

# 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 Fees: \_\_\_\_\_

Application No. \_\_\_\_\_

Escrow Deposit \_\_\_\_\_

Scheduled for:

Review for Completeness \_\_\_\_\_ Hearing: \_\_\_\_\_

### 1. SUBJECT PROPERTY

Location: 1112, 1114, 1116, 1118, & 1124 Atlantic Ave & 2 and 4 S. Mansion

Tax Map Page \_\_\_\_\_ Block 139 Lot(s) 4, 5, 6, 7, 8, 9 & 10  
Page \_\_\_\_\_ Block \_\_\_\_\_ Lot(s) \_\_\_\_\_  
Page \_\_\_\_\_ Block \_\_\_\_\_ Lot(s) \_\_\_\_\_

Dimensions Frontage See Zoning Chart Depth See Zoning Chart Total Area 12,900 sq ft

Zoning District CBD

### 2. APPLICANT

Name 1124 Atlantic, LLC

Email rickyh1628@yahoo.com

Address 88 Larkspur Circle, Sicklerville, NJ 08081

Telephone Number 609-636-5656

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 Ricky Hoang

Email rickyh1628@yahoo.com

Address 88 Larkspur Circle, Sicklerville, NJ 08081

Telephone Number 609-636-5656

#### 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	Ricky Hoang	Address	88 Larkspur Circle, Sicklerville, NJ 08081	Interest	100%
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: Restaurant and vacant land.

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. See attached.

**6. Applicant's Attorney** Brian Callaghan

Email bjclaw@comcast.net

Address 101 N. Washington Ave, Suite 14, Margate NJ, 08402

Telephone Number 609-348-5300

FAX Number \_\_\_\_\_

**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 Ave, Atlantic City, NJ 08401

Telephone Number 609-348-2236

FAX Number \_\_\_\_\_

**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 Architecture

Email craig@cfidarchitect.com

Address 33 N. Brighton Ave, Atlantic City, NJ 08401

Telephone Number 609-348-2236

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

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.

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] \_\_\_\_\_

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? N/A

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.

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
_____	Architectural plans prepared by Craig Dothe
_____	_____
_____	_____

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 All reports requested

Attorney Brian J. Callaghan

Engineer Craig Dothe

**CERTIFICATIONS**

27. I Brian S. 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  
4th day of August, 2023

[Signature]  
NOTARY PUBLIC

B. S. 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  
4th day of August, 2023

[Signature]  
NOTARY PUBLIC

B. S. 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.

Date 8/4/2023

B. S. Callaghan  
SIGNATURE OF APPLICANT

### **ESCROW SETUP INFORMATION**

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

Applicant's Name: 1124 Atlantic, LLC

Applicant's Address: 88 Larkspur Circle, Sicklerville, NJ 08081

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

Applicant's Phone No.: 609-636-5656

Applicant's Email Address: rickyh1628@yahoo.com

Applicant's Date of Birth: \_\_\_\_\_

Tax Identification or Social Security Number: \_\_\_\_\_

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



## Narrative

The applicant, 1124 Atlantic, LLC, is seeking minor site plan approval together with variances to expand his restaurant (kitchen area), add outdoor seating and add parking, fencing, landscaping and lighting to the property. The applicant purchased the property from the City of Atlantic City and had a redevelopment plan, which is attached here.

The applicant will require preliminary and final minor site plan approval, together with variance relief, for the front building setback and the impervious coverage. The applicant believes that the new project will satisfy both the positive and the negative criteria. With respect to the positive criteria, it will be an aesthetic enhancement, it will promote the free flow of traffic, and it will meet the general welfare requirements of the city. With respect to the negative criteria, it will meet both prongs set forth as follows. There will be no substantial detriment to the public good or the character of the neighborhood, and there will be no substantial impairment of the zone plan and zoning ordinances.

Brian J. Callaghan, LLC

Brian J. Callaghan

Brian J. Callaghan

July 28, 2023