

BLK. 12  
LOT 8

**RESOLUTION OF FINDINGS AND CONCLUSIONS**  
**ZONING BOARD OF ADJUSTMENT OF VENTNOR CITY**

**RESOLUTION #Z-13 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 Site Plan Approval and "C" Variance relief for a side yard setback of 3 ft. on the northern side of the property; a rear yard setback of 3 ft.; building coverage of 63%; lot coverage of 80%; landscape buffers; landscaping in the parking area; two design waivers for not having two street trees; and a design waiver to have a sidewalk across a driveway and a sidewalk along the front of this site to be constructed of concrete pavers 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 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

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;

AND WHEREAS, the purposes of the Land Use Act would be advanced by a deviation from the Zoning Ordinance requirements and the benefits of the deviation would substantially outweigh any detriment for the following reasons:

- (1) Approval of the application will promote the free-flow of traffic by

providing eight off-street parking spaces where only four spaces currently exist.

- (2) This approval will promote the general welfare by bringing the site into conformance with the new fire, electric, and plumbing codes of the City of Ventnor. The new development will also be brought into compliance with FEMA Regulations.
- (3) The new structure will be a significant aesthetic enhancement to the site.

AND WHEREAS, the Board determined that the relief requested by the applicant can be granted without substantial detriment to the public good and without substantially impairing the intent and purpose of the Zoning Ordinance of the City of Ventnor City for the following reasons:

- (1) The applicant has designed this new facility in such a way as to create a minimal impact on the surrounding properties.
- (2) The proposed generous front yard will maintain the view corridors to the beach and ocean of the neighboring properties.

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

NOW, THEREFORE, BE IT RESOLVED by the Zoning Board of Adjustment of the City of Ventnor City on this 15<sup>th</sup> day of June, 2011, that approval of the application of DR. RONALD PLOTKA for Site Plan Approval and "C" Variance relief for a side yard

setback of 3 ft. on the northern side of the property; a rear yard setback of 3 ft.; building coverage of 63%; lot coverage of 80%; landscape buffers; landscaping in the parking area; two design waivers for not having two street trees; and a design waiver to have a sidewalk across a driveway and a sidewalk along the front of this site to be constructed of concrete pavers 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, as aforementioned, be granted, subject however to the following conditions:

- (1) The zoning table provided on Sheet C-3 shall be revised to reflect the bulk requirements of the Residential 9 zoning district;
- (2) The applicant shall provide the side yard setback of the existing structure located on Lot 1, since a variance is being requested from the side yard setback along the common property line;
- (3) The applicant has proposed ceiling mounted lighting for the parking area located on the ground floor of the proposed structure. Details for the proposed lighting shall be provided in accordance with section 102-141. A photometric detail shall be provided with the foot candles clearly indicated.
- (4) Any required approvals shall be conditioned on all other necessary State, County and Local approvals.
- (5) On their final plans, the applicant shall show shrubs along the entire south side of the property from the rear yard to the front yard.
- (6) The applicant shall not demolish the existing building before October 1, 2011.

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, CHAIRPERSON**

(Date) 7/20/11

**DATED: JUNE 15, 2011**