

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: _____

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1. SUBJECT PROPERTY

Location: __2405 Atlantic Ave, _14 N Georgia RR & 16 N Georgia RR _____
Tax Map Page _____ Block __279 _____ Lot(s) 40, 44, 45, 46 & 48-52 __
Page _____ Block _____ Lot(s) _____
Page _____ Block _____ Lot(s) _____

Dimensions Frontage __130' _____ Depth __175' (irr) _____ Total Area __24,660 _____

Zoning District __DA _____

2. APPLICANT

Name __ Dock's Oyster House, Inc _____
Email __jdougherty@jdnjlaw.com _____
Address __c/o 5409 Winchester Avenue, Ventnor, NJ 08406 _____
Telephone Number __609-517-1222 _____

_ Applicant is a: Corporation X LLC Partnership Individual

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

Owner's Name __2409 ATLANTIC AVENUE LLC _____
Email __jdougherty@jdnjlaw.com _____
Address __c/o 5409 Winchester Avenue, Ventnor, NJ 08406 _____

Telephone Number __609-517-1222 _____

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 Joseph R. Dougherty Address 5409 Winchester Ave, Ventnor Interest 50%
Name Frank Dougherty Address 8703 Atlantic Ave, Margate Interest 50%
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] yes- see attached No _____ Proposed _____
Present use of the premises: Restaurant and parking lot for restaurant

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 Joseph Dougherty _____
Email jdougherty@jdnjlaw.com _____
Address 5409 Winchester Ave, Ventnor, NJ 08406 _____
Telephone Number 609-517-1222 _____
FAX Number _____

7. Applicant's Engineer Jon Barnhart (AW Ponzio CO) _____
Email jbarnhart@awponzio.com _____
Address 400 North Dover Ave, Atlantic City, NJ 08401 _____
Telephone Number 609-344-8194 _____
FAX Number 609-344-1594 _____

8. Applicant's Planning Consultant same as engineer _____
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 (**prior approval:**
App#2015-06-1550)

Area to be disturbed (square feet) approx 200
Total number of proposed dwelling units 0
_____ 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] Impervious building coverage in excess of 80%

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] The applicant is requesting to amend the prior site plan approval to add valet parking spaces on adjacent property acquired subsequent to the prior approvals and to permit the construction of a new 8' by 27' walk in box adjacent to the existing improvement

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? no

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? bond

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.	_____	_____	_____
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> 1 </u>	<u>Property survey and Site Plan dated 5-20-20</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 All reports _____
 Engineer all reports _____


CERTIFICATIONS

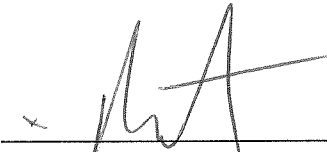
27. I Frank Dougherty certify that the foregoing statements and the materials submitted are true. I further certify that I am the individual applicant or that I am an Officer of the Corporate applicant and that I am authorized to sign the application for the Corporation or that I am a general partner 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

3 day of MARCH, 2021


NOTARY PUBLIC J. DOUGHERTY
ATTY AT LAW - NJ

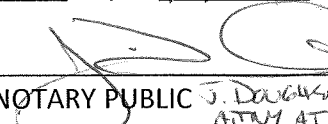
 PRES.
SIGNATURE OF APPLICANT

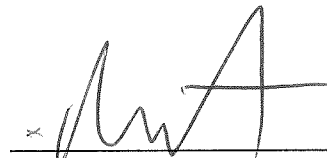
28. I certify that I am the Owner of the property which is the subject of this application, that I have authorized the applicant to make this application and that I agree to be bound by the application, the representations made and the decision in the same manner as if I were the applicant.

[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

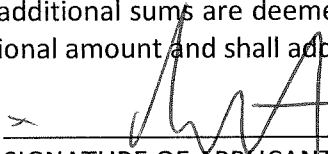
3 day of MARCH, 2021


NOTARY PUBLIC J. DOUGHERTY
ATTY AT LAW - NJ

 PRES
SIGNATURE OF OWNER

29. I understand that the sum of \$4200.- 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.

3-22-21
Date

 PRES.
SIGNATURE OF APPLICANT

ESCROW SETUP INFORMATION

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

Applicant's Name: DOCK'S OYSTER HOUSE, INC.

Applicant's Address: 2405 ATLANTIC AVE, ATL CITY, NJ 08401

*Applicant's Signature:  FRANK DOUGHERTY

Applicant's Phone No.: 609-517-1222

Applicant's Email Address: JDOUGHERTY@JDNDLAW.COM

Applicant's Date of Birth: FRANK DOUGHERTY, PRES - 7/1/1965

Tax Identification or Social Security Number: 22-1861718

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

Casino Reinvestment Development Authority
Division of Land Use and Regulatory Enforcement
Notice of Application

Notice is hereby given that a written application has been filed by the undersigned with the Casino Reinvestment Development Authority for an amendment to a previously approved Site Plan (App#2015-06-1550) for a parking lot expansion and construction of a walk in refrigerator unit at the rear of the existing building for a variance as to for impervious lot coverage and approval of any other variances or waivers required to permit the proposed improvements to the property shown as Block 279, lots 40, 44, 45, 46 & 48-52 on the official map of the City of Atlantic City, which site is located at 2405 – 2417 Atlantic Avenue, 12-14 North Georgia Avenue, and 12-16 North Georgia Avenue RR in Atlantic City, New Jersey.

A public hearing on the above mentioned application has been scheduled for the _____ day of _____, 2021, at 10:00a.m. Said hearing shall take place at the offices of the Casino Reinvestment Development Authority at 15 South Pennsylvania Avenue, Atlantic City, New Jersey.

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, 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 Use Development Rules and the N.J.S.A. 40:55D-12.

Name of Applicant:
Dock's Oyster House, Inc.
c/o Joseph R. Dougherty, Esq.
5409 Winchester Avenue
Ventnor, NJ 08406
609-431-0490