



Principals
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October 24, 2025

Lance B. Landgraf, Jr., P.P., AICP
Casino Reinvestment Development Authority
Division of Land Use and Regulatory Enforcement
15 S Pennsylvania Avenue
Atlantic City, NJ 08401

Re: Land Use Application
107 S. Kentucky Avenue LLC
Kentucky Avenue & Westminster Avenue
Block 51, Lots 1-10
Atlantic City, NJ 08401
CRDA Application #: 2025-09-3903
ARH File: 24-10089.02

Dear Mr. Landgraf:

ARH ASSOCIATES has received the above captioned Application for review. The Applicant seeks Preliminary and Final Major Subdivision approval and “c” Bulk Variance Relief.

The Applicant has previously received preliminary and final major site plan approval to allow the construction of 29 townhouses on Block 50, Lots 1-4 and Block 51, Lots 1-10 under CRDA Resolution 23-168 adopted on November 21, 2023. The Applicant now seeks to establish fee simple lots via subdivision of the previously approved townhouse layout on Block 51. This application does not seek to change or amend any portion of the Block 50 component of the development.

This report consists of a review of the Subject Application for conformance with Casino Reinvestment Development Authority checklists as well as NJAC19:66, the CRDA Tourism District Land Development Rules. Comments are limited to the information presented to date. The Applicant may present additional information and testimony at the Board hearing on this matter.

I. OWNER & APPLICANT INFORMATION

OWNER/APPLICANT
107 S. Kentucky Avenue, LLC
brian@zoubekproperties.com
1650 Limekiln Pike, Suite B19-1043, Dresher, PA 19025

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II. SUBMITTALS

TITLE / DESCRIPTION	PREPARED / SIGNED / SEALED BY	DATE	DATE LAST REVISED
CRDA Land Use Application	Applicant	09/03/2025	
Escrow Setup Information			
Ownership Interests			
Major Preliminary Subdivision Checklist	Jason T. Sciallo, P.E., P.P.	Undated	
Major Final Subdivision Checklist			
"c" Variance Checklist			
Site Plan – Sheet C0101		09/05/2023	09/08/2025
Final Plan of Lots	Vargo Associates	07/31/2025	
Submission Letter	Nehmad Davis & Goldstein	09/10/2025	
CRDA Resolution 23-168		11/21/2023	

III. CHECKLISTS

The following addresses conformance with the CRDA's list of Required Application items for Major Preliminary Subdivision, Major Final Subdivision, and "c" Variance Checklists (forms #9, #10, & #12) and does not reflect adequacy of submissions for review purposes. The correct number of copies are assumed to have been submitted. Column entries reflect **ARH's** review of Applicant's submissions.

Major Preliminary Subdivision Checklist (Form #9) & Final Preliminary Subdivision Checklist (Form #10)

ITEM	TITLE / DESCRIPTION (Subdivision Application)	Required	Submitted	Not Provided	Comments
17	List of any existing or proposed deed restrictions, easements, covenants, Homeowners Association Agreements, etc. as recorded or in recordable form if proposed.	X		X	As the previous approval was for rental properties, and the current submission is for fee-simple lots, an HOA agreement will be required.

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ITEM	TITLE / DESCRIPTION (Subdivision Application)	Required	Submitted	Not Provided	Comments
22	Site Plan depicting proposed buildings, structures, existing and proposed building setbacks, landscape areas, lighting / fixtures, lighting intensity, location of identification signage and directional signs, trash encloser, building setback lines (dashed) and their dimensions from the property lines, parking area plan showing spaces, size and type, aisle width, curb cuts, drives, driveways, and all ingress and egress areas and dimensions.	X		X	Revised Drawing C0101 – Site Plan, Sheet 4 of 10, has been provided. The entire site plan set shall be submitted as a condition of approval.

“c” Variance Checklist (Form #12)

No additional item(s) listed within the “c” Variance Checklist that are not already listed within the above checklists are deficient in submission. Please refer to the above checklist for review.

IV. BULK REQUIREMENTS, RESORT COMMERCIAL (RC) BLOCK 51

Standard	Required	Existing	Proposed	Complies?
Maximum Height (measured from BFE), Principal Structure (FT)	300	35	45.7	C
Minimum Lot Area (SF)	7,500	39,990	1,306	V
Minimum Lot Depth (FT)	150	210	75	V
Minimum Lot Width (FT)	50	194.71	18.11	V
Minimum Lot Frontage (FT)	50	194.71	18.11	V
Maximum Building Coverage (%)	70	N/A	65	C
Maximum Impervious Coverage (%)	80	78.9	100	V
Minimum Front Yard (FT)	20	N/A	3	PGV
Minimum Rear Yard	20	N/A	N/A	N/A
Minimum Side Yard	20	N/A	0	PGV
Maximum Density (DU/A)	50	N/A	32.3	C
Parking (Spaces)	25	N/A	29	C

C = COMPLIES

ENC = EXISTING NON-CONFORMING CONDITION

V = VARIANCE REQUIRED

N/A = NOT APPLICABLE

NC = NO CHANGE FROM EXISTING

PGV= PREVIOUSLY GRANTED VARIANCE

V. REVIEW OF PLANS

- a. Zoning (RC)
 - 1. The following variances were **previously granted** under CRDA Resolution 23-168:
 - a. Minimum Front Yard Setback – 3 FT is proposed, where 20 FT is required per NJAC 19:66-5.10(a)1.iv.(8).
 - b. Minimum Lot Depth – 0 FT is proposed, where 20 FT is required per NJAC 19:66-5.10(a)1.iv.(9).
 - 2. The applicant requires the following **new variances** as part of their proposed subdivision:
 - a. Minimum Lot Area – 1,306 SF is proposed, where 7,500 SF is required per NJAC 19:66-5.10(a)1.iv.(2).
 - b. Minimum Lot Depth – 75 FT is proposed, where 150 FT is required per NJAC 19:66-5.10(a)1.iv.(3).
 - c. Minimum Lot Width – 18.11 FT is proposed where 50 FT is required per NJAC 19:66-5.10(a)1.iv.(4).
 - d. Minimum Lot Frontage – 18.11 FT is proposed where 50 FT is required per NJAC 19:66-5.10(a)1.iv.(5).
 - e. Maximum Impervious Coverage – 100% is proposed where 80% is allowed per NJAC 19:66-5.10(a)1.iv.(7).
- b. General
 - 1. A complete plan set shall be provided as a condition of approval. The Applicant shall provide testimony on any technical revisions to the plans, if any, for the plan sheets that have not been provided.
 - 2. The Applicant shall provide copies of any HOA agreements, easements, covenants, etc.
- c. Site Plan (Sheet C0101)
 - 1. The footnote under the Zoning Schedule for Block 51 shall be revised to provide the correct CRDA Resolution No. (23-168).
- d. Parking
 - 1. Per RSIS Section 5:21-4.14, 4-bedroom single-family residential units require 2.5 parking spaces. Ten (10) 4-bedroom units are proposed, which require 25 spaces overall. 29 parking spaces are provided within the garages of the units; therefore, the parking requirement is satisfied.

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COFONE CONSULTING PLANNING REVIEW

Zoning Compliance

Block 51, Lots 1-10 are located in the Resort Commercial (RC) District. As stated at CRDA Land Development Rules Section at N.J.A.C. 19:66-5.10, the purpose of the RC District is as follows:

The purpose of the RC Resort Commercial District is to provide an array of land uses that will capitalize on the zoning district's geographical advantages of the zoning district's proximity to the boardwalk and the Atlantic Ocean. The Resort Commercial District also offers the highest intensity residential offerings within the Tourism District with a variety of supportive commercial and services uses. The vision is to create an environment where residential and resort offerings seamlessly integrate.

Block 50, Lots 1-4 are located within the Kentucky Avenue Renaissance (KAR) District. As stated at CRDA Land Development Rules Section at § 19:66-5.20, the purpose of the KAR District is as follows:

The purpose of the Kentucky Avenue Renaissance District is to honor the deep music and entertainment history in the neighborhood and provide land use controls that seek to spur an economic engine for the area.

Master Plan Review

The subject property is located within the Atlantic City Tourism District. Pursuant to the New Jersey CRDA Atlantic City Tourism District Master Plan, the overall intention and vision is to "reinvigorate Atlantic City in the near-term as the leading resort destination in the Northeast and beyond (Page 4, New Jersey CRDA Atlantic City Tourism District Master Plan). Among others, overarching objectives are to "develop an economically viable and sustainable tourism district" and "[expand] Atlantic City's tourism and economic bases" (Id, Page 1-2).

Planning Analysis and Issues for Consideration by the Board

In regard to the "c" variances, the Municipal Land Use Law (MLUL) at NJSA 40:55D-70c sets forth the standards for variances from the bulk regulations of a zoning ordinance. A "c(1)" variance is for cases of hardship due to factors such as shape or topography, or due to "an extraordinary and exceptional situation uniquely affecting a specific piece of property or the structures lawfully existing thereon." A "c(2)" variance may be granted where the purposes of zoning are advanced and the benefits of deviating from the ordinance requirements outweigh any detriments. The benefits derived from granting a "c(2)" variance must include benefits to the community as a whole, not just to the applicant or property owner. A "c" variance application also must address the "negative criteria."

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We offer the following for your consideration in reviewing the Application:

- 1) The applicant's professional planner shall provide the required statutory proofs pursuant to N.J.S.A. 40:55D-70(c)(1) and (c)(2) in support of the proposed bulk variances.
- 2) The townhouse development was previously approved by the CRDA through Resolution 25-168, granting use and design variances to permit townhouse dwellings in the KAR and RC Zones. Construction is now underway.
- 3) This application seeks fee simple subdivision approval to legally create individual townhouse lots, each reflecting the building footprint and limited yard areas, consistent with the approved site plan.
- 4) Relief is technical in nature and arises solely from the subdivision geometry. The subdivision does not intensify use, density, or coverage beyond prior approvals.
- 5) The site remains compliant with FEMA AE Zone standards and CRDA flood signage requirements.
- 6) The applicant shall confirm compliance with all prior CRDA conditions of approval under Resolution 25-168, including architectural, design, and flood resiliency requirements.
- 7) The final plat shall note all variances granted in connection with this and prior CRDA approvals, including use and bulk variances under N.J.S.A. 40:55D-70(c) and (d), as applicable.

The Applicant shall discuss how the application will advance the intent of the New Jersey CRDA Atlantic City Tourism District Master Plan and the Tourism District

POST APPROVAL CONSIDERATIONS

Should the Board grant the desired approval for this Application, Applicant, and/or its professionals must:

- A. Submit any required revisions to the Board as outlined above for review.**
- B. Obtain approvals from all outside agencies, if necessary. Provide copies to the Board.**
- C. Contact the Board Secretary to reconcile any outstanding review escrow accounts prior to Final Plan Certification, Signature, or the issuance of building permits, as applicable.**

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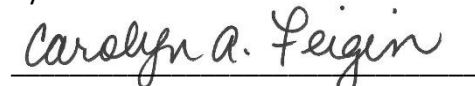
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Any resubmissions in response to this report should be accompanied by a point-by-point response to all items. To facilitate the Board's decision-making process, Applicants are strongly encouraged to resolve as many items as possible prior to the hearing on this matter.

Respectfully Submitted,

ARH ASSOCIATES

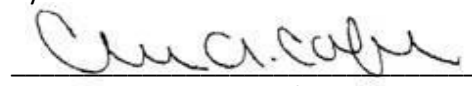
By



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