



COFONE CONSULTING GROUP, LLC

CHRISTINE A. COFONE, PP, AICP
Principal

November 17, 2016

Lance B. Landgraf, Jr., PP/AICP
Director of Planning
Casino Reinvestment Development Authority
15 South Pennsylvania Avenue
Atlantic City, NJ 08401

RE: **Estate of AC**
206 South Vermont Avenue
Block 74, Lot 3
Application #2016-08-2029

Dear Mr. Weiss:

On October 6, the CRDA Land Use Regulation and Enforcement Division (LURED) held a hearing on the Estate of AC application (#2016-08-2029). I was in attendance in my capacity as the LURED hearing professional planner.

The Applicant is seeking to construct a new 3.5-story residential duplex at the required elevation on the lot situated at 206 South Vermont Avenue, also known as Block 74, Lot 3.

According to the applicant's application, the site is currently vacant except for a fenced "coop" and a garden. The application requires a Special Reasons "Use" Variance since the proposed use is not permitted in the RS-C District along with numerous bulk variances.

Along with its application, the applicant submitted a survey, architectural elevations and floor plans, and a variance plan. All documents as contained within the application are incorporated herein by reference.

The applicant was represented by Brian Callaghan, Esq., who called Jon Barnhart, PE, PP and Michael Kolchins, registered architect, as witnesses.

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Barnhart provided testimony about the history of the property and the surrounding area, historically developed with a mixture of duplexes, triplexes, and single-family homes. He referenced aerial photos, dated 1938 and 1965, of the residential community. He then presented a 2015 Google aerial photo that showed that areas as mostly vacant, despite the RS-C Zoning that allows for high-intensity development. He said that the applicant hopes the proposed development will help start revitalization in the area.

Barnhart referenced the required bulk variances and use variance. For the use variance, he stated five special reasons from the Municipal Land Use Law in support of the request, including criteria “a” (general welfare), criteria “b” (to secure from fire and flood), criteria “e” (appropriate population densities), criteria “g” (sufficient space in appropriate locations to support a variety of uses to meet the needs of residents), and criteria “i” (to promote a desirable visual environment through creative development techniques and good civic design and arrangement).

He said the proposal advances the intent of the RS-C District, since residential is specifically encouraged, and the CRDA Tourism District Master Plan. He testified that the use is appropriate for the site and area and could lead to improvements throughout the neighborhood.

As for the negative criteria, he stated that the use would not substantially impair the intent of the zone plan and zoning ordinance.

Barnhart referenced the required bulk variances (front, side, and rear setbacks and coverage). He stated that the proposed dimensions are appropriate for the site and in character with the type of structure proposed. He further stated that the RS-C Zone doesn’t envision such a use and thus the bulk requirements don’t apply well. As for the coverage variance, he said it would be mitigated by full guttering on the building and stormwater management into the street. He additionally stated that the two front decks contribute to the coverage. He then stated that the bulk requirements as proposed are consistent with other residentially-developed properties in the city.

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Architect Michael Kolchins testified that the proposed structure would meet the current FEMA Base Flood Elevation requirement.

Under questions from me regarding the particular suitability of the use for the lot, Barnhart stated that the intense uses permitted in the RS-C Zone would be impossible to develop on the 2,100 square foot lot. He also stated that it would be impossible to develop any type of viable structure on the lot given the bulk requirements.

Based on the submitted plans and substantial testimony in support of the application at the hearing, it is my professional opinion that the applicant met the requisite statutory requirements for the granting of the use variance and bulk variances.

Respectfully submitted,

Christine A. Nazzaro-Cofone, AICP, PP
Principal