engineer & Land Surveyor
New Jersey License No. 29918

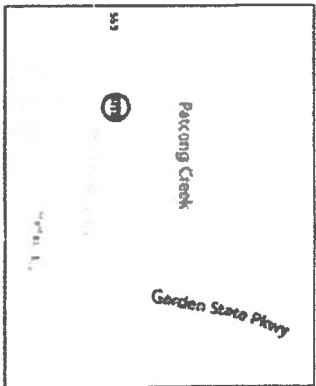
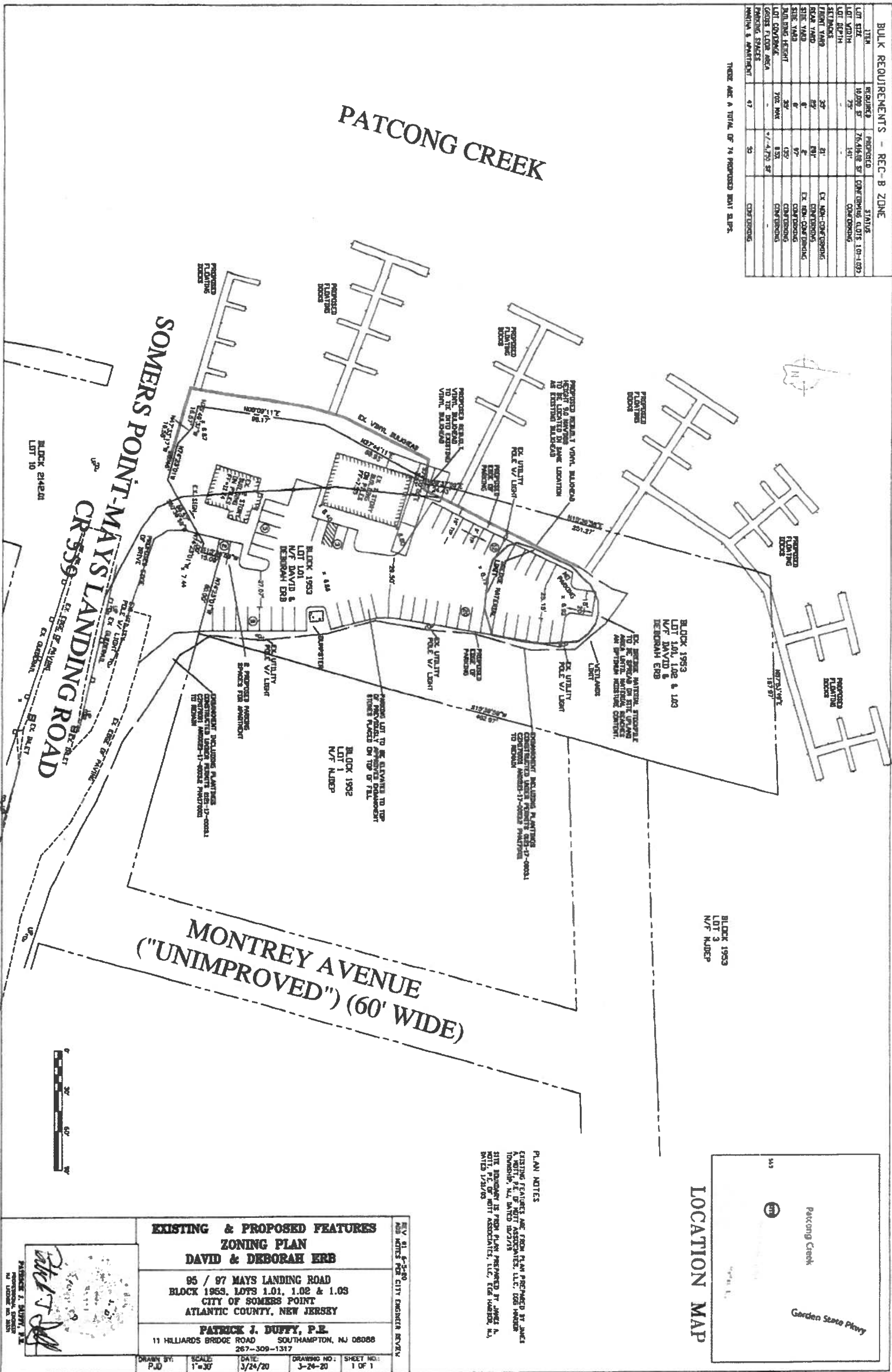
James A. Mott

Date **11/27/19**

Designed	Drawn	Checked	Approved	Date
GKS	STAFF	JAM	JAM	11/27/19

BULK REQUIREMENTS - REC-B ZONE				
ITEM	REQUIRED	PROPOSED	STATUS	
LOT SIZE	10,000 SF	76,414 SF	CONFORMING LOTS 1.01-1.03	
LOT WIDTH	75'	141'	CONFORMING	
SETBACKS				
FRONT YARD	25'	81'	EX. NON-CONFORMING	
REAR YARD	25'	81'	CONFORMING	
SIDE YARD	8'	8'	EX. NON-CONFORMING	
SIDE YARD	8'	8'	CONFORMING	
BUILDING HEIGHT	35'	15'	CONFORMING	
LOT COVERAGE	70% MAX	8.5%	CONFORMING	
GROSS FLOOR AREA	700,000 SF	77,470 SF	CONFORMING	
PARKING SPACES	47	50	CONFORMING	
MINIMUM 5 APARTMENTS				

THESE ARE A TOTAL OF 74 PROPOSED UNIT S.L.P.'S.



PLAN NOTES
EXISTING FEATURES ARE FROM PLAN PREPARED BY JAMES A. WITTE, P.E. & WITTE ASSOCIATES, L.L.C. 1005 WILSON ROAD, SUITE 100, SOUTHAMPTON, NJ 08088. DATE: 02/27/13.
SITE DESIGN IS FROM PLAN PREPARED BY JAMES A. WITTE, P.E. & WITTE ASSOCIATES, L.L.C. 1005 WILSON ROAD, SUITE 100, SOUTHAMPTON, NJ 08088. DATE: 12/20/13.

EXISTING & PROPOSED FEATURES			
ZONING PLAN			
DAVID & DEBORAH ERB			
95 / 97 MAYS LANDING ROAD			
BLOCK 1953, LOTS 1.01, 1.02 & 1.03			
CITY OF SOMERS POINT			
ATLANTIC COUNTY, NEW JERSEY			
PATRICK J. DUFFY, P.E.			
11 HILLIARDS BRIDGE ROAD SOUTHAMPTON, NJ 08088			
267-309-1317			
DRAWN BY: P.J.D.	SCALE: 1"=30'	DATE: 3/24/20	SHEET NO.: 1 OF 1

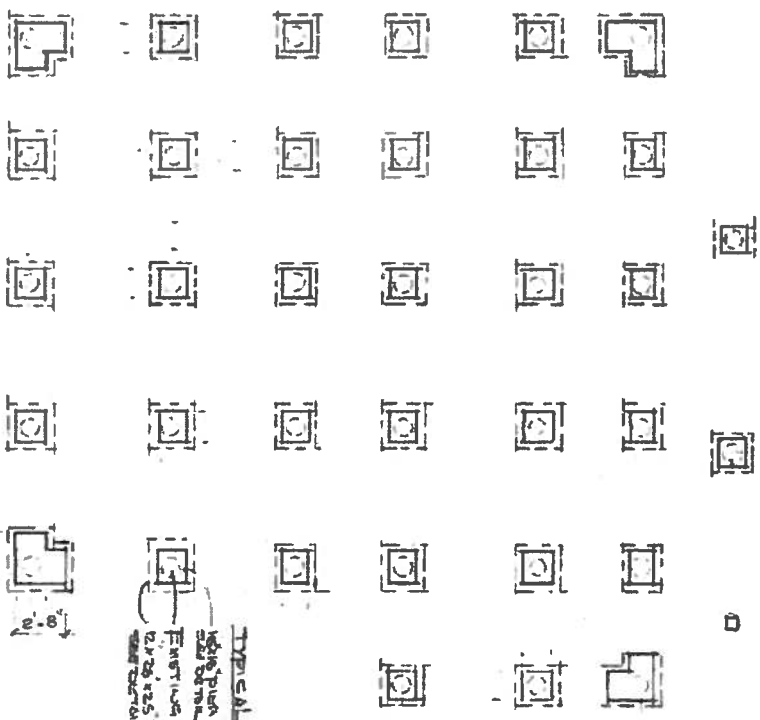
- General Notes and Specifications
1. All construction shall conform to the current Uniform Construction Code and the current edition of the International Building Code, as amended by the local jurisdiction.
 2. The contractor shall be responsible for obtaining all necessary permits and for complying with all applicable laws, codes, and regulations.
 3. The contractor shall be responsible for the safety of the construction site and for the safety of the public.
 4. The contractor shall be responsible for the quality of the construction and for the completion of the project within the specified time frame.
 5. The contractor shall be responsible for the payment of all taxes and fees.
 6. The contractor shall be responsible for the maintenance of the construction site and for the removal of all debris.
 7. The contractor shall be responsible for the protection of the existing structures and utilities.
 8. The contractor shall be responsible for the coordination of the construction with the other trades.
 9. The contractor shall be responsible for the communication with the owner and the architect.
 10. The contractor shall be responsible for the completion of the project in accordance with the contract documents.

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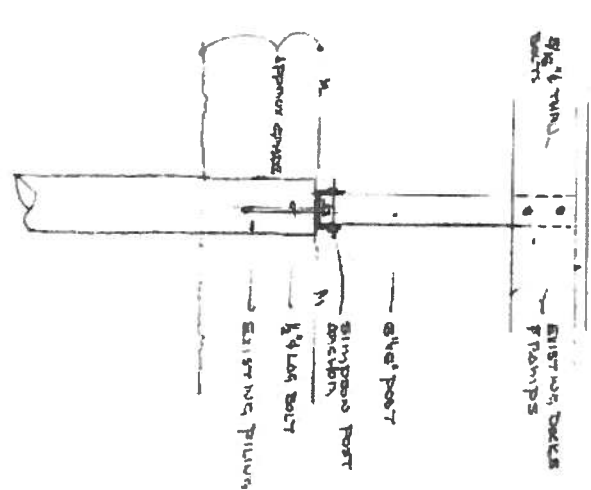
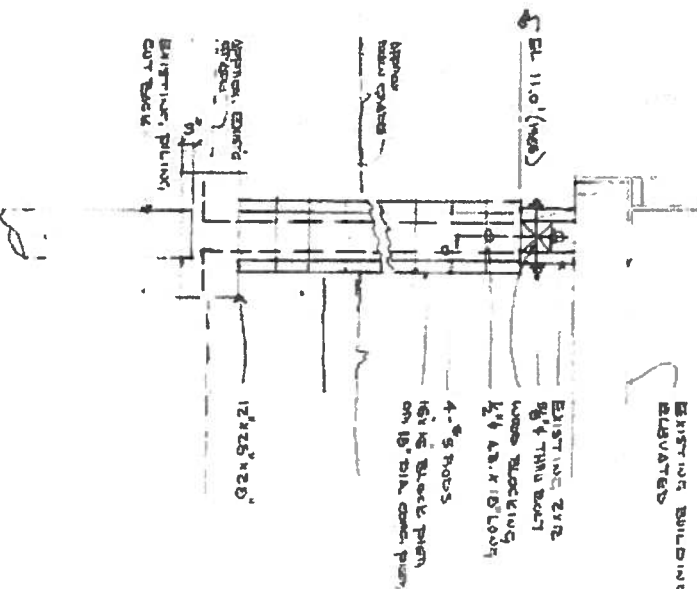
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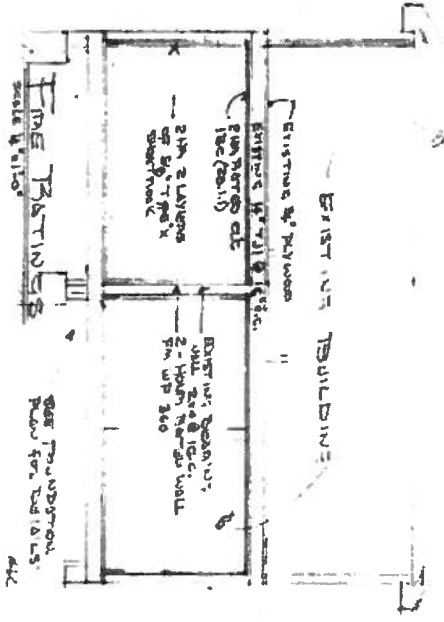
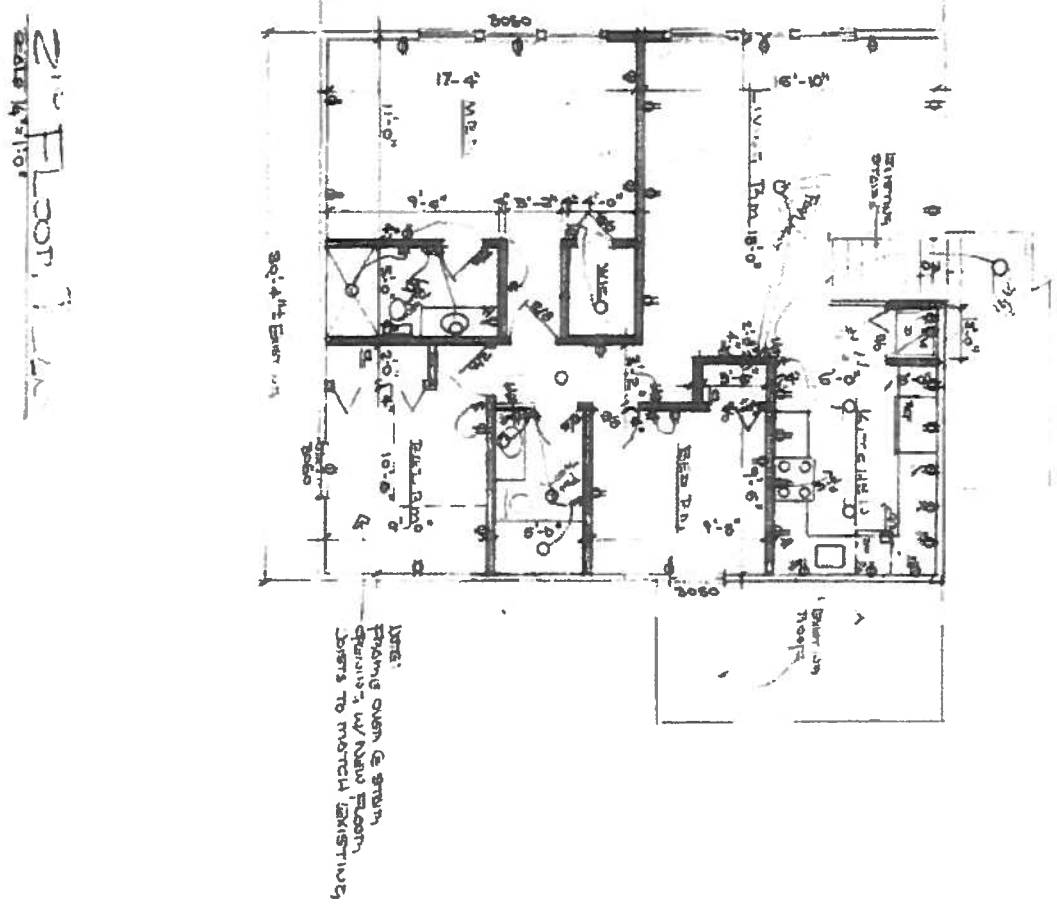
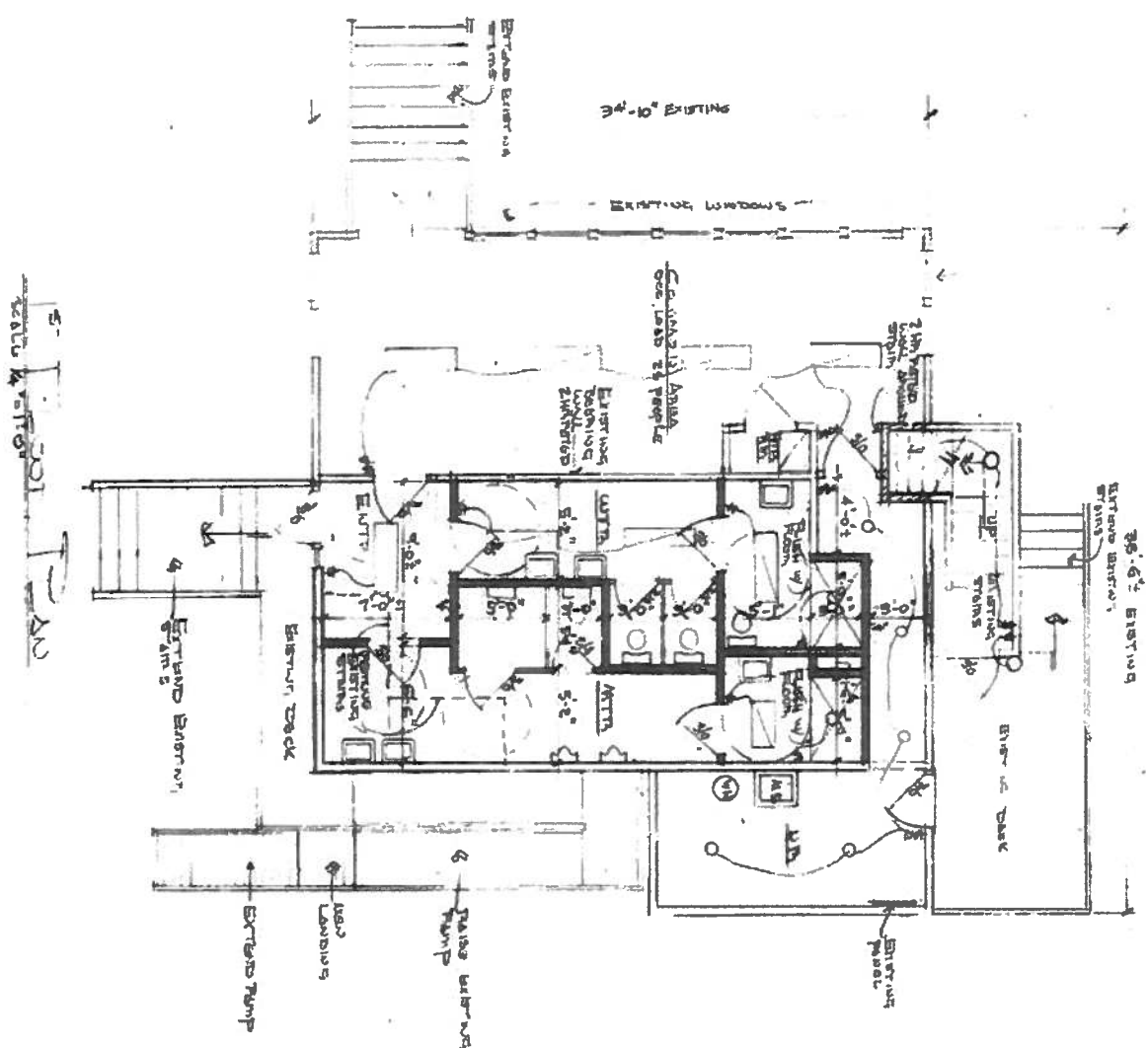
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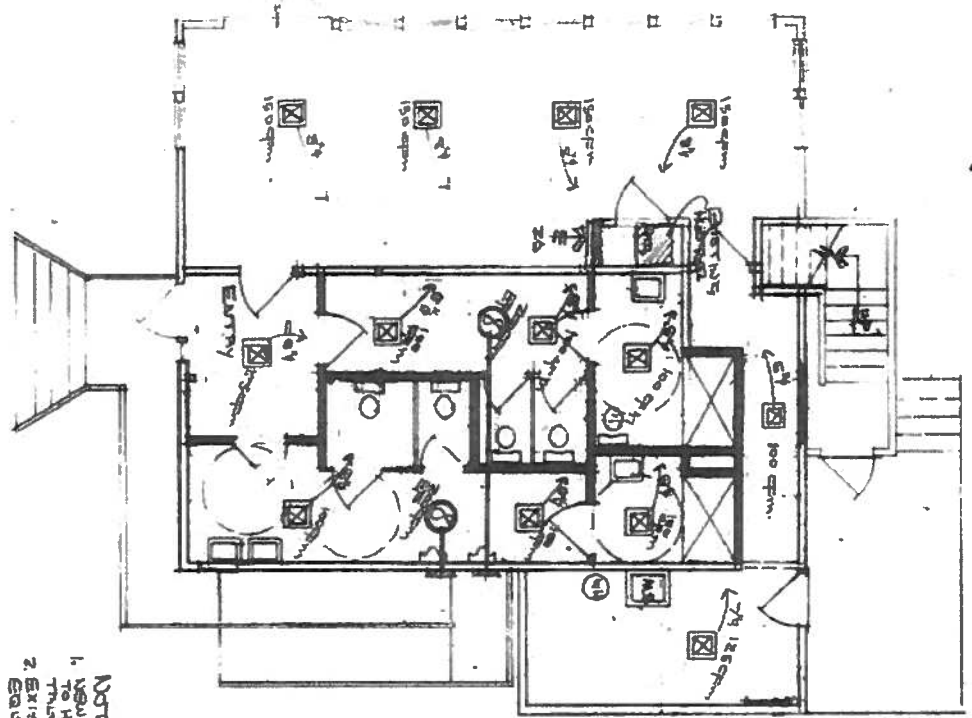
TYPICAL
12" x 26" x 25" PILES
12" x 26" x 25" PILES
12" x 26" x 25" PILES

Piles & Fenders
Scale 3/4" = 1'-0"



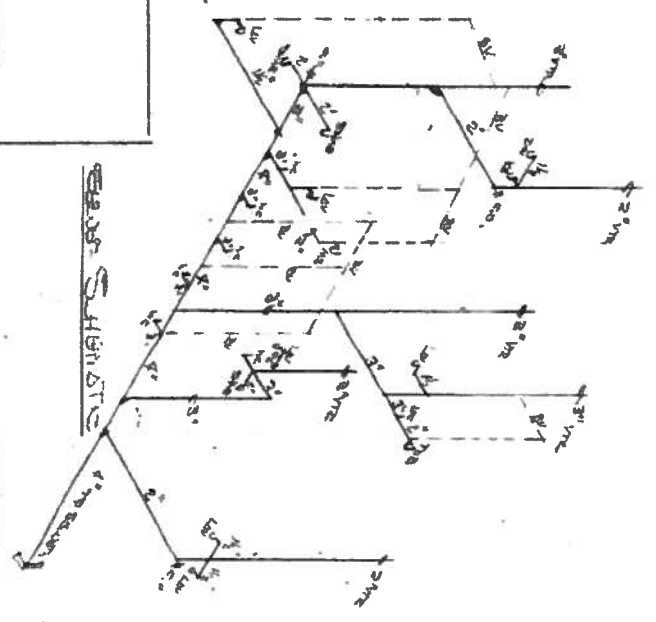
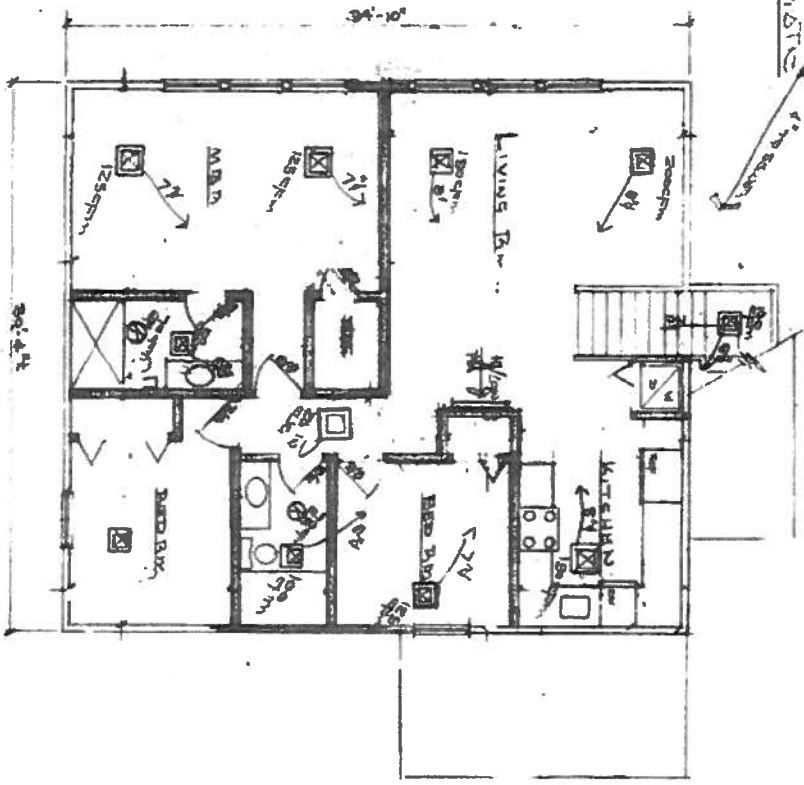


1ST FLOOR PLAN (HVAC)
SCALE 1/4" = 1'-0"



NOTE:
1. NEW TRUCKS MUST WORK
TO NEW EXISTING MAIN
THRU LINES
2. EXISTING EQUIPMENT HAS
EQUIPMENT TO BE RE-USED

2ND FLOOR PLAN (HVAC)
SCALE 1/4" = 1'-0"



JOIST OR POST SPACING (INCHES)	INITIAL NET PROCESS	
	PERPENDICULAR TO JOIST	PARALLEL TO JOIST
24	1/8	3/8
16	3/8	3/8
48'		
64'	1/2" T & G	NA
60"		

ALLOWABLE SPANS AND LOADS FOR WOOD STRUCTURE PANELS FOR ROOF AND SUBFLOOR SHEATHING AND COMBINATION SUBFLOOR UNDERLAYMENT

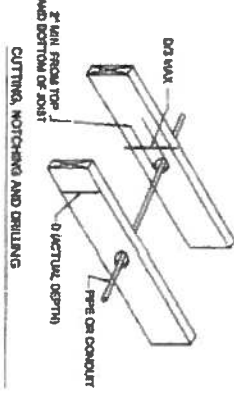
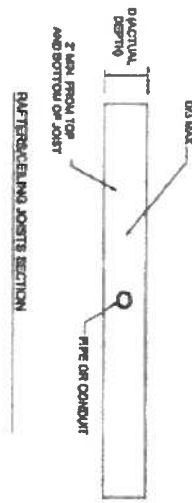
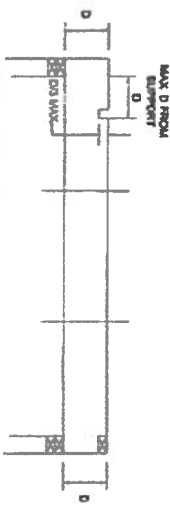
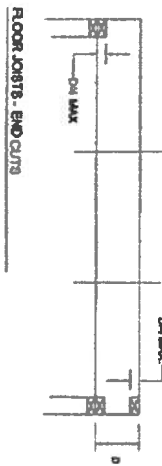
SPIN RATE(S)	MAXIMUM PANEL WEIGHT (POUNDS)	MAXIMUM SPIN (RPM)	LOAD (LBS PER SQ FT AT MAX SPIN)		MAXIMUM SPIN (RPM)	
C-2, C-3 SPIN-THRU ¹		ROOF ²			EARTH-ROOF ³	
	1/2	12	12	40	20	0
160	1/2, 3/8	16	16	40	20	0
200	1/2, 3/8	20	20	40	20	0
240	1/2, 1/2, 7/8	24	20 ⁴	40	20	0
280	1/2, 1/2	24	24	50	40	10
320	7/8, 1/2, 1/2	22	22	40	20	10 ⁵
400	1/2, 3/8, 1/2, 1/2	40	22	40	20	20 ⁶
480	7/8, 1/2, 1/2	48	26	44	25	24
UNDERLAYMENT, C-2 ¹ FLUORESC. SHADE FLUORESC.		ROOF ²			CONCRETEON EARTH-ROOF ³	
180C	7/8, 1/2	24	24	50	40	11 ⁶
200C	7/8, 1/2, 1/2	22	22	40	20	20 ⁶
240C	7/8, 1/2	48	38	56	25	24
280C	1, 1	48	40	60	40	22
480C	1, 7/8, 1/2	60	48	60	40	48

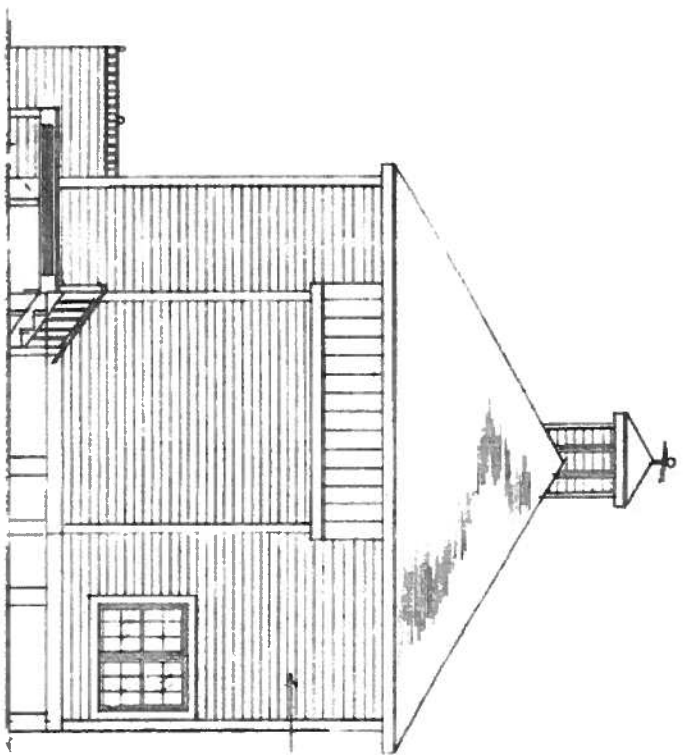
FASTENER SCHEDULE FOR STRUCTURAL MEMBERS

[illegible]

Diagram illustrating the floor joists and center girts. The diagram shows a cross-section of the floor structure with labels for dimensions and components:

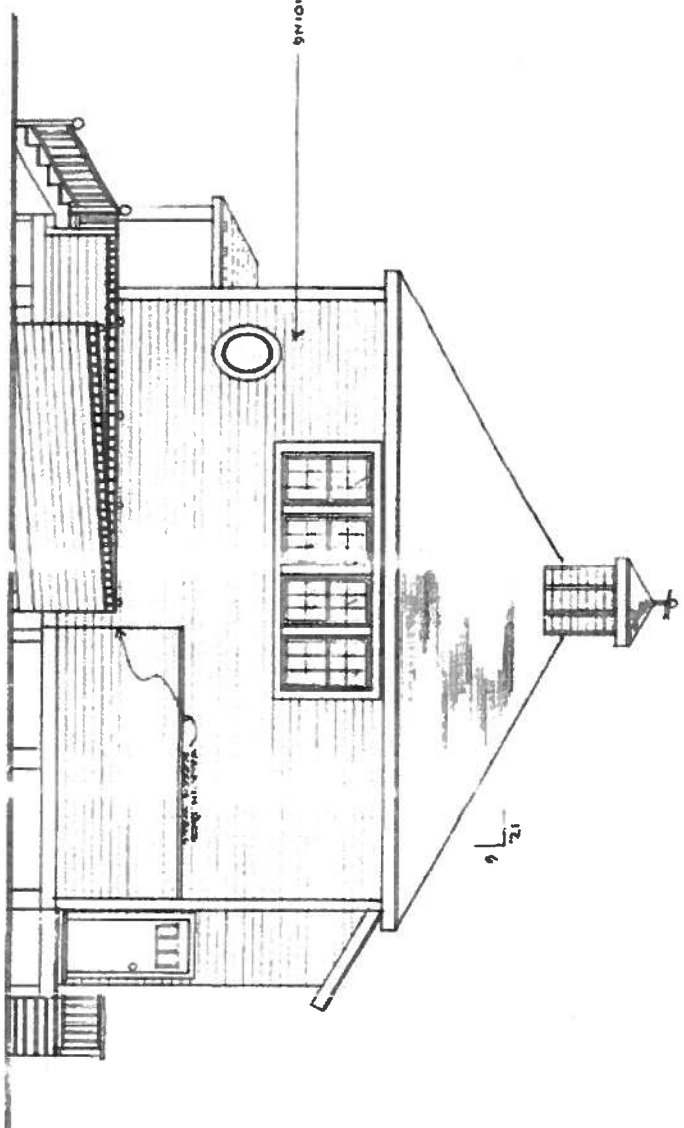
- Labels:**
 - 16**: Dimension for the width of the floor joist.
 - 10**: Dimension for the width of the center girt.
 - NO JOISTING OR PRESUPPORTED**: Text indicating the type of floor joist.
 - 16 MAX**: Dimension for the maximum width of the floor joist.
 - 10 MAX**: Dimension for the maximum width of the center girt.
 - FLOOR JOISTS - CENTER GIRTS**: Title for the diagram.
- Dimensions:**
 - 16**: Width of the floor joist.
 - 10**: Width of the center girt.
 - 16 MAX**: Maximum width of the floor joist.
 - 10 MAX**: Maximum width of the center girt.





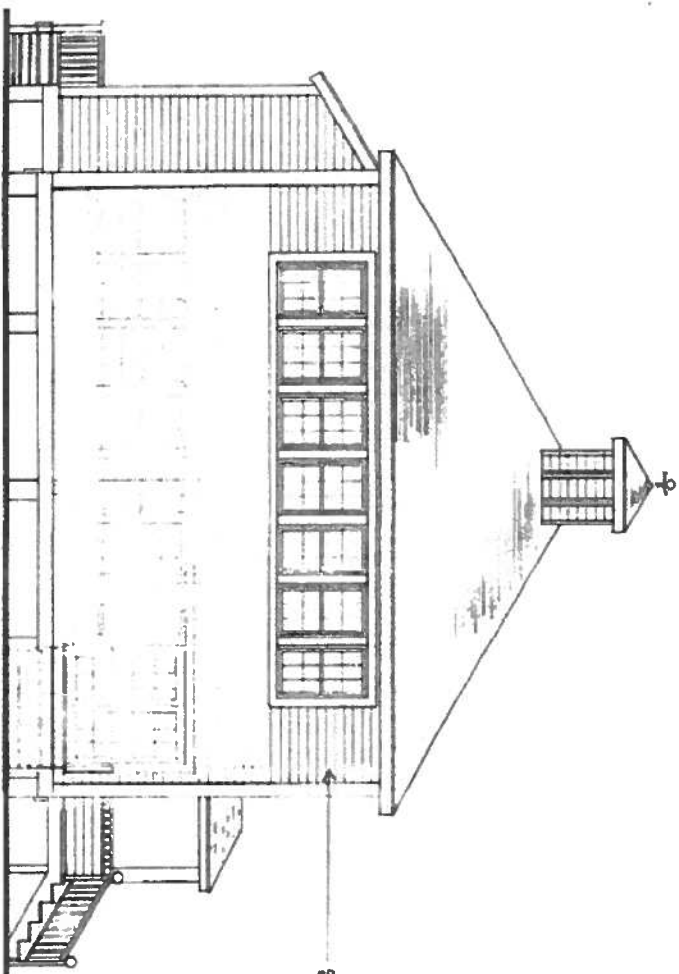
TEAR ELEVATION
SCALE 1"=5'10"

SCALE: 14.0010



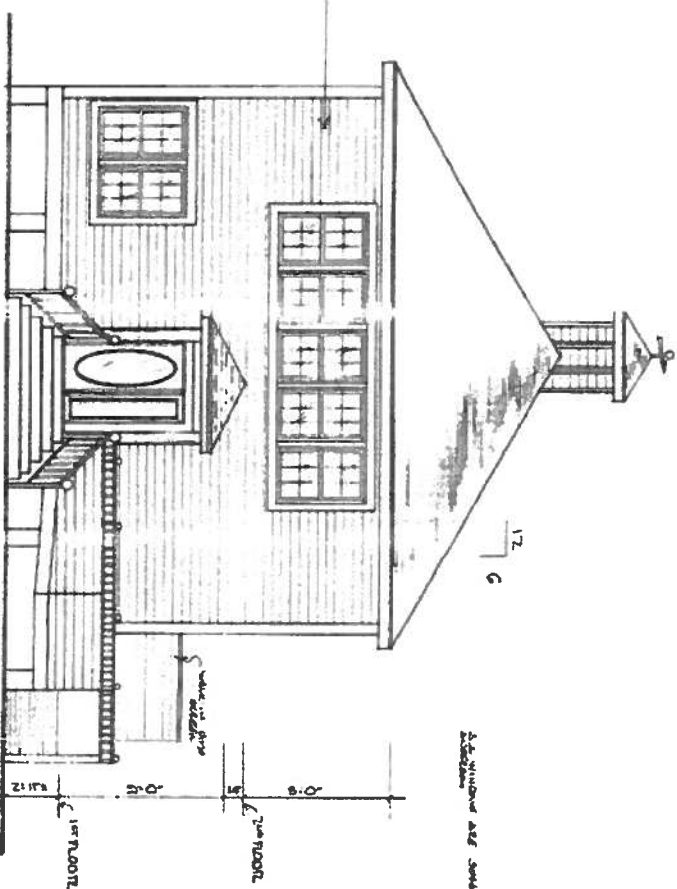
RIGHT SIDE ELEVATION
SCALE 1" = 10'

SCALE: 1:15,000



LEFT SIDE ELEVATION

SCALE: 1/4" = 1'-0"



FRONT ELEVATION

SCALE: 1"=10'

WIKIAT PAGE COVER

3 of 5 SHEET NO.	CONTRACT NO. <u>07/271</u>	REVISIONS <u>4/1/03</u> <u>7/2/03</u>	PROPOSED RENOVATIONS FOR: GATEWAY RESTAURANT			HARRY S. HARPER ARCHITECT & PLANNER 154 RIVINGTON AVENUE BROOKLYN, N.Y. 11222 PHONE: (718) 646-7655
	DRAWN BY <u>E.O.D.</u>					
	CHECKED BY <u>H.S.H.</u>					
	DATE <u>12-6-02</u>					

Chady Platt