

December 27, 2013

Elizabeth A. Terenik, PP, AICP
CASINO REINVESTMENT DEVELOPMENT AUTHORITY
15 South Pennsylvania Avenue
Atlantic City, NJ 08401

Re: Certificate of Nonconformity (1st Review)
Block 164, Lot 40
22 S. Georgia Avenue (rear house #2)
Applicant: Gian Acquansanta
Zone: RS-C, Resort Commercial Development District
Application No 2013-11-890
Our File No CRDA13007



Dear Ms. Terenik:

The above referenced application is a request for a certificate of nonconformity review.

1.0 Project Description

1.1 Applicant's Proposal

The applicant seeks a certificate of nonconformity pursuant to NJSA 40:55D-68.

1.2 Existing Conditions

The property in question is Block 164, Lot 40 and is located at 22 S. Georgia Avenue in the rear. The property is zoned RS-C, Resort Commercial Development District. The property contains a single-family attached dwelling.

2.0 Materials Reviewed

We have reviewed the referenced submission, received by our office on December 2, 2013, consisting of the following:

<u>Sheet</u>	<u>Title</u>	<u>Date</u>
---	Application Form	November 27, 2013
---	Escrow Setup Form	---
---	Property Record Card	1961
---	Property Record Card	1981
---	Certified Valuations, Inc. record	2010
---	Directory Listing	1961
---	Directory Listing	1965

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3.0 Zoning

3.1 Use

In accordance with § 163-58.B. (Schedule III), single-family attached dwellings are not permitted in the RS-C district. To continue said use, a certificate of nonconformity is required.

4.0 Certificate of Nonconformity Analysis

4.1 The provided property record cards indicate a property classification code of 2 (residential) dating back to at least 1958. The provided building record cards indicate the residential use of the building.

4.2 The provided directories indicate seasonal residential use dating back to at least 1961.

4.3 The applicant shall provide a zoning district history in order to make a determination as to the residential use of the property compared to the permitted uses over time.

4.4 In accordance with NJSA 40:55D-68, any nonconforming use or structure existing at the time of the passage of an ordinance (rendering the use or structure nonconforming) may be continued upon the lot or in the structure so occupied and any such structure may be restored or repaired in the event of partial destruction thereof. Once the requested information is supplied, a determination can be made as to whether or not the use or structure existed before the adoption of the ordinance which rendered the use or structure nonconforming. The applicant shall have the burden of proof.

Based upon our review of the submitted items, we have determined that the certificate of nonconformity application is incomplete until all requested documentation is provided.

The above comments and/or recommendations are submitted for your review and consideration. Should you have any questions with regard to this matter or require additional information, please do not hesitate to contact our office at (856) 251-9500.

Best regards,

J. TIMOTHY KERNAN, INC.



J. Timothy Kernan, P.E., P.P., C.M.E.
President

JTK/rld

cc: Rose Ann Lafferty, Land Use Regulation & Enforcement Officer
Paul Weiss, Esq.
Scott G. Collins, Esq.
Brian J. Callaghan, Esq.
Gian Acquansanta

