

Block 12
Lot 8

RESOLUTION OF FINDINGS AND CONCLUSIONS
ZONING BOARD OF ADJUSTMENT OF VENTNOR CITY
RESOLUTION #Z-12 OF 2011

WHEREAS, it has been determined factually by the Zoning Board of Adjustment of the City of Ventnor City that DR. RONALD PLOTKA has applied to the Zoning Board of Adjustment of the City of Ventnor City for an interpretation pursuant to N.J.S.A. 40:55D-70 (b) in order to request an interpretation from Section 102-72, 73, 74 and Section 102-118.2H of the Ventnor City Development Regulations in order to demolish the existing structures and construct a five-story high rise apartment building with parking on the ground floor on the subject property without needing variance relief pursuant to section 70(d) of the Municipal Land Use Statute for height or use for the property located at 108 S. Victoria Avenue, Block 12, Lot 8, which premises is located in an R-9 Zone; and

WHEREAS, the applicant was represented by Brian Callaghan, Esquire; and expert testimony was presented by Arthur W. Ponzio, Jr., a licensed Professional Planner and Christina Buendicho, a licensed Professional Architect; and thirteen exhibits were presented on behalf of the applicant namely;

- A-1, an aerial photograph of the site;
- A-2, a site plan showing the existing condition of the site;
- A-3, the proposed site plan;
- A-4, block survey showing the height of the existing structures;
- A-5, a Tax Map of the City of Ventnor City for this area;

- A-6, drawings for the ground floor parking;
- A-7, an Architectural rendering of the new development;
- A-8, a Zoning Map of the City of Ventnor City;
- A-9, a three-page package of the Ventnor City Building Inspector;
- A-10, a copy of the development regulations regarding the R-9 zoning district of the City of Ventnor City;
- A-11, an amended site plan;
- A-12, an amended ground floor parking plan; and
- A-13, architectural front elevations;

And additional testimony was presented by Paul McLean, Charles Hyman and Jim Vernile, neighbors to the subject property; and the report of Polistina & Associates, Zoning Board Engineers was read into the record by Craig R. Hurless, PE, as well as the report of the Ventnor City Fire Chief was read into the record by Bertram Sabo; and

WHEREAS, the Board, after carefully considering the evidence presented by the applicant and of the adjoining property owners and general public, has made the following additional factual findings:

- (1) The applicant is the owner of the subject property;
- (2) All notice requirements have been met;
- (3) Taxes on the subject property are current;
- (4) The applicant amended their application to move the property one ft. south towards the ocean.
- (5) The Board determined that Section 102-72, 73, 74 and Section 102-118.2H are applicable to the within application.
- (6) This application commenced on April 23, 2011 and was subsequently

completely redesigned for the hearing on June 15, 2011.

- (7) Pursuant to Section 102-118.2H, it is determined by the VCZBA that the applicant is permitted to construct the redevelopment of the building to be 20 ft. higher above the current height of the structure which is 27 ft.
- (8) The reason this height is permissible, is that the new design will provide eight off-street parking spaces below the new building.
- (9) It has been determined by the VCZBA that the applicant does not need variance relief pursuant to Section 70(d) of the Municipal Land Use Act for the height of the building.
- (10) It has been determined by the VCZBA that the applicant does not need variance relief pursuant to Section 70(d) of the Municipal Land Use Act for the use of this building.

AND WHEREAS, a Resolution was Introduced to approve the application by Mr. Weissen and Moved by Mr. Maiuro;

NOW, THEREFORE, BE IT RESOLVED by the Zoning Board of Adjustment of the City of Ventnor City on this 15th day of June, 2011, that approval of the application of DR. RONALD PLOTKA for an interpretation pursuant to N.J.S.A. 40:55D-70 (b) and that based upon Section 102-72, 73, 74 and Section 102-118.2H, this zone does not require variance relief pursuant to Section 70(d) of the Municipal Land Use Act for either the height or use of this structure in order to demolish the existing structures and construct a

five-story high rise apartment building with parking on the ground floor on the subject property located without needing variance relief pursuant to section 70(d) of the Municipal Land Use Statute for height or use, as aforementioned, be granted.

THE VOTE WAS: Seven (7) in Favor; None (0) Opposed
Those in Favor: Weissen, Smith, Maiuro, Rice, Courter, Advena, Sallata
Those Opposed: None

VENTNOR CITY ZONING BOARD OF ADJUSTMENT

BY: *Lorraine Sallata*
LORRAINE SALLATA, CHAIRPERSON

(Date) 7/20/11

DATED: JUNE 15, 2011