

**RESOLUTION OF THE CASINO REINVESTMENT DEVELOPMENT  
AUTHORITY APPROVING A CERTIFICATE OF NONCONFORMITY  
FOR SALVATORE AND ELENA ITALIANO UNDER APPLICATION  
2014-05-1055**

**WHEREAS**, pursuant to Resolution 11-25 adopted April 19, 2011, the Casino Reinvestment Development Authority (the "Authority") designated the tourism district (the "Tourism District") in the city of Atlantic City in accordance with P.L. 2011 chapter 18 (the "Act"); and

**WHEREAS**, pursuant to the Act, the Authority is required to develop a master plan for the Tourism District, and adopt and impose regulations concerning the review and approval or denial of site plans and development proposals for development upon and improvements to land within the Tourism District (the "Land Use Regulations") to supersede the regulations imposed by the governing bodies or agencies of the county or municipality; and

**WHEREAS**, pursuant to Resolution 11-33 adopted April 19, 2011, the Authority established the Land Use Regulation and Enforcement Division to, among other matter, hear applications for development in the Tourism District; and

**WHEREAS**, pursuant to Resolution 11-34 dated April 19, 2011, the Authority adopted the master plan, zoning and land use ordinances and regulations, and zoning maps approved by the City of Atlantic City until such time as the Authority adopts the Land Use Regulations in accordance with the Act; and

**WHEREAS**, pursuant to Resolution 12-14 dated February 1, 2012, the Authority adopted the "New Jersey CRDA Atlantic City Tourism District Master Plan" prepared by Jones Lang LaSalle, LLC and dated February 1, 2012 (the "Master Plan"), subject to further comment and revision, which master plan shall become effective upon the adoption of design, development and land use regulations consistent therewith, and in accordance with N.J.S.A 5:12-220a, the Atlantic City Master Plan dated September of 2008 (as adopted by the CRDA pursuant to Resolution 11-34 dated April 19, 2011) shall remain effective for development applications received by the CRDA until adoption of such regulations; and

**WHEREAS**, pursuant to Resolution 12-23 adopted February 21, 2012, the Authority affirmed and re-adopted the Master Plan; and

**WHEREAS**, Mr. and Mrs. Salvatore and Elena Italiano (collectively, the "Applicant"), seeks a Certificate of Nonconformity pursuant to pursuant to N.J.S.A. 40:55D-68 of the Municipal Land Use Law P.L.1975, c. 291 (C.40:55D-1 *et seq.*) for the uses and structure located at 4 North Florida Avenue, Blcok 279, Lot 61, in the city of Atlantic City, a property used as a three unit residential apartment dwelling, which is not currently a permitted use in the R-3 Residential Zoning District ("R-3"), under application 2014-05-1055 (the "Application"); and

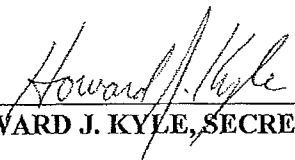
WHEREAS, on July 17, 2014, the Authority's Land Use Regulation and Enforcement Division convened a public hearing on the Application in accordance with the requirements of the Open Public Meetings Act, the Municipal Land Use Law and the Act, and subsequently prepared and delivered the Hearing Officer's Report and Recommendation dated August 14, 2014 (the "Report"), incorporated herein by this reference and appended hereto as Exhibit "A"; and

WHEREAS, the Authority intends to adopt the findings, conclusions and recommendations of the Hearing Officer, as detailed in the Report; and

NOW THEREFORE, BE IT RESOLVED by the Casino Reinvestment Development Authority that:

1. The above recitals are incorporated herein, as if set forth in full.
2. Based on the record in this matter, Application 2014-05-1055 is hereby approved in accordance with the Hearing Officer's Report and Recommendation dated August 14, 2014.
3. A copy of this Resolution shall be immediately transmitted to the Governor. This Resolution shall take effect immediately but no action authorized herein shall have force and effect until the earlier of the passage of ten (10) days, Saturdays, Sundays and public holidays excepted, after the delivery of the copy to the Governor, or the Governor's approval.

I hereby certify that this document is a true and correct copy of Resolution 14-110 of the Casino Reinvestment Development Authority.

  
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HOWARD J. KYLE, SECRETARY

MEETING OF AUGUST 19, 2014

EXHIBIT "A" TO RESOLUTION 14- , ADOPTED 8/19/2014

*SEE ATTACHED HEARING OFFICER REPORT*