



15 South Pennsylvania Avenue  
Atlantic City, NJ 08401

**APPLICATION FOR CERTIFICATE OF LAND USE COMPLIANCE**

(PLEASE PRINT CLEARLY)

Fees: Commercial: \$50.00. Residential: \$32.00\*

\*Fees in accordance with Resolution 11-60 dated 6/21/11 and Resolution 15-24 dated 3/3/15.  
Check or Money Order Payable To "Casino Reinvestment Development Authority". No cash.

BUSINESS NAME: SPW PROPERTIES LLC  
Applicant's Name: PAUL K. WIKEL Phone: 609-432-8400  
Applicant's Address: 6157 MILL ROAD, Egg Harbor Twp., N.J. 08234  
Applicant's Email: southshoresroofs@comcast.net  
Applicant's Signature: [Signature]

**PROPERTY INFORMATION**

Street Address: 106 South Ocean ave, A.C., N.J. Unit#  
Zoning District: RC Block(s) 54 Lot(s) 60 Condo. Qualifier No.  
Prior Use (include total number of units, number of on-site parking spaces, number of seats if restaurant and/or bar, describe fully.):  
ROOMING HOUSE WITH 8 ROOMS FOR RENT

Proposed Use (Fully describe proposed use and/or signage, including total number of units; number of on-site parking spaces, number seats if restaurant and/or bar, attach sheets if necessary.): ROOMING HOUSE WITH 1 APARTMENT AND 5 ROOMS FOR RENT IN ACCORDANCE WITH NON-CONFORMING USE CERTIFICATION DATED 5/7/2019 (EXHIBIT A)

**CERTIFICATION IN LIEU OF OATH (OWNER OR AGENT)**

Owner Section (To be completed by the owner in fee of the property that is the subject of this application.)

Owner's Name: SPW Properties LLC Phone:  
Owner's Address: 6157 MILL ROAD, Egg Harbor Twp., N.J.  
Owner's Email: southshoresroofs@comcast.net

I hereby certify that I am the owner in fee of the property that is the subject of this application.

Property Owner's Signature: [Signature] Date: 7/10/19

Agent Section (To be completed if owner in fee has authorized an agent for this application.)

Agent's Name:  
Agent's Title:  
Agent's Address:  
Agent's Email:

I hereby certify that I have been authorized by the owner in fee to make this application as his/her agent.

Agent's Signature: Date:

Notice: 1) THIS CERTIFICATION MAY NOT BE THE ONLY APPROVAL REQUIRED NOR DOES IT SUBSTITUTE FOR A CERTIFICATE OF NON-CONFORMITY, BUILDING PERMIT, PERMITS REQUIRED IN FLOOD HAZARD AREAS, MERCANTILE LICENSE, LICENSE TO OCCUPY PUBLIC PROPERTY, LICENSE TO OCCUPY THE PUBLIC RIGHT OF WAY OR OTHER STATE AND LOCAL PERMITS. 2) THE AGENT BY THEIR SIGNATURE REPRESENTS THAT THE PROPERTY OWNER HAS GRANTED CONSENT TO THE AGENT TO SIGN ON THEIR BEHALF. 3) THE CERTIFICATE WILL NOT BE ISSUED IF VIOLATIONS EXIST. 4) THIS CERTIFICATE IS ISSUED BASED ON TRUE AND ACCURATE INFORMATION BEING PROVIDED BY THE APPLICANT AND MAY BE RESCINDED IF IT IS DETERMINED THAT VIOLATIONS EXIST.

**FOR OFFICE USE ONLY**

Approved  Denied

Conditions of Approval: Subject to applicant's satisfaction of all applicable requirements of the City of Atlantic City's Code and NJAC 19:66 Land Use Regulations and compliance with all other Federal, State and Local laws. SUBJECT TO PLAN DATED 6/20/2019 BY THOMAS SIDRANE, ARCHITECT. (EXHIBIT B)

Application Number: 2018-11-2551 Fee Received: \$50.00 CK# 810  
Date Filed: 7/10/2019 Date Issued: 7/10/2019

Authorization: [Signature]  
Robert L. Reid, AICP, PP, Land Use Regulation Enforcement Officer

Distribution (City Departments):  
Construction Division  City Engineer  Code Enforcement  Fire Department   
Police Department  Mercantile Office  Tax Assessor  Health Department   
CDBG Program  Other

Emailed 7/10/2019

Casino Reinvestment Development Authority  
**APPROVED**  
Land Use Regulation and Enforcement Division  
Rev. 5/23/18

EXHIBIT "A"

NON-CONFORMING USE CERTIFICATION

Determination

(Pursuant to N.J.A.C. 19:66-12.1)

CASINO REINVESTMENT DEVELOPMENT AUTHORITY  
LAND USE REGULATION AND ENFORCEMENT DIVISION  
15 S. Pennsylvania Avenue, Atlantic City NJ 08401, phone 609-347-0500

Date of Application: 3/11/2019 Application No.: 2018-11-2551

Property Owner: SPW Properties LLC

Property Owner Address: 6157 Mill Road, EHT NJ 08234-9620

Phone no. 609-541-4956 Email: dgallagher@dangallagheraclaw.com

Email:

Applicant: Paul Weikel C/O Daniel J. Gallagher, Esq.

Applicant Address: 350 N. ANNAPOLIS AVE,  
26 S. New York Avenue, Atlantic City NJ 08401

Phone no. 609-541-4956 Email: dgallagher@dangallagheraclaw.com

Subject Property: 106 S. Ocean Avenue, Atlantic City NJ 08401

Block(s) 54 Lot(s) 60

Zoning District: RC

This is to certify that the above described premises together with any building thereon, are used or proposed to be used for: Rooming House with one apartment and five rooms for rent.

Which is a:

Valid non-conforming use as established by:

           finding of an determination made by agency having jurisdiction,             
(Resolution #           , dated           ), or

The non-conforming use, and/or structure on the premises legally existed on the land before the zoning change which rendered the use or structure nonconforming. This NON-CONFORMING USE CERTIFICATION is issued by the undersigned Land Use Regulation Enforcement Officer on the basis of research of the public record and / or evidence supplied by the Applicant as specified on attachment. Also specified on attachment is a detailed statement regarding the determination rendered along with any conditions.

           The Request for NON-CONFORMING USE CERTIFICATION is Denied by the undersigned Land Use Regulation Enforcement Officer based on a review of the public record and / or evidence supplied by the Applicant.

Casino Reinvestment  
Development Authority  
APPROVED  
Land Use Regulation and  
Enforcement Division

 5/7/19  
Robert L. Reid, AICP, PP, Land Use Regulation Enforcement Officer

**List of Documents Reviewed:**

Application Form for Non-Conforming Use Certification dated 3/7/2019;  
Mueller Atlas indicating attached dwelling, dated 1908;  
Sanborn Map Co. Insurance Atlas indicating attached dwelling, dated 1921;  
Sanborn Map Co. Insurance Atlas indication attached dwelling, dated 1952, revised 1964;  
Property Record card (Building Record card reverse) for 106 Ocean Avenue indicating rooming house with owner occupied apartment on first floor, and five (5) rooms for rent on above floors, dated 6/14/1961 and 1966 through 1982;  
Mercantile Tax card indicating Shenandoah Guest House with five (5) rooms, dated 6/26/1967 - 6/23/1978;

**Determination Statement:**

Single family dwelling constructed before 1908 prior first land use ordinance adopted in 1929.  
Ordinance 34 of 1929 created the Commercial zone which permitted rooming houses.

Ordinance 23 of 1977, adopted 6/23/1977 does not list rooming houses as a permitted use in any zone.  
Property Record card indicates rooming house use with one apartment and five rooms for rent from 1961 through 1982.

Ordinance 27 of 1979, adopted 5/31/1979 does not list rooming houses as a permitted use in RSC zone.  
N.J.A.C. 19:66 Land Use Regulations effective 1/2/2018 with zoning district RC and does not list rooming house as permitted use.

The Applicant's evidence and research of the public record documents, demonstrate that the use of the subject property as a rooming house with an apartment and five rooms for rent existing at the time Ordinance 23 of 1977 was adopted on 6/23/1977, which rendered such use nonconforming.

For all of the forgoing reasons, the Land Use Regulation Enforcement Officer approves the request for a Non-Conforming Use Certification for one apartment and five rooms for rent (and not the six (6) rooms requested) with the following conditions. The grant of approval of this application shall expressly conditioned upon all applicable requirements of the City of Atlantic City Code, NJAC 19:66 Land Use Regulations, and the requirements of any City agency, board or authority, obtaining all other necessary governmental approvals, and compliance with all Federal, State and local laws. More specifically, the Applicant is required to convert the existing rooming house with eight (8) rooms (including two with no windows) to one (1) apartment on the first floor and a maximum of five (5) rooms for rent on the second and third floors. This includes the reconfiguration for for each sleeping room to include a window that provides for emergency escape and rescue. This also includes the requirement to secure Certificate of Land Use Compliance (CLUC).

Absent submission of CLUC within thirty (30) days [which must include supporting documents demonstrating the conversion described above] or in the alternative, an application for a "use" variance for greater than five (5) rooms for rent, will be subject of an enforcement action.

You may appeal this determination by filing a Notice of Appeal with the Casino Reinvestment Development Authority's Land Use Regulation and Enforcement Division via certified and electronic mail within ten (10) days of the date of this letter in accordance with N.J.A.C. 19:66-17.1.

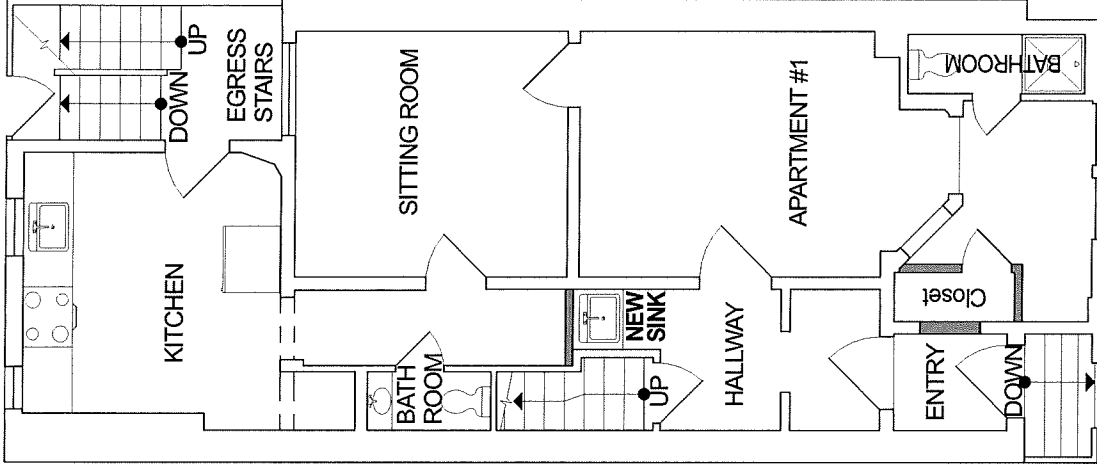
THOMAS SIDRANE  
Registered Architect  
NJ AI9983

**THE SIDRANE GROUP**  
ARCHITECTURE & PLANNING  
201 TILTON ROAD  
NORTHFIELD, NJ 08225  
609-383-0635  
F: 609-383-8324  
thomas@thesidrane.com

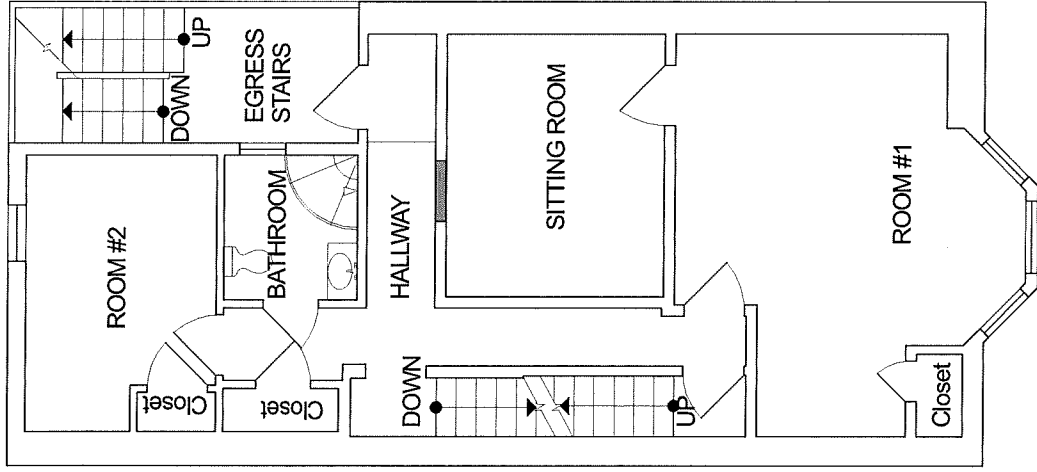
SPW PROPERTIES, LLC  
CRDA 2018-11-2551  
106 S. Ocean Avenue  
Atlantic City, NJ  
BLOCK 54 LOT 60

PROJ. NO.: 1558.001  
DRAWN BY: TAR  
DATE: 6-20-2019  
REVISION:  
6-20-2019

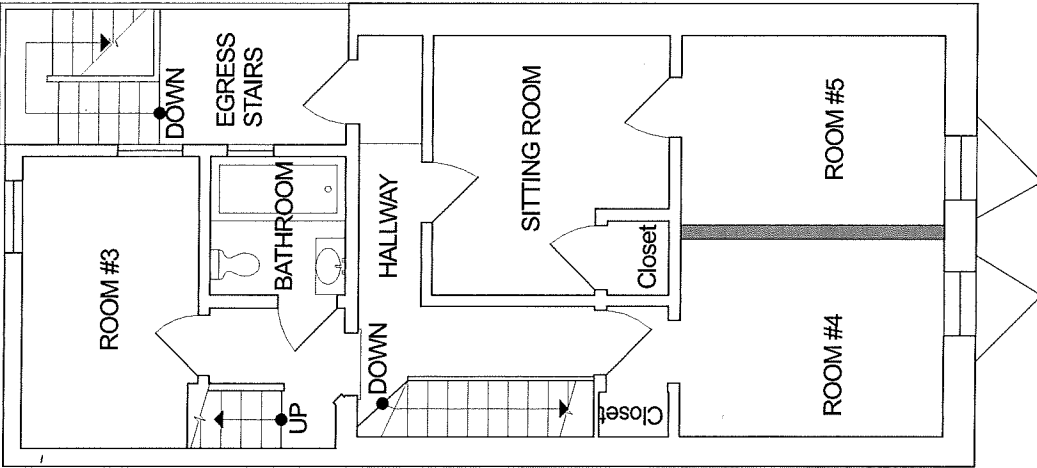
DRAWING NO.: **1**



PLAN 1/8" = 1'-0"  
1ST FLOOR - PROPOSED



PLAN 1/8" = 1'-0"  
2ND FLOOR - PROPOSED



PLAN 1/8" = 1'-0"  
3RD FLOOR - PROPOSED

**WALL LEGEND**

- ▬ New 2x4 wood studs @ 1'-4" o.c. w/ 1/2" thick GWB each side
- ▭ Existing To Remain

EXHIBIT "B"  
2018-11-2551