

**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: 2324 Arctic Avenue, Atlantic City, NJ 08401  
Tax Map Page \_\_\_\_\_ Block 280 Lot(s) 2  
Page \_\_\_\_\_ Block \_\_\_\_\_ Lot(s) \_\_\_\_\_  
Page \_\_\_\_\_ Block \_\_\_\_\_ Lot(s) \_\_\_\_\_

Dimensions Frontage 50 ft Depth 100 ft Total Area 5000sf

Zoning District DA

**2. APPLICANT**

Name Mina Panah  
Email Minapanah@gmail.com  
Address 2324 Arctic Avenue, Atlantic City, NJ 08401  
Telephone Number 609-992-1566  
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 Same as above - See Deed of Consolidation attached  
Email \_\_\_\_\_  
Address \_\_\_\_\_  
Telephone Number \_\_\_\_\_

#### 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:**

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, Esquire  
 Email BJCLAW@Comcast.net  
 Address 2428 Atlantic Avenue, Atlantic City, NJ 08401  
 Telephone Number 609-231-9969  
 FAX Number 609-348-5300

**7. Applicant's Engineer** \_\_\_\_\_  
 Email \_\_\_\_\_  
 Address \_\_\_\_\_  
 Telephone Number \_\_\_\_\_  
 FAX Number \_\_\_\_\_

**8. Applicant's Planning Consultant** Craig Dothe  
 Email craig@cfidarchitect.com  
 Address 33 N. Brighton Avenue, Atlantic City, NJ 08401  
 Telephone Number 609-348-2236  
 FAX Number 609-348-0118

**9. Applicant's Traffic Engineer** \_\_\_\_\_  
 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 Craig Dothe  
Field of Expertise \_\_\_\_\_  
Email craig@cfdachitect.com  
Address 33 N. Brighton Avenue, Atlantic City, NJ 08401  
Telephone Number 609-348-2236  
FAX Number 609-348-0118

**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] See attached Zoning Schedule on Craig Dothe's plan.

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

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

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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] \_\_\_\_\_

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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? Yes

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

21. Is the subdivision to be filed by Deed or Plat? No

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

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23. Other approvals, which may be required and date plans submitted:

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

24. Certification from the Tax Collector that all taxes due on the subject property have been paid.

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

Quantity	Description of Item
<u>7 sets</u>	<u>Craig Dothe Plans</u>
_____	_____
_____	_____

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:

Specify which reports are requested for each of the applicant's professionals or whether all reports should be submitted to the professional listed.

Applicant's Professional Reports Requested \_\_\_\_\_

Attorney Brian J. Callaghan, Esquire

Engineer Craig Dothe

**CERTIFICATIONS**

27. I Brian J. Callaghan 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 16<sup>th</sup> day of February 20 21

LINDA M. SMITH  
Commission # 50070076  
Notary Public, State of New Jersey  
My Commission Expires  
October 15, 2022

Linda M. Smith  
NOTARY PUBLIC

B. Callaghan  
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 16<sup>th</sup> day of February, 20 21

LINDA M. SMITH  
Commission # 50070076  
Notary Public, State of New Jersey  
My Commission Expires  
October 15, 2022

Linda M. Smith  
NOTARY PUBLIC

B. Callaghan  
SIGNATURE OF OWNER

29. I understand that the sum of \$ \_\_\_\_\_ 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.

2/16/2021  
Date

B. Callaghan  
SIGNATURE OF APPLICANT

**ESCROW SETUP INFORMATION**

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

Applicant's Name: Mina Panah

Applicant's Address: 2324 Arctic Avenue, Atlantic City, NJ 08401

\*Applicant's Signature: \_\_\_\_\_

Applicant's Phone No.: 609-992-1566

Applicant's Email Address: Minapanah@gmail.com

Applicant's Date of Birth: 7/11/1964

Tax Identification or Social Security Number: 521-29-6945

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

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

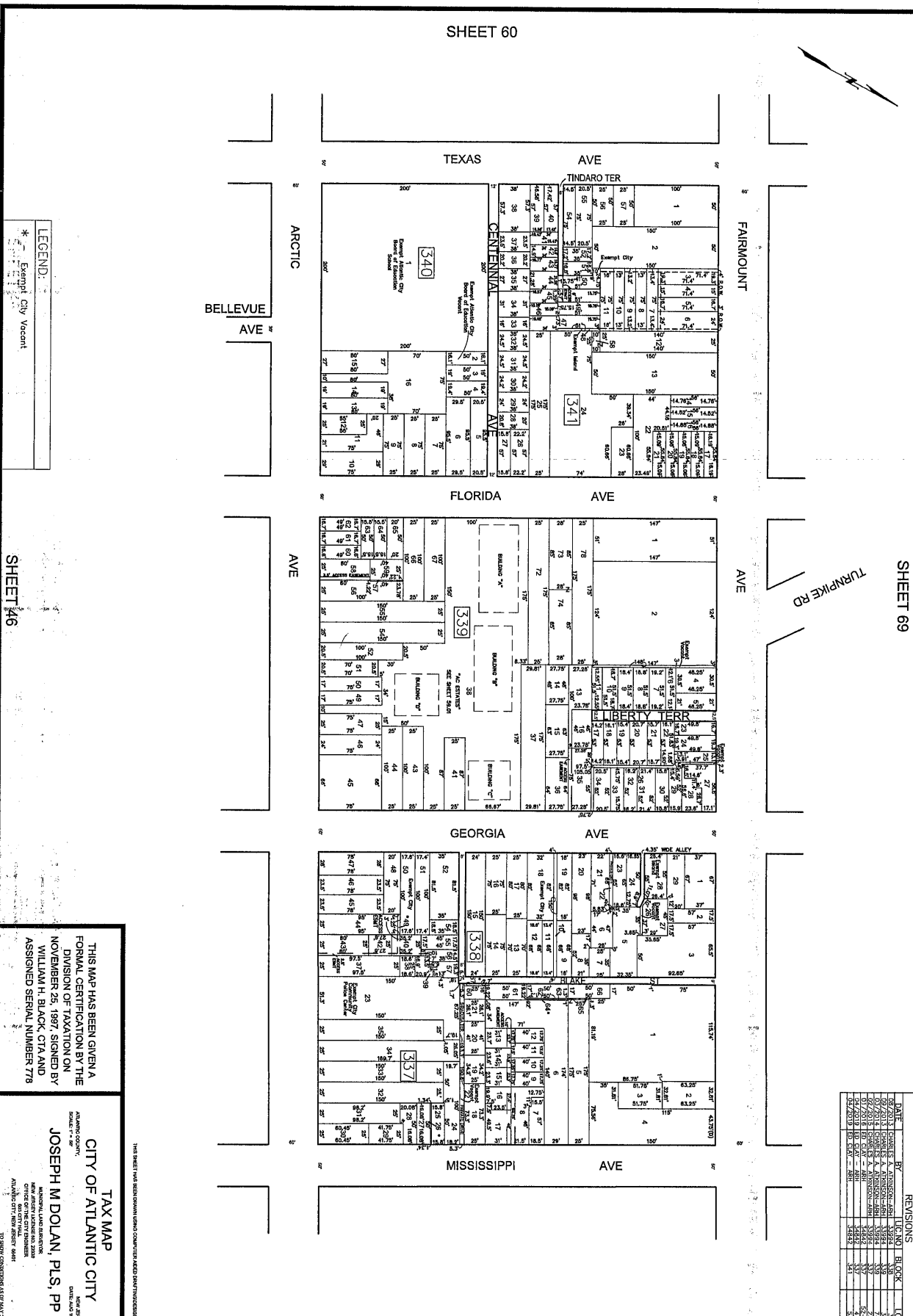
**Atlantic City Planning:**

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





DATE	BY	DESCRIPTION	LOT NO.	BLOCK	LOT
07/20/13	JOSEPH M. DOLAN	REVISION	1	1	1
07/20/13	JOSEPH M. DOLAN	REVISION	2	1	2
07/20/13	JOSEPH M. DOLAN	REVISION	3	1	3
07/20/13	JOSEPH M. DOLAN	REVISION	4	1	4
07/20/13	JOSEPH M. DOLAN	REVISION	5	1	5
07/20/13	JOSEPH M. DOLAN	REVISION	6	1	6
07/20/13	JOSEPH M. DOLAN	REVISION	7	1	7
07/20/13	JOSEPH M. DOLAN	REVISION	8	1	8
07/20/13	JOSEPH M. DOLAN	REVISION	9	1	9
07/20/13	JOSEPH M. DOLAN	REVISION	10	1	10
07/20/13	JOSEPH M. DOLAN	REVISION	11	1	11
07/20/13	JOSEPH M. DOLAN	REVISION	12	1	12
07/20/13	JOSEPH M. DOLAN	REVISION	13	1	13
07/20/13	JOSEPH M. DOLAN	REVISION	14	1	14
07/20/13	JOSEPH M. DOLAN	REVISION	15	1	15
07/20/13	JOSEPH M. DOLAN	REVISION	16	1	16
07/20/13	JOSEPH M. DOLAN	REVISION	17	1	17
07/20/13	JOSEPH M. DOLAN	REVISION	18	1	18
07/20/13	JOSEPH M. DOLAN	REVISION	19	1	19
07/20/13	JOSEPH M. DOLAN	REVISION	20	1	20
07/20/13	JOSEPH M. DOLAN	REVISION	21	1	21
07/20/13	JOSEPH M. DOLAN	REVISION	22	1	22
07/20/13	JOSEPH M. DOLAN	REVISION	23	1	23
07/20/13	JOSEPH M. DOLAN	REVISION	24	1	24
07/20/13	JOSEPH M. DOLAN	REVISION	25	1	25
07/20/13	JOSEPH M. DOLAN	REVISION	26	1	26
07/20/13	JOSEPH M. DOLAN	REVISION	27	1	27
07/20/13	JOSEPH M. DOLAN	REVISION	28	1	28
07/20/13	JOSEPH M. DOLAN	REVISION	29	1	29
07/20/13	JOSEPH M. DOLAN	REVISION	30	1	30
07/20/13	JOSEPH M. DOLAN	REVISION	31	1	31
07/20/13	JOSEPH M. DOLAN	REVISION	32	1	32
07/20/13	JOSEPH M. DOLAN	REVISION	33	1	33
07/20/13	JOSEPH M. DOLAN	REVISION	34	1	34
07/20/13	JOSEPH M. DOLAN	REVISION	35	1	35

LEGEND:  
\* - Example City Vacant

SHEET 66

THIS MAP HAS BEEN GIVEN A  
FORMAL CERTIFICATION BY THE  
DIVISION OF TAXATION ON  
NOVEMBER 25, 1987, SIGNED BY  
WILLIAM H. BLACK, CTA AND  
ASSIGNED SERIAL NUMBER 778

TAX MAP  
CITY OF ATLANTIC CITY  
JOSEPH M. DOLAN, PLS. PP  
MANAGER

THIS SHEET HAS BEEN DRAWN USING COMPUTER AIDED DRAFTING TECHNIQUES

COMPUTER AIDED DRAFTING

NARRATIVE FOR

Mina Panah

2322 Arctic Avenue  
Block 280 Lot 3

2324 Arctic Avenue  
Block 280 Lot 2

The Applicant is the owner and operator of the property known as 2322-2324 Arctic Avenue in Atlantic City, New Jersey which has been consolidated into Block 280 Lot 2. The building consist as follows:

- A. Building one consists of a three story building with a restaurant on the first floor and residences on the second and third floor.
- B. Building two consists of a restaurant and residential on second and third floor.

The propose use is the same as above with the exception that we are adding 726 square feet of Courtyard space with seating at the first and second floor deck levels to both properties. The applicant would be seeking the following variance relief set forth in Craig F. Dothe Architecture Zoning Analysis.

- A. Front yard setbacks are currently existing nonconformities.
- B. Rear yard setbacks are existing and has been expanded upon with the proposed decks.
- C. Lot coverage was an existing nonconforming situation and has been increased by 1 percentage.
- D. Impervious lot coverage was 100 percent and is still 100 percent.
- E. Parking unfortunately there is no on-site parking at the present time and there will be no one site parking as part of the application. The existing parking deficiency is 29 cars, and the new parking deficiency would be 46 cars.

The applicant believe that the application can be approved as it will satisfy both the positive and negative criterial. With respect to the positive criteria it will provide an aesthetic enhancement and promote a desirable and visual environment through creative development techniques and good civic design and arrangement. It will also promote the establishment of appropriate population density and concentrations

that will contribute to the well being of the persons, neighborhood, communities, regions and preservations of the environment.

With respect to the negative criteria the applicant believes the both prongs of the negative criteria can be satisfied as it will not be a substantial detriment to the public good and/or character of the neighborhood, nor will there be substantial impairment of the Zoning Plan and Zoning Ordinances.

Date: 2/16/2011

Brian J Callaghan  
Brian J. Callaghan, Esquire

#### Historical background information:

Dr. Panah moved to the beautiful and sunny city of Atlantic City in 2002. He was fascinated by the area and particularly loved riding his bike on the boardwalk, enjoying the fresh sea breeze on his face. He knew instantly that he wanted to be a part of this wonderous city. Although his acquaintances, who were not as enthralled by the city, advised him against buying and building, he purchased land from the CRDA and soon built his dream house at the inlet on 117 N. Main Avenue. To this day, he still lives there, loving life.

Since 2004, Dr. Panah was a physician and emergency room doctor with AtlantiCare. And while he is still affiliated with AtlantiCare, he wanted to do more **to help humanity**. Therefore, in 2007, he opened up his own private office at 1125 Atlantic Avenue in the Cooper Levinson Building. He wanted to still be a part of the city and **help the people of Atlantic City**.

When Dr. Panah's lease at the Cooper Levinson building was up, he had a major decision to make. He could have moved into an already built, beautiful, modern, updated space, and could have even moved his business out of beautiful and sunny Atlantic City. But no, he chose to **buy a dilapidated historic building on Mississippi Avenue and rehabilitated the property into a luxury suite. He not only is providing service to the city, but he is beautifying it as well.** Dr.

Panah moved his practice there in 2009 and is currently the only practicing psychologist in Atlantic City.

Dr. Panah **continues to give service to the people of Atlantic City today.** The second floor of his building is occupied by a company called Calvary of America. They do outpatient counseling and substance abuse rehabilitation. Over the years, **he has developed good relationships with other businesses in the area.** They are aware that much of the surrounding area has been abandoned due to lack of investment interest and safety in the neighborhoods. Therefore, **he has made every effort to purchase other local properties in order to rehabilitate and enhance Atlantic City.**

The property on 2305 Arctic Avenue was previously frequented by homeless people and drug users, (in 2012) however, today, and due to Dr. Panah's efforts, the building now contains five apartments and is a functioning and safer property. In 2014, Dr. Panah rehabilitated 2311 Arctic Avenue into a three-story apartment building.

Throughout 2014-2016, Dr. Panah continued to purchase several abandoned and foreclosed properties and rehabilitated them into functioning and beautiful buildings.

**2322-2324 Arctic Ave,** was one of these such properties. It was an abandoned building owned by the bank and was structurally unsafe. It was basically a squatter's house where people on drugs would go. There were two apartments, both uninhabitable with no water or electric, and both unbelievably filthy. The property had no curb appeal and people were afraid to walk by it. There was substantial damage to the property, and took two years to make livable.

He turned the first floor into a restaurant and opened its doors in the summer of 2019. His restaurant is family owned and worked. His sister-in-law is the chef and helped supply the funds to start up the restaurant.

Since opening the restaurant, he has also rehabilitated 2325 and 2327 Arctic Ave. Both of these were abandoned and frequented by homeless people, but now have been updated and are back on the tax list.

The restaurant operated very successfully throughout the summer and afterwards, until February 2020 when the pandemic hit. Due to the Governor's order in March 2020, the restaurant was forced to close. There was no income and plenty of bills due to the equipment in the restaurant.

Since the restaurant was closed, he decided it would be a good time to do construction, when it wouldn't bother the customers. He decided to do work in the backyard of 2324 and add an outdoor Moroccan style deck. This could be used for outdoor seating and would comply with the governor's orders, which at the time only allowed for outdoor seating. It was planned as temporary with the intention to eventually make it permanent. It took over four months for the outside dining to open. Craig Dothe Architect did the plans for outdoor dining.

At that time, the City of Atlantic City and CRDA office were closed so he says he could not get permits. In September of 2020, he applied for the application for land use compliance for the facade of the building and the addition to the back of the property. He was denied approval. The next step was to hire Brian Callaghan to help with the zoning compliance issues.

**Parking Lot - 2313-2315 Arctic Ave** – This property is adjacent to his building at 2311 Arctic Ave. It was city-owned. In 2015, he put in an offer with Cooper Levinson by Nick Talvacchia to obtain the property, with a development plan. For five years, he has been back and forth with the city. Bruce Ward is now his attorney for this. In 2017, the property went to auction. He put a deposit down on the property, and assumed it was his. Since then he has still had meetings with the city over fees of the property. In July 2020, the planner said the property is not his and the deposit was forfeit.

He was using the lot as parking for his restaurant, because there is not much available street parking, and because he assumed the lot was his. He says he did not make payments on the lot because he was still in negotiations with the city over fees. Also, he claims the city never contacted him to make another payment, so he did not. He says if the city had contacted him, he would have paid.

With respect to the negative criteria there will be no substantial detriment to the public good and/or character of the neighborhood, nor will there be substantial impairment of the Zoning Plan and Zoning Ordinances.

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

2/24/2021

B. Callaghan

\_\_\_\_\_  
Brian J. Callaghan, Esquire