

# City of Atlantic City

## LAND USE APPLICATION

**City of Atlantic City: (Check where applicable)**



**AC Planning Division Jurisdiction**

City of Atlantic City Planning Board  
1301 Bacharach Boulevard  
City Hall-Suite 508  
Atlantic City, NJ 08401  
609-347-5404

**CRDA: (Check where applicable)**



**NJ CRDA LURED Jurisdiction**

Casino Reinvestment Development Authority  
15 S Pennsylvania Avenue  
Atlantic City, NJ 08401  
609-347-0500

**To be completed by staff only.**

Date Filed \_\_\_\_\_

Application No. \_\_\_\_\_

Application Fees: \_\_\_\_\_

Escrow Deposit \_\_\_\_\_

Scheduled for:

Review for Completeness \_\_\_\_\_ Hearing: \_\_\_\_\_

=====

### 1. SUBJECT PROPERTY

Location: 2400 Atlantic Ave, 8 thru 20 South Georgia Ave.

Tax Map	Page _____	Block <u>164</u>	Lot(s) <u>30, 32, 33, 34, 36 &amp; 37</u>
	Page _____	Block _____	Lot(s) _____
	Page _____	Block _____	Lot(s) _____

Dimensions    Frontage 58 ft.    Depth 249.9 ft.    Total Area 29,146 S.F.

Zoning District DA - Ducktown Arts

### 2. APPLICANT

Name Ducktown Tavern Inc. / John C. Exadaktilos

Email ducktowntavern@yahoo.com

Address 130 South Kingston Ave., Atlantic City, NJ 08401

Telephone Number 609-576-0596

Applicant is a:                      Corporation ☒                      Partnership ☐                      Individual ☐

**3. If Owner is other than the applicant, provide the following information on the Owner(s):**

Owner's Name Exadaktilos Family, LLC

Email ducktowntavern@yahoo.com

Address 2400 Atlantic Ave., Atlantic City, NJ 08401

Telephone Number 609-576-0596

#### 4. DISCLOSURE STATEMENT

Pursuant to N.J.S 40:55D-48.1 [Application by corporation or partnership; list of stockholders owning 10% of stock or 10% interest in partnership.] Disclosure of owners of organization and property subject to application. [A corporation or partnership applying to a governing body of a municipality]Any organization making an application for development under this act [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 members, stockholders or individual partners (collectively, "interest holders") [owning at least 10% of its stock of any class or at least 10% of the interest in the partnership], including any other organization holding at least a 10% ownership interest in the organization, and shall also identify the owner of the property subject to the application, including any organization holding at least a 10% ownership interest in the property [as the case may be]. In accordance with 40:55D-48.2 [Disclosure of 10% ownership interest of corporation or partnership which is 10% owner of applying corporation or partnership.] Listing of names and addresses of interest holders of applicant and owner organization. If [a corporation or partnership] an organization owns an interest equivalent to 10% or more of another organization the stock of a corporation, or 10% or greater interest in a partnership, subject to the disclosure requirements hereinabove described, [pursuant to section 1 of this act that organization shall list the names and addresses of its interest holders holding 10% or greater interest in the [partnership, as the case may be, and] organization. [This requirement shall be followed by every corporate stockholder or partner in a partnership, until the names and addresses of the stockholders and individual partners, exceeding the 10% ownership criterion established in this act, have been listed.] In accordance with recently added 40:55D-48.3 Disclosure of all officers and trustees of a non-profit organization. A non-profit organization filing an application for development under this act shall list the names and addresses of all officers and trustees of the non-profit organization. In accordance with 40:55D-48.4 [Failure to comply with act; disapproval of application.] Approval of application. a. No municipal planning board, board of adjustment or [municipal] governing body shall approve the application of any [corporation or partnership] organization or non-profit organization which does not comply with this act. Any approval not in compliance with this act shall be voidable in a proceeding in lieu of prerogative writ in the Superior Court. b. Any party, including any member of the public, may institute a proceeding in lieu of prerogative writ in the Superior Court to challenge any PROPOSED AMENDMENTS TO MUNICIPAL LAND USE LAW approval granted by a municipal planning board, board of adjustment or governing body on the grounds that such action is void for the reasons stated in subsection a. of this section, and if the court shall find that the approval was not in compliance with this act, the court may declare the approval to be void. In accordance with 40:55D-48.5 [Concealing names of owners;] Organization or non-profit organization failing to disclose; fine. Any [corporation or partnership which conceals] organization or nonprofit organization failing to disclose in accordance with this act, [the names of stockholders owning 10% or more of its stock, or of individual partners owning a 10% or greater interest in the partnership, as the case may be,] shall be subject to a fine of \$1,000 to \$10,000, which shall be [recovered] recoverable in the name of the municipality in any court of record in the State in a summary manner pursuant to the "Penalty Enforcement Law" (N.J.S.A. 2A:58-1 et seq.).

Name _____	Address _____	Interest _____
Name _____	Address _____	Interest _____
Name _____	Address _____	Interest _____
Name _____	Address _____	Interest _____
Name _____	Address _____	Interest _____

**5. PROPERTY INFORMATION:**    N/A

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

Yes [attach copies] \_\_\_\_\_ No \_\_\_\_\_ Proposed \_\_\_\_\_

Present use of the premises: \_\_\_\_\_

Note: All deed restrictions, covenants, easements, association bylaws, existing and proposed must be submitted for review and must be written in easily understandable English in order to be approved.

**6. Applicant's Attorney** Brian J. Callaghan, Esq.

Email bjclaw@comcast.net

Address 101 N. Washington Avenue, Suite 14, Margate, NJ 08401

Telephone Number 609-348-5300

FAX Number 609-345-5989

**7. Applicant's Engineer** Andrew A. Previti, PE

Email andrew.previti@collierseng.com

Address 500 Scarborough Drive, Suite 108, Egg Harbor Twp., NJ 08243

Telephone Number 609-910-4068

FAX Number \_\_\_\_\_

**8. Applicant's Planning Consultant** N/A

Email \_\_\_\_\_

Address \_\_\_\_\_

Telephone Number \_\_\_\_\_

FAX Number \_\_\_\_\_

**9. Applicant's Traffic Engineer** N/A

Email \_\_\_\_\_

Address \_\_\_\_\_

Telephone Number \_\_\_\_\_

FAX Number \_\_\_\_\_

10. List any other **Expert** who will submit a report or who will testify for the Applicant: [Attach additional sheets as may be necessary]

Name N/A  
Field of Expertise \_\_\_\_\_  
Email \_\_\_\_\_  
Address \_\_\_\_\_  
Telephone Number \_\_\_\_\_  
FAX Number \_\_\_\_\_

**11. APPLICATION REPRESENTS A REQUEST FOR THE FOLLOWING:**

SUBDIVISION:

\_\_\_\_\_ Administrative Review of Minor Subdivision Plan  
\_\_\_\_\_ Administrative Review of Major Subdivision Plan  
\_\_\_\_\_ Minor Subdivision Approval  
\_\_\_\_\_ Major Subdivision Approval [Preliminary]  
\_\_\_\_\_ Major Subdivision Approval [Final]  
Number of lots to be created \_\_\_\_\_ Number of proposed dwelling units \_\_\_\_\_  
(including remainder lot) (if applicable)

SITE PLAN:

\_\_\_\_\_ Administrative Review of Minor Site Plan  
\_\_\_\_\_ Administrative Review of Major Site Plan  
☒ Minor Site Plan Approval  
\_\_\_\_\_ Major Preliminary Site Plan Approval [Phases (if applicable) \_\_\_\_ ]  
\_\_\_\_\_ Major Final Site Plan Approval [Phases (if applicable) \_\_\_\_ ]  
\_\_\_\_\_ Amendment or Revision to an Approved Site Plan  
Area to be disturbed (square feet) \_\_\_\_\_  
Total number of proposed dwelling units \_\_\_\_\_  
\_\_\_\_\_ Request for Waiver From Site Plan Review and Approval  
Reason for request: \_\_\_\_\_

MISC:

\_\_\_\_\_ Administrative Review  
\_\_\_\_\_ Appeal decision of an Administrative Officer [N.J.S. 40:55D- 70a]  
\_\_\_\_\_ Map or Ordinance Interpretation of Special Question [N.J.S. 40:55D-70b]  
☒ Variance Relief (hardship) [N.J.S. 40:55D-70c(1)]  
☒ Variance Relief (substantial benefit) [N.J.S. 40:55D-70c(2)]  
\_\_\_\_\_ Variance Relief (use) [N.J.S. 40:55D-70d]  
\_\_\_\_\_ Conditional Use Approval [N.J.S. 40:55D-67]  
\_\_\_\_\_ Direct issuance of a permit for a structure in bed of a mapped street, public drainage way, or flood control basin [N.J.S. 40:55D-34]  
\_\_\_\_\_ Direct issuance of a permit for a lot lacking street frontage [N.J.S. 40:55D-35]

12. Section(s) of Ordinance from which a **variance is requested and justification for said request:** [attach additional pages as needed] \_\_\_\_\_

13. **Waivers Requested** of Development Standards and/or Submission and justification for request.

Requirements: [attach additional pages as needed] \_\_\_\_\_

14. Attach a copy of the Notice to appear in the official newspaper of the municipality and to be mailed to the owners of all real property, as shown on the current tax duplicate, located within the State and within 200 feet in all directions of the property, which is the subject of this application. The Notice must specify the sections of the Ordinance from which relief is sought, if applicable.

**The publication and the service on the affected owners must be accomplished at least 10 days prior to the date scheduled by the Administrative Officer for the hearing. An affidavit of service on all property owners and a proof of publication must be filed before the application will be complete and the hearing can proceed.**

15. **Explain in detail the exact nature of the application and the changes to be made at the premises, including the proposed use of the premises:**

**[attach pages as needed]** \_\_\_\_\_

16. Is a public water line available? Yes

17. Is public sanitary sewer available? Yes

18. Does the application propose a well and septic system? No

19. Have any proposed new lots been reviewed with the Tax Assessor to determine appropriate lot and block numbers? N/A

20. Are any off-tract improvements required or proposed? No

21. Is the subdivision to be filed by Deed or Plat? N/A

22. What form of security does the applicant propose to provide as performance and maintenance guarantees? Waiver Requested

	Yes	No	Date Plans Submitted
Atlantic City Municipal Utilities Authority	<u>          </u>	<u><b>X</b></u>	<u>          </u>
Atlantic County Health Department	<u>          </u>	<u><b>X</b></u>	<u>          </u>
Atlantic County Planning Board	<u>          </u>	<u><b>X</b></u>	<u>          </u>
Atlantic County Soil Conservation Dist.	<u>          </u>	<u><b>X</b></u>	<u>          </u>
NJ Department of Environmental Protection	<u>          </u>	<u><b>X</b></u>	<u>          </u>
Sewer Extension Permit	<u>          </u>	<u><b>X</b></u>	<u>          </u>
Sanitary Sewer Connection Permit	<u>          </u>	<u><b>X</b></u>	<u>          </u>
Stream Encroachment Permit	<u>          </u>	<u><b>X</b></u>	<u>          </u>
Waterfront Development Permit	<u>          </u>	<u><b>X</b></u>	<u>          </u>
Wetlands Permit	<u>          </u>	<u><b>X</b></u>	<u>          </u>
Tidal Wetlands Permit	<u>          </u>	<u><b>X</b></u>	<u>          </u>
Potable Water Construction Permit	<u>          </u>	<u><b>X</b></u>	<u>          </u>
Other	<u>          </u>	<u><b>X</b></u>	<u>          </u>
NJ Department of Transportation	<u>          </u>	<u><b>X</b></u>	<u>          </u>
Public Service Electric & Gas Company	<u>          </u>	<u><b>X</b></u>	<u>          </u>

25. List of Maps, Reports and other materials accompanying the application (attach additional pages as required for complete listing).

26. The Applicant hereby requests that copies of the reports of the professional staff reviewing the application be provided to the following of the applicant's professionals:

Applicant's Professional Reports Requested **All Reports**

Attorney **Brian J. Callaghan, Esq.**

Engineer **Andrew A. Previti, PE**

## CERTIFICATIONS

27. I John C. Exadaktilos 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 of the Corporate applicant and that I am authorized to sign the application for the Corporation or that I am a general partner of the partnership applicant.

[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.]

Sworn to and subscribed before me this

12<sup>th</sup> day of December, 2024



NOTARY PUBLIC

DANIELE P MURIE  
NOTARY PUBLIC OF NEW JERSEY  
My Commission Expires April 28, 2027



SIGNATURE OF APPLICANT

28. 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.]

Sworn to and subscribed before me this

12<sup>th</sup> day of December, 2024



NOTARY PUBLIC

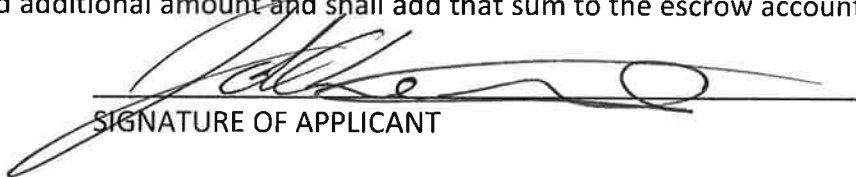
DANIELE P MURIE  
NOTARY PUBLIC OF NEW JERSEY  
My Commission Expires April 28, 2027



SIGNATURE OF OWNER

29. I understand that the sum of \$ 3,400.00 has been deposited in an escrow account (Builder's Trust Account). In accordance with Land Use Fees and Escrow Deposit Requirements, I further understand that the escrow account is established to cover the cost of professional services including engineering, planning, legal and other expenses associated with the review of submitted materials and the publication of the decision by the Board. Sums not utilized in the review process shall be returned. If additional sums are deemed necessary, I understand that I will be notified of the required additional amount and shall add that sum to the escrow account within fifteen (15) days.

\_\_\_\_\_  
Date



SIGNATURE OF APPLICANT

### ESCROW SETUP INFORMATION

The Information below is necessary to initially set up your Escrow Account.

Applicant's Name: John C. Exadaktilos

Applicant's Address: 130 S. Kingston Ave., Atlantic City, NJ 08401

\*Applicant's Signature: 

Applicant's Phone No.: 609-576-0596

Applicant's Email Address: ducktowntavern@yahoo.com

Applicant's Date of Birth: 10/7/1976

Tax Identification or Social Security Number: 156-76-7565

Assigned Escrow #: \_\_\_\_\_

Should you require assistance or have any questions, please do not hesitate to contact:

#### Atlantic City Planning:

Lisa D'Alessandro, Board Secretary  
City of Atlantic City Planning  
1301 Bacharach Boulevard  
City Hall-Suite 508  
Atlantic City, NJ 08401  
Email: LDAlessandro@cityofatlanticcity.org  
609-347-5404

#### CRDA:

Loreta Acevedo, Project Officer  
Casino Reinvestment Development Authority  
15 S Pennsylvania Avenue  
Atlantic City, NJ 08401  
Email: lacevedo@njcrda.com  
609-347-0500



NOTICE SERVED ON PROPERTY OWNERS  
WITHIN 200 FEET OF SUBJECT PROPERTY

Notice is hereby given that a written application has been filed by the undersigned with the Casino Reinvestment Development Authority for a \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

in and upon the property shown as Block(s) \_\_\_\_\_, Lot(s) \_\_\_\_\_  
on the official map of the City of Atlantic City, known as \_\_\_\_\_

A public hearing on the above-mentioned application has been scheduled for the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_, at \_\_\_\_\_ a.m/p.m. Said hearing shall take place at:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

The public is invited to attend this meeting.

The application and all plans relative thereto have been filed with the Land Use Administrative Official:

☒ Casino Reinvestment Development Authority, Division of Land Use and Regulatory Enforcement, 15 S Pennsylvania Avenue, Atlantic City, NJ 08401,

OR

☐ City of Atlantic City

and are available for inspection Monday through Friday, 9:00 a.m. to 5:00 p.m.

This notice is given in compliance with the requirements of Section 163-198 of the Land Use Development Code of the City of Atlantic City, NJAC 19:66-14.1 of the Tourism District Land Development Rules and the N.J.S.A. 40:55D-12.

Name of Applicant: **Ducktown Tavern, Inc. / John C. Exadaktilos**

Publication Date: \_\_\_\_\_

## AFFIDAVIT OF SERVICE

I, John C. Exadaktilos of full age, being duly sworn according to law upon oath depose and say:

1) That on , \_\_\_\_\_, 20\_\_\_\_\_, which was at least ten (10) days prior to the hearing date, did give notice by personal service or certified mail to all property owners within 200 feet of the premises located on Block(s) 164 Lot(s) 30, 32, 33, 34, 36 & 37. All as shown on the tax map of the City of Atlantic City, County of Atlantic, and State of New Jersey. The premises are further identified as 2400 Atlantic Ave & 8, 14, 16 18 & 20 Georgia Ave. (street address). In addition, notice was provided by personal service or certified mail to Public Utilities, Cable Television Companies and Local Utilities, as required by law, the City of Atlantic City and the Atlantic County Planning Board.

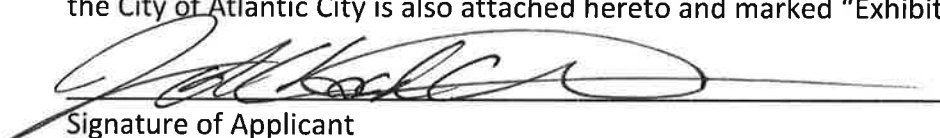
2) Notices were also served upon (Check if applicable):

- ☐ State Planning Commission
- ☐ New Jersey Department of Transportation
- ☐ Clerk of Adjoining Municipalities

3) A copy of said notice is attached hereto and marked "Exhibit A".

4) Notice was also published in the Press of Atlantic City, Legal Section. A copy of the Affidavit of Publication is attached hereto and marked "Exhibit B".

5) A copy of the certified list of property owners within 200 feet of the premises provided by the City of Atlantic City is also attached hereto and marked "Exhibit C"

  
Signature of Applicant

Sworn and subscribed to  
before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

**Ducktown Tavern, Inc.**  
**CRDA Application**  
**2400 Atlantic Avenue & 8, 14, 16, 18 & 20 South Georgia Avenues**  
**Block: 164 Lots: 30, 32, 33, 34, 36 & 37**  
**City of Atlantic City**  
**Atlantic County, New Jersey**  
**CED Project No. 16-Exadaktilos**

**PROPOSED GARAGE**  
**PROJECT NARRATIVE**  
**December 10, 2024**

**I. Background**

The site of the existing facility has been two (2) separate sites historically. The existing building on Lot 30 was formerly known as Callahan's Bar and the adjoining Cup & Saucer Breakfast Room. A doctor's office, Dr. Boxman, was also present at the site. Callahan's Bar dates back to the 1960's.

The parcel consisting of Lots 32, 33, 34, 36 & 37 was formerly used as a work yard for Feriozzi Concrete. This dates back to the 1950's. Sometime in the 1970's this parcel was used primarily as a parking lot.

The applicant purchased Lot 30, Callahan's, in 2005 and renamed the bar, Ducktown Tavern. The Cup & Saucer became part of the tavern and Dr. Boxman's office became the liquor store. The applicant purchased Lots 32, 33, 34, 36 & 37 from the Feriozzi family in 2017. The use as a parking lot has continued from that time.

The applicant previously received approval for the existing seasonal outside bar known as the Duck Hut, a two-story addition to the Ducktown Tavern building, the construction of a nine (9') foot high concrete wall along with multiple variance relief for signage, wall height and impervious coverage. That project was CRDA Application No. 2020-08-2862 and was memorialized in CRDA Resolution No. 20-117, a copy of which is attached.

The applicant also received approval to construct a one (1) story restroom building as memorialized in City of Atlantic City Certificate of Land Use Compliance for Application No. 2022-05-3200. A copy of this approval is attached to this narrative.

**II. Current Application**

The current application proposes the construction of a garage building as shown on plans prepared by Pioneer Pole Building, Inc. The proposed garage will be a 36'x60' one (1) story building with a truss roof system that will create a loft area above the ground floor. The garage will be used to house the various vehicles used in the tavern's catering and event businesses.

The application will require variance relief for maximum building coverage where 30% is permitted and 32.6% is proposed (Regulation Section 19:66-5.11(a)1.iv(6)). This calculation includes all buildings on site. The application also requires variance relief for rear yard setback where twenty (20') is required and five (5') feet is proposed. (Regulation Section 19:66-5.11(a)1.iv(10)).



Andrew A. Previti, PE  
Consulting Engineer