

CITY OF ATLANTIC CITY
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RESOLUTION OF FINDINGS AND CONCLUSIONS

**ZONING BOARD OF ADJUSTMENT
OF ATLANTIC CITY**

RESOLUTION #122 OF 2004

WHEREAS, it has been determined factually by the Zoning Board of Adjustment of the City of Atlantic City that the ME SUN MIM has applied to the Zoning Board of Adjustment of the City of Atlantic City to obtain a Certificate of Non-Conformity pursuant to N.J.S.A.40:55D-68 in order to legitimize a pre-existing nonconforming use and structure of two residential units at 2805 Atlantic Avenue, Block 271, Lot 20, which premises is located in an NC-2 Zone;

WHEREAS, additional testimony was presented by Me Sun Mim, the applicant and James Bowles; and testimony was offered by William Crane, Director of the Atlantic City Division of Planning; and

WHEREAS, the Board, after carefully considering the evidence presented by the applicant and of the adjoining property owners and general public, has made the following additional factual findings:

- (1) The applicant is the owner of the subject property;
- (2) Notice requirements were met;
- (3) From 1988 to 2004 the area was Zoned NC-2 by the Atlantic City Zoning Ordinance which did not permit two residential units on this site.

- (4) From 1979 to 1988 the area was Zoned MCR by the Atlantic City Zoning Ordinance which did not permit two residential units on this site.
- (5) From 1929 to 1979 the area was Zoned Business District #2 by the Atlantic City Zoning Ordinance which permitted two residential units on this site.
- (6) The 1961 Property Record Card of the City of Atlantic City indicates two residential units on this site.
- (7) The 1981 Property Record Card of the City of Atlantic City indicates mixed residential and a commercial unit on this site.
- (8) The property was constructed in 1910 prior to the first Zoning Ordinance of the City of Atlantic City which was enacted in 1929.
- (9) The Board determined that this property had not been illegally expanded.

AND WHEREAS, a Resolution to grant the subject application was Introduced by Mr. Hoffman and Moved by Ms. Mollineaux;

NOW, THEREFORE, BE IT RESOLVED by the Zoning Board of Adjustment of the City of Atlantic City on this 16th day of December, 2004, that approval of the application of the ME SUN MIM to obtain a Certificate of Non-Conformity pursuant to N.J.S.A.40:55D-68 in order to legitimize a pre-existing nonconforming use and structure on the site of two residential units, as aforementioned, be granted.

ROLL CALL VOTE: Five (5) in Favor, None (0) Opposed

Those in Favor: Campbell, Hoffman, Mollineaux, Davis, Collette

Those Opposed: None

**ZONING BOARD OF ADJUSTMENT
OF ATLANTIC CITY**

BY: *Walter L. Collette*
WALTER L. COLLETTE, CHAIRPERSON

DATED: DECEMBER 16, 2004