



**APPLICATION TO THE  
CASINO REINVESTMENT DEVELOPMENT AUTHORITY  
DIVISION OF LAND USE AND REGULATORY ENFORCEMENT**

**May 9, 2012**

#2012-07-403

# CRDA

Casino Reinvestment Development Authority  
www.njcrda.com



## APPLICATION FORM

(1) **SUBJECT PROPERTY**

STREET ADDRESS: 524 Pacific Avenue, Unit 201

TAX MAP - SHEET NO. 013 BLOCK 63 LOT(s) 109 QUAL C0201  
SHEET NO. \_\_\_\_\_ BLOCK \_\_\_\_\_ LOT(s) \_\_\_\_\_  
SHEET NO. \_\_\_\_\_ BLOCK \_\_\_\_\_ LOT(s) \_\_\_\_\_

ZONING DISTRICT(s) RM-3

(2) **APPLICANT:**

Name: Cohan Properties, LLC

Address: 526 Pacific Avenue, Atlantic City, NJ 08401

Telephone Number: 609-344-8700 Fax Number: 609-344-6362

Limited Liability

Applicant is a(n)  Corporation  Partnership  Individual  (Other: please specify) \_\_\_\_\_

(3) **DISCLOSURE STATEMENT:** A corporation or partnership applying for permission to subdivide a parcel of land into six or more lots, or applying for a variance to construct a multiple dwelling of 25 or more family units or for approval of a site to be used for commercial purposes shall list the names and addresses of all stockholders or individual partners owning at least 10% of its stock of any class or at least 10% of the interest in the partnership, as the case may be. If a corporation or partnership owns 10% or more of the stock of a corporation, or 10% or greater interest in a partnership, subject to disclosure pursuant to section 1 of this act [40:55D-48.1], that corporation or partnership shall list the names and addresses of its stockholders holding 10% or more of its stock or of 10% or greater interest in the partnership, as the case may be, and this requirement shall be followed by every corporate stockholder or partner in a partnership, until the names and addresses of the noncorporate stockholders and individual partners, exceeding the 10% ownership criterion established in this act, have been listed.

Name: Len Scannapieco

Address: 526 Pacific Avenue, Atlantic City NJ 08401 Interest 100%

Name: \_\_\_\_\_

Address: \_\_\_\_\_ Interest \_\_\_\_\_

Name: \_\_\_\_\_

Address: \_\_\_\_\_ Interest \_\_\_\_\_

(Attach pages as necessary to fully complete)

**Owner (If other than applicant):**

(4) Name: Bella Development Group LLC

Address: 400 South Main Street New Hope PA 18938

Telephone Number: \_\_\_\_\_ Fax Number: \_\_\_\_\_

**(5) PROPERTY INFORMATION:**

Present Use of Property: Real Estate office in a commercial condominium within a 200 unit residential condominium building

Lot Area: .0656 acreage Building Area (Ground Floor): \_\_\_\_\_

Building Area Total: \_\_\_\_\_

Number of Off-Street Parking Spaces: 140 contained within the Bella parking garage. Thirteen (13) located on SDC Parking lot 511-513 Pacific Avenue.

Restrictions, covenants, easements, association by laws, existing or proposed on the property:

Yes (attach copies)  No  Proposed

**(6) Applicant's Attorney: Fox Rothschild LLP**

Name: Jack Plackter, Esquire

Address: 1301 Atlantic Avenue, Atlantic City, NJ 08401

Telephone Number: 609-348-4515 Fax Number: 609-348-6834

**(7) Applicant's Engineer: Barton E. Baraq, Architect**

Name: Barton Baraq

Address: 612 N. Clermont Avenue, Margate, NJ 08402

Telephone Number: 609-823-0130 Fax Number: 609-823-4568

- Appeal decision of an Administrative Officer  
(N.J.S.A. 40:55D – 70a)
- Map or Ordinance Interpretation or Special Question  
(N.J.S.A. 40:55D – 70b)
- Variance Relief – Hardship (N.J.S.A. 40:55 D-70 c.(1)) [OR, alternatively, (c)(2)]
- Variance Relief – Substantial Benefit (N.J.S.A. 40:55 D-70 c.(2))
- Variance Relief – Use (N.J.S.A. 40:55D-70 d)
- Other (Specify request) \_\_\_\_\_

(12) **Section(s) of Ordinance from which variance is requested:** \_\_\_\_\_  
 Section 163-71H(6), 5' setback line for signage. See attached rider.

(13) **Waivers Requested from Development Standards and/or Submission Requirements:** \_\_\_\_\_

(14) **Explain in detail the exact nature of the application and the changes to be made at the premises (attach pages as needed):** \_\_\_\_\_  
 See attached rider.

(15) **If variances are requested, describe the variances and state, in detail, the justification for the granting of each variance (attach pages as needed):** \_\_\_\_\_  
 See attached rider.

(16) **Are any off-tract improvements required or proposed?** N/A

(17) **What form of security does the applicant propose to provide as performance and maintenance guarantees?** N/A

(18) **I certify that the foregoing statements and the materials submitted are true. I further certify that I am the individual applicant or that I am an Officer, Managing Member, or Partner of the applicant and that I am authorized to sign the application for the Corporation or that I am a general partner of the partnership. If the applicant is a corporation this must be signed by an authorized corporate officer. If the applicant is a partnership, this must be signed by a general partner.**

  
 \_\_\_\_\_  
 Signature of Applicant

Sworn and subscribed to  
Before me this 28<sup>th</sup>  
day of JUNE, 2012

- (19) I certify that I am the Owner of the property which is the subject of this application, that I have authorized the applicant to make this application and that I agree to be bound by the application, the representations made and the decision in the same manner as if I were the applicant. If the owner is a corporation this must be signed by an authorized corporate officer. If the owner is a partnership, this must be signed by a general partner.

  
\_\_\_\_\_  
Signature of Owner

Sworn and subscribed to  
Before me this 28<sup>th</sup>  
day of JUNE, 2012

RADHIKA SHAH  
NOTARY PUBLIC OF NEW JERSEY  
My Commission Expires 9/22/2016



**RIDER TO APPLICATION  
COHAN PROPERTIES  
CASINO REINVESTMENT DEVELOPMENT AUTHORITY  
BLOCK 63, LOT 109, UNIT 201 (the "Property")**

**BACKGROUND**

Cohan Properties (the "Applicant"), owns the Property, which Property is presently leased by Weichert Realty, The Asbury Group franchise. Applicant submits this application for (c) variance relief for the proposed installation of a 3 x 2 identification and ground sign for Weichert Realty, The Asbury Group. The Property is located within the RM-3 Zone.

Specifically, the Applicant seeks relief from Section 163-71H(6) of the City of Atlantic City Code (the "City Code"), which requires signs to be set back five feet (5') from the lot line. Applicant proposes a de minimis deviation from this requirement, which deviation will promote sound planning based on conditions uniquely affecting the Property.

**LEGAL ANALYSIS**

N.J.S.A. 40:55D-70(c) provides that variances may be granted either from unique conditions affecting the specific parcel (a "c(1)" or hardship variance) or where the deviation would permit a superior design in furtherance of sound planning (a "c(2)" or planning variance). The purposes of the MLUL will be advanced by allowing the deviations requested. N.J.S.A. 40:55D-2(a) of the MLUL provides that one purpose of the MLUL is to "encourage municipal action to guide the appropriate use or development of all lands in this State, in a manner which will promote the public health, safety, morals, and general welfare."

***Sign Setback Variance***

Applicant proposes to install a 3 x 2 electric identification sign at the edge of the Property line. Applicant submits that, as depicted on the enclosed photographs and site plan, this is the only suitable location for the sign given the proximity of the existing building to the lot line. This sign is proposed to be installed in the ground and is the only ground sign for the Property. The proposed location of the sign will not be detrimental to the intent and purpose of the City Code. The design meets the purposes of zoning under N.J.S.A. 40:55D-2(i), by promoting "a desirable visual environment through creative development techniques and good civic design and arrangement." The proposed signage is a de minimis deviation from the sign setback requirement, and otherwise complies with the City Code standards for sign size, content, and lighting. For these reasons, the Applicant submits that the benefits will substantially outweigh any detriments associated with the signage setback variance requested.

Applicant requests that the CRDA grant the above referenced variance relief because such relief will not be detrimental to the intent and purposes of the City Code. Applicant respectfully requests that the CRDA grant any additional variance, waiver, exception, or other relief as may be necessary or required by the CRDA and the CRDA professionals in its review and action on this Application.

#2012-07-403



**Fox Rothschild** LLP  
ATTORNEYS AT LAW

Midtown Building, Suite 400  
1301 Atlantic Avenue  
Atlantic City, NJ 08401-7212  
Tel 609.348.4515 Fax 609.348.6834  
www.foxrothschild.com

Jack Plackter, Esquire  
Direct Dial: (609) 572-2200  
Email Address: [jplackter@foxrothschild.com](mailto:jplackter@foxrothschild.com)  
078084.22

July 11, 2012

Casino Reinvestment Development Authority  
Land Use and Regulatory Department  
15 South Pennsylvania Avenue  
Atlantic City, New Jersey 08401

**Re: Application of Cohan Properties, LLC**  
**524 Pacific Avenue, Unit 201 (a/k/a Block 63, Lot 109 C0201)**  
**Atlantic City, New Jersey**

Dear Sir/Madam:

Please be advised that this firm represents the applicant, Cohan Properties, LLC, regarding the above-referenced matter. Applicant submits this application for (c) variance relief for the proposed installation of a 3' x 2' identification and ground sign for Weichert Realty, The Asbury Group. The Property is located within the RM-3 Zone. In that regard, enclosed please find the following:

1. Original and four copies of the Application form together with an Application Rider;
2. Original and four copies of the Escrow Setup Information Form;
3. Original and four copies of the Request for Certified List of Property Owners, together with our firm's check in the amount of \$10.00 to cover the cost of the request;
4. Five copies of the front elevation and side elevation map;
5. Five copies of a site photo;
6. Five sets of a survey prepared by Arthur W. Ponzio Co. & Associates, Inc. and dated 10/8/04, and plan of the proposed sign location – partial ground floor plan prepared by Barton E. Barag, Architect, P.C.; and



**The Asbury Group**

524 Pacific Avenue | Atlantic City, NJ 08401

P: 609-344-6200 | F: 609-428-6089

Rose Ann Lafferty  
Land Use Regulation Enforcement Officer  
CRDA  
15 S Pennsylvania Ave  
Atlantic City, NJ 08401

Thursday, March 21, 2013

Dear Ms. Lafferty,

Please find attached a Resolution from the Bella Condominium Association Board to accompany the application for permitting the installation of the Weichert sign (application which should already be on file).

Please let me know if you will need anything else.

Thank you,

A handwritten signature in black ink, appearing to read "Radhika Shah".

Radhika Shah  
Weichert Realtors



**RESOLUTION ADOPTED UPON THE UNANIMOUS WRITTEN  
CONSENT OF THE BOARD OF DIRECTORS OF BELLA  
CONDOMINIUM ASSOCIATION, INC.**

Pursuant to the authority of the New Jersey Business Corporation Act and the By-Laws of BELLA CONDOMINIUM ASSOCIATION, INC., a New Jersey corporation (the "Association"), the undersigned being all members of the Board of Directors of the Association (the "Board"), do hereby adopt the following Preambles and Resolutions, upon their written consent, without a meeting, effective in all respects as though adopted at a regular meeting of the Board on and as of October 16, 2012, namely;

WHEREAS, the board of the Bella Condominium Association authorizes approval of the following motion;

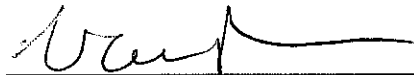
1. To support the submission of an application to the CRDA for an internally lit permanent monument sign to be installed in front of the Weichert office on Pacific Avenue, similar to the concept sketch attached as Exhibit A.

The undersigned do hereby certify that they are all of the members of the Board, and that the foregoing Preambles and Resolutions were duly adopted upon their unanimous consent in accordance with the requirements of law and the By-Laws of the Association, effective as of the date and year first above written.

ADOPTED BY THE ASSOCIATION  
Approved this 16<sup>th</sup> day of October, 2012

Re-cussed

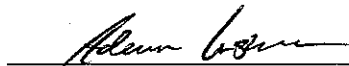
\_\_\_\_\_  
Tom Scannapieco



\_\_\_\_\_  
Vanessa Resnick

Approved

\_\_\_\_\_  
Tom Trofe



\_\_\_\_\_  
Adam Loskove

Approved

\_\_\_\_\_  
Aaron Cohen

**Bella Condominium Association | Public Condo Meeting**

Wednesday, May 2<sup>nd</sup>, 2012

Meeting Minutes

A special meeting was called to complete the matter pertaining to unfinished business carried forward from April 25.

**Board Attendance:**

- Tom Scannapieco, by phone
- Vanessa Resnick, by phone
- Tom Trofe joined the meeting shortly after it started
- Adam Loskove, by phone
- Aaron Cohen, by phone

Also in attendance: Len Scannapieco, Manager, Marie Scannapieco, and 1 owner.

**RESOLUTION REGARDING UNIT MODIFICATIONS**

Tom stated that there was a request from Seung Lee to receive Board approval for modifying his units which will not affect the structure, the common areas, or the common utilities. The Resolution would require permits and a payment of \$300 to the Association for minor observation and coordination efforts.

Aaron Cohen motioned to support the Resolution.

Vanessa Resnick made a 2<sup>nd</sup> motion in support of the Resolution.

This was followed by a brief discussion regarding the need to protect the Association in the event the work is not approved or results in damage to the Association's property. Consideration was given to language that would require the owner to restore the unit to its original condition in the event of a latent defect that could not otherwise be remedied however, it was recognized that it would be nearly impossible to replace the work to the original and Tom suggested that it would be a last resort if there were a latent defect and suggested that the following words be added, "And, if necessary, due to a latent defect or danger, and with specific action by the board, remove and or modify"

A vote was taken and approved by all 5 Board members.

**Resolution regarding Modifications to units was adopted, May 2, 2012.**

**TOWING RESOLUTIONS:**

A number of minor modifications were suggested to the Resolution by Board members including changing 14 days to 30 in respect to abandoned vehicles and Enforcement. De-assignments were taken out of the Resolution altogether.

Aaron recommended an Ad Hoc committee to work through the issues pertaining to an ultimate parking Resolution that may incorporate de-assignment of parking. Tom supported the committee idea and asked any Board Members who desired to be on the committee to advise of their interest. Tom and Aaron agreed to compile a list of potential committee people and discuss it between them.

The Resolution was put forward for action.

Tom Trofe motioned to support the Resolution.

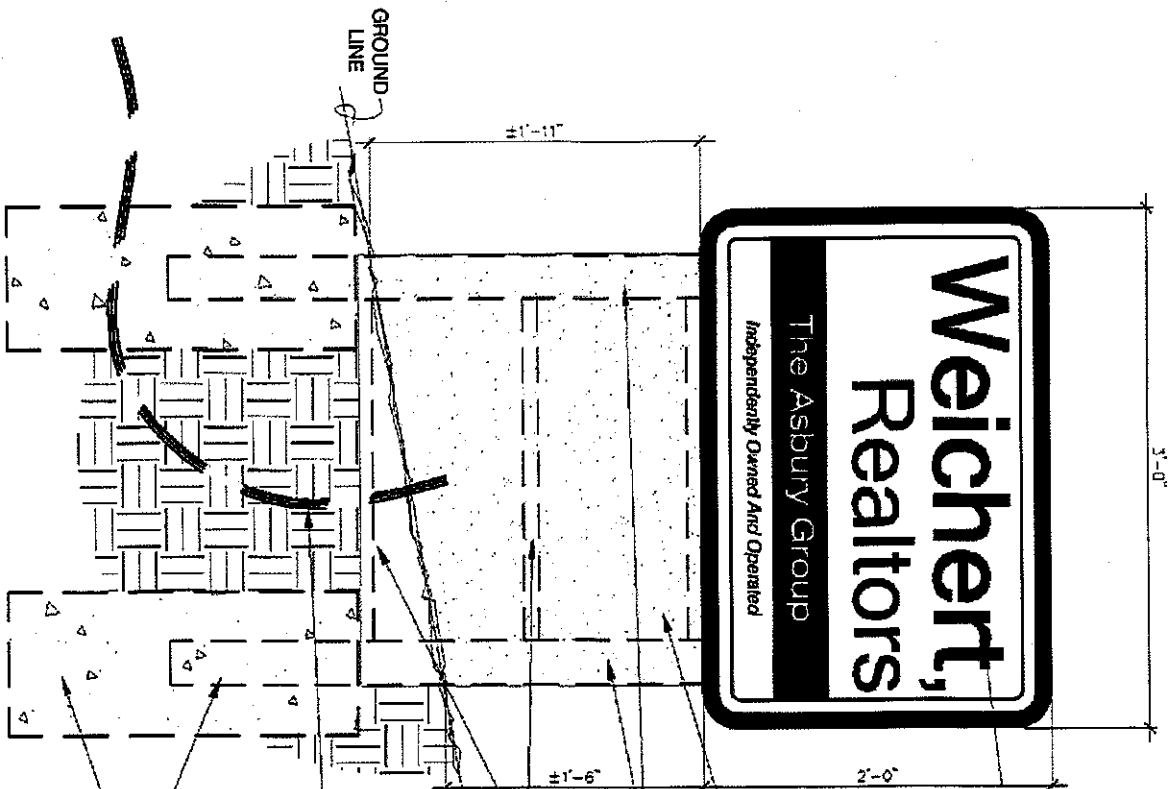
Aaron Cohen made a 2<sup>nd</sup> motion to support the Resolution.

A vote was taken and approved by all 5 Board members.

**Resolution regarding Towing was adopted May 2, 2012.**

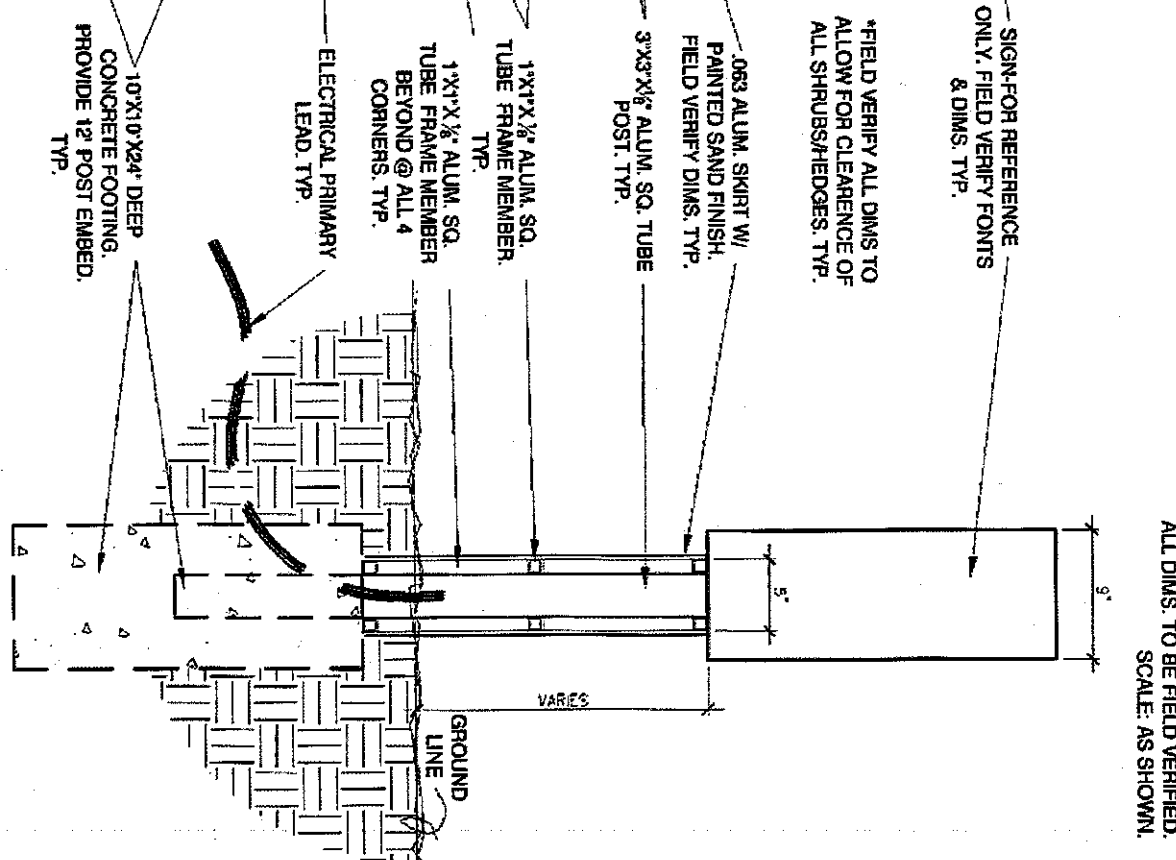
**In Attendance:**

- Jerry Glickman



**FRONT ELEVATION/SECTION.**

scale 1"=1'-0"



**SIDE ELEVATION/SECTION.**

scale 1"=1'-0"

*Independently Owned And Operated*

The Asbury Group

**Weichert,  
Realtors**

SIGN-FOR REFERENCE ONLY. FIELD VERIFY FONTS & DIMS. TYP.

\*FIELD VERIFY ALL DIMS TO ALLOW FOR CLEARANCE OF ALL SHRUBS/HEDGES. TYP.

.063 ALUM. SKIRT W/ PAINTED SAND FINISH. FIELD VERIFY DIMS. TYP.

3"x3"x $\frac{1}{8}$ " ALUM. SQ. TUBE POST. TYP.

1"x1"x $\frac{1}{2}$ " ALUM. SQ. TUBE FRAME MEMBER. TYP.

1"x1"x $\frac{1}{2}$ " ALUM. SQ. TUBE FRAME MEMBER BEYOND @ ALL 4 CORNERS. TYP.

ELECTRICAL PRIMARY LEAD. TYP.

10"x10"x24" DEEP CONCRETE FOOTING. PROVIDE 12" POST EMBED. TYP.

5.9.12  
FOR REFERENCE ONLY.  
ALL DIMS. TO BE FIELD VERIFIED.  
SCALE: AS SHOWN.

