

APPLICATION FOR ACTION BY PLANNING BOARD
MARGATE, NEW JERSEY

PLEASE
TYPE OR
PRINT

1. **Date of Application:** February 17, 2021

2. Zoning District:

S-60	Single Family Residential	<input type="checkbox"/>	MF	Multi-Family Residential	<input type="checkbox"/>
S-60-WF	Single-Family Residential	<input type="checkbox"/>	CBD	Central Business District	<input type="checkbox"/>
S-50	Single Family Residential	<input type="checkbox"/>	C-1	Commercial	<input type="checkbox"/>
S-40	Single Family Residential	<input checked="" type="checkbox"/>	C-2	Commercial/Business	<input type="checkbox"/>
S-40-WF	Single-Family Residential	<input type="checkbox"/>	WSD	Waterfront Special District	<input type="checkbox"/>
S-30	Single Family Residential	<input type="checkbox"/>	R	Riparian	<input type="checkbox"/>
S-25	Single Family Residential	<input type="checkbox"/>	WAPC	Washington Avenue Pedestrian Corridor	<input type="checkbox"/>
S-25 (HD)	Historic Single Family Residential	<input type="checkbox"/>	WSPA	Government and Open Space	<input type="checkbox"/>
TF	Two-Family Residential	<input type="checkbox"/>	I	Institutional Use	<input type="checkbox"/>
B	Beach	<input type="checkbox"/>			

3. Subject Parcel:

Street Address(es) 408 N. Exeter Avenue
 Block Number 607.02 Lot No(s) 33.05
 Total Area (in square feet) 7112
 Frontage: 120ft
 Depth: varies

4. Information about the Applicant:

Full name(s) Samara & Daniyel Dicker
 If Business Entity, Names of Officers or Principals (Submit disclosure statement if appropriate)

 Local Residence Address 408 N. Exeter Avenue Margate NJ Zip 08402
 Other Residence Address _____ Zip _____
 Business Address _____ Zip _____
 Phone Number(s) (include area code);
 Email Address trocki.videll.law@gmail.com
 Business 609-568-6488 Fax 609-568-6487 Cell Phone 609-992-9947

5. Interest in Subject Property:

(Supply copies of relevant documents with this Application):

- By lease dated _____
- By Agreement of Sale dated _____
- By Ownership of property since 09/07/2018

____ By other interest in law (describe):

6. If you do not own the Subject Property, provide the following regarding the Owner:

Name(s) _____
 Address _____
 Phone No. (include area code);
 Res. _____
 Bus. _____
 Fax _____
 Cell _____

7. Type of Application Applied For (check all applicable):

- | | | |
|---|---|--|
| <input checked="" type="checkbox"/> C Variance(s) | <input type="checkbox"/> Minor Subdivision | <input type="checkbox"/> Interpretation (B Variance) |
| <input type="checkbox"/> D Variance(s) | <input type="checkbox"/> Major Subdivision | <input type="checkbox"/> Other (Explain) |
| <input type="checkbox"/> Minor Site Plan Action | <input type="checkbox"/> Conditional Use Permit | _____ |
| <input type="checkbox"/> Major Site Plan Action | <input type="checkbox"/> Appeal (A) | _____ |

8. Application Made To: X Planning Board Other

9. Professionals Representing the Applicant: (Check applicable professional and provide information)

____ Attorney: Name _____ Phone _____
 Address _____
 Fax _____ Cell _____ Email _____

____ Architect: Name _____ Phone _____
 Address _____
 Fax _____ Cell _____ Email _____

____ Engineer: Name Arthur W. Ponzio, jr Phone 609-344-8194
 Address 400 N. DOVER AVE., ATLANTIC CITY, NJ 08401
 Fax 609-344-1594 Cell _____ Email _____

____ Preparer of Subdivision or Site Plan (if different from above)
 Name _____ Phone _____
 Address _____
 Fax _____ Cell _____

(Be sure to include all area codes and zip codes in the above)

10. If Site Plan Action is Required:

-What is the present use of the site and building(s)?

-How will this be changed?

11. If Subdivision Action is Required:

-After conferring with the City Tax Assessor, provide lot numbers of new lot(s), dimensions, and area of each: (use extra pages, if necessary)

Lot No(s)	Dimension(s)	Area(s)
_____	_____ x _____	_____ S.F.
_____	_____ x _____	_____ S.F.
_____	_____ x _____	_____ S.F.

-Purpose of the Subdivision

To sell lot(s)

To build and sell homes (or other buildings)

Other (please explain): _____

12. If Variances are Required:

(Note: Properly scaled site plan must show all dimensions relevant to variance analysis)

-Current use of lot(s) and building(s): single family home with pool on side yard, side yard is part of application

-Proposed use: doesn't change

-If a "D" or "Use" Variance is required, please explain: _____

-Regarding any dimensional variances required, please fill out the following chart:

Variance	Requirement of District	Present Condition	Proposed Condition
NJSA 40:55D70(c)	No fence in front yard	Placed in accordance with prior approval	remain as is 8 feet from property line
Sec. 175-26E(5)		from board at 8ft from the property line	
NJSA 40:55D70(c)	no more than 2 accessory structures	n/a	one oversized structure
Sec. 175-33	each measuring 80 sq. ft		instead of 2 structures

13. Prior Action: Please detail any prior hearing and/or decision relevant to this application. Supply date, name of Board, and results. (IF YOU ARE NOT SURE PLEASE CHECK WITH EITHER BOARD ADMINISTRATOR.) If no prior action, write "none".

Planning Board Approval received for fence placement and detached garage with drive way and curb cut on September 26, 2019.

14. County and Other Agency Actions (Provide necessary dates and decisions):

Site Plan:

Subdivision:

Other:

15. **Space for Narrative:** In this space you must provide a general narrative description of what is being proposed, as well as any information not otherwise set forth above which may be relevant to the application, including justifications, clarifications and extenuating circumstances. FAILURE TO PROPERLY COMPLETE THIS SPACE WILL CONSTITUTE AN INCOMPLETE APPLICATION.

Under NJSA 40:55D70(c)(1) a hardship variance is to be granted when an applicant cannot satisfy the setback requirements or other requirements under the municipal code based on the fact that the lot is an irregular shape. This applies as the lot in this application was once a 60x67 and now according to survey is a 60 x approximately 32 ft. at its lowest point. With the massive shrinking of the lot space, the front yard setback requirement is a major detriment in order to maximize what space is left. Since over 20ft have been lost on the back end of this lot, and the taxable lot size has remained the same, this application to keep the fence line where it was previously approved for is founded.

As for the oversized single accessory structure, this is simply for the purpose of placement that minimizes the need for additional space on a small lot. The code permits two accessory structures, if this would not make coherent sense, as this lot is oddly shaped.

Further this board has previously approved a detached garage on this space with a curb cut, however, as a means to appease all neighboring properties one oversized accessory structure on the premises without the driveway and curb cut is a simpler approach.

Again the purpose for these variances is to create as maximized an outdoor space as possible for our three young children, as we are lifelong residents of Margate.

16. **Signature of Applicant(s):**

[Signature] Date 2/17/21

[Signature] Date 2/17/21

17. **This space for Board Administrator:**

-Staff Committee action took place
2/10/21 and case assigned to
the Planning Board for 3/25/21 or

-This application received by the
Planning Board Administrator on
MARCH 3, 2021

By: [Signature]

18. **Notarized Statement by Applicant:**

State of New Jersey } ss.
County of Atlantic }
[Signature], being duly
sworn according to law, deposes and says, that
the statements contained in the above application
and the statements contained in the papers
submitted herewith are true.

Sworn to and subscribed before me this 17th
day of February 2021

[Signature]

Lorraine Maul
NOTARY PUBLIC
STATE OF NEW JERSEY
ID # 50105287
MY COMMISSION EXPIRES May 20, 2024



**City of Margate City
Staff Committee Action - Planning Board**

Block	Lot	Applicant Name
607.02	33.05	Samara Dicker
District		Address of Subject Application
		408 North Exeter Avenue

Dear (Name of Submitting Party) Samara Dicker

Your submittal was considered at the Staff Committee meeting of Wednesday, February 10, 2021

The action(s) required prior to building permit are:

Staff committee reviewed this application and it may pertain to a recent court action and this is the resolution to be confirmed by the applicant. Other variances may exist which have not been identified. Other variances granted may still be valid.

The matter will be placed on the agenda of the Planning Board at 6:30PM on Thursday, March 25, 2021

Applications will be accepted on a first-come first-served basis. If the agenda becomes over-crowded, you will be rescheduled the following month. If you decide, for whatever reason, not to appear on this date, you must notify the Board Administrator as early as possible. The following month's agenda cannot be guaranteed.

The following conditions and special considerations must be addressed as part of your application to the Board:

A revised variance plan has been submitted and will be the basis of the revised application.

APPLICATION FEES:

D Variance:	\$0.00	Court Reporter:	\$0.00
C Variance:	\$250.00	Other:	\$0.00
Site Plan:	\$0.00		\$0.00
Subdivision:	\$0.00		\$0.00
Conditional Use Permit:	\$0.00		\$0.00

Applicant shall combine all application fees into one separate check made out to the City of Margate. Escrow fees shall be a separate check made out to the City of Margate. NOTE: If an Escrow deposit is requested, a W9 form must be submitted with the Escrow check. Any Escrow funds will be refunded to the name and address indicated on the W9 form.

Please note that in proceeding further with the formal Board Application, you are responsible for satisfying all of the checklist particulars in the appropriate section(s) of the Administrative Regulations. The instructions and checklist for your particular application can be found on the following pages of this booklet: 1-19

You must also comply with the more detailed requirements of the Margate City Land Development Ordinance.

In order for you to be able to appear on the Board Agenda as per the above date, all application material must be submitted by 11:00am, Wednesday, March 03, 2021

Palma Accardi
Planning Board Administrator
Wednesday, February 10, 2021

City of Margate City
Staff Committee Review Application
Please Type or Print Neatly • \$25 Submittal Fee

Office Use Only:	Date Submitted: <u>1/25/2021</u>	Received By: <u>Palma</u>
	Paid: <u>\$25⁰⁰</u> Check/Receipt #: <u>127</u>	Board Administrator or Zoning Officer

Staff Committee meetings are held as needed. Contents must comply in all particulars with the Administrative Regulations for Processing Planning Board Applications, sections on Staff Committee Review. The Board Administrator and other City Hall staff will answer reasonable questions regarding this procedure. They cannot, however, fill out these forms for you.

1. Date of Application: 01/22/2021
2. Submitted by – Name: Samara Dicker Phone No.: 609-992-9947
Address: 408 N. Exeter Avenue
Email Address: trocki.videll.law@gmail.com
3. If the party submitting this form is other than the potential Applicant for Board action (attorney, architect, builder, engineer, etc.), then who would the APPLICANT be?
Name: _____ Phone No.: _____
Address: _____
Email Address: _____
4. The applicant would be (Check one):
 Owner Buyer under Agreement of Sale
 Tenant Other: _____
5. If the applicant for Board action would be Tenant or Buyer, who is the present OWNER?
Name: _____ Phone No.: _____
Address: _____

6. Proposed Action is Located as Follows: Street Address: <u>408 N. Exeter Avenue</u> Block: <u>607.02</u> Lot(s): <u>33.05</u> Zoning District: <u>S-40</u>

7. Describe site (and buildings, if any) as existing now: (THIS SECTION MUST BE COMPLETED)
Single Family Home with Fenced in Pool on Side Lot.

The proposed action is on the side lot where the Pool is located.

	<u>Existing Condition</u>	<u>Proposed Condition</u>
8. Answer the following as to:		
a. Size and Dimension of Lot:	120 x varying depths	unchanged
b. Size, Dimensions of Buildings:	none	220sf (accessory)
c. Height of Buildings (Feet):	none	12ft
d. Height of Buildings (Stories):	none	1
e. % of Coverage on Land:	21%	21%
f. Front Yard Setback:	12ft (8 ft from property line)	12ft
g. Rear Yard Setback:	15ft	15ft
h. Side Yard Setbacks:	5.5ft	5.5ft existing

9. According to the Administrative Regulations, a scaled drawing must accompany this Application. If available, a survey would be appreciated. In addition, use this space to provide a detailed narrative description of the proposed action. Attach additional paper, if necessary:

(THIS SECTION MUST BE COMPLETED)

Please see attached survey and detailed narrative description of proposed action.

10. Although the Staff Committee will determine the correct legal steps, what are the actions requested. (check more than one, if applicable):

- | | |
|---|---|
| <input type="checkbox"/> Subdivision | <input type="checkbox"/> Site Plan |
| <input checked="" type="checkbox"/> C-Variance(s) | <input type="checkbox"/> Conditional Use Permit |
| <input type="checkbox"/> D-(Use) Variance | <input type="checkbox"/> Other: _____ |

11. Which variances are needed, if any? C variances for 1 oversized accessory structure in lieu of 2 8x10 structures
C variances if need to re-argue fence placement that was previously granted by the board 8 ft from property line

12. IF THERE HAS BEEN ANY PREVIOUS STAFF COMMITTEE OR FORMAL BOARD APPLICATION AND/OR ACTION ON THIS PROPOSAL PROPERTY, PLEASE ATTACH RELEVANT DOCUMENTS, AND PROVIDE INFORMATION HERE: Previous Board Approval for Detached garage and curb cut along with placement of the fence in the front yard granted on September 26, 2019.

Signature of Submitting Party: 

Print or Type Name: SAMARA TREVINUEL DICKER

NARRATIVE STAFF COMMITTEE

Under NJSA 40:55D70(c)(1) a hardship variance is to be granted when an applicant cannot satisfy the setback requirements or other requirements under the municipal code based on the fact that the lot is an irregular shape. This applies as the lot in this application was once a 60x67 and now according to survey is a 60 x approximately 32 ft. at its lowest point. With the massive shrinking of the lot space, the front yard setback requirement is a major detriment in order to maximize what space is left. Since over 20ft have been lost on the back end of this lot, and the taxable lot size has remained the same, this application to keep the fence line where it was previously approved for is founded.

As for the oversized single accessory structure, this is simply for the purpose of placement that minimizes the need for additional space on a small lot. The code permits two accessory structures, if this would not make coherent sense, as this lot is oddly shaped.

Further this board has previously approved a detached garage on this space with a curb cut, however, as a means to appease all neighboring properties one oversized accessory structure on the premises without the driveway and curb cut is a simpler approach.

This lot is to be used as the side yard for a single family home with three young children, we only want to maximize their opportunities to enjoy the property to its fullest extent.

MANOS LAW FIRM, LLC

Elias T. Manos, Esq. – NJ Attorney ID #026092004

2020 New Road, Suite 2A

Linwood, New Jersey 08221

Phone: (609) 335-1873

Facsimile: (609) 257-6075

Email: leo@manoslawfirm.com

Solicitor for the City of Margate Planning Board

APPLICATION OF SAMARA TROCKI-
VIDELL DICKER AND DANIEL
DICKER FOR C VARIANCE RELIEF AND
A WAIVER FOR BLOCK 607.02, LOT
33.05

*CITY OF MARGATE
PLANNING BOARD*

31-2019

DECISION AND RESOLUTION

THIS MATTER, having been heard by the Planning Board of the City of Margate (sometimes referred to hereafter as the “Board”) on September 26, 2019 at a regularly scheduled meeting at Margate Historic City Hall, 1 S. Washington Avenue, Margate, NJ, and a quorum being present; and,

WHEREAS, the Applicants, Samara Trocki-Videll Dicker and Daniyel Dicker (“Applicants”), are seeking variance relief pursuant to N.J.S.A. 40:55D-70c in order to erect a fence and construct a detached garage on property identified as Block 607.02 Lot 33.05 on the Margate City Tax Map, which property is located at 408 N. Exeter Avenue, Margate, NJ 08402; and,

WHEREAS, the Applicants were represented at the hearing by Christopher M. Baylinson, Esquire; and,

WHEREAS, the City of Margate Planning Board has reviewed the Application submitted by the Applicants together with all attachments and all exhibits provided at the hearing; and,

WHEREAS, the Board heard the testimony of the Board Planner, Roger McLarnon, PP, and reviewed and received his report dated August 28, 2019 and revised September 23, 2019; and,

WHEREAS, the Board has also heard the testimony of Applicant Daniyel Dicker and the Applicants' professional engineer and planner, Jon J. Barnhart, PE, PP; and,

WHEREAS, during the public portion of the hearing, Ellen Lichtenstein and Gregg Lichtenstein (411 N. Exeter Avenue) spoke; and,

WHEREAS, the City of Margate Planning Board, based upon the Application submitted, the report and testimony of the Board Planner, and the testimony presented by and on behalf of Applicants, and from the public, as well as all plans and exhibits from the Applicants, makes the following findings of fact and conclusions of law:

1. The Applicants are, as noted, Samara Trocki-Videll Dicker and Daniyel Dicker and the subject property is located at 408 N. Exeter Avenue, Margate, NJ 08402.
2. The Applicants have submitted a properly filed Application, and all required documents, and have paid all required fees and have complied with the advertising and notice requirements of the Municipal Land Use Law.
3. The subject property is known as Block 607.02, Lot 33.05.
4. The property is serviced by public water and public sewer.
5. The property is located in the S-40 Single Family Residential zoning district. The property previously consisted of 2 separate lots which have since been consolidated to form one oversized lot of 7,112 square feet in area. There is an existing single family dwelling on the property with a garage underneath and a 22 foot wide driveway curb cut. Applicant Daniyel Dicker testified that the existing garage underneath the dwelling is not practical for parking a vehicle, is not utilized for a vehicle and has essentially been de-converted from use as a garage. A fully compliant swimming pool is also under construction on the property. A temporary fence exists in the front yard along Exeter Avenue in the area of the swimming pool. A permanent open

fence exists along the rear of the property. The property has a unique characteristic in that wetlands (i.e. Mini Creek) is located to the rear of the property and the Applicants' rear property line is located in those wetlands, which restricts buildable area.

The Applicants are proposing to construct a detached garage and an additional 10 foot wide drive way curb cut on the property. The garage is proposed to be setback at virtually the further location possible without extending into the prohibited wetlands area. A full parking space is still provided for in front of the proposed garage. The Applicants are also proposing to remove the temporary fence in the front yard and, as initially proposed, construct a new solid vinyl one in front of the pool five feet from the front property line in the limited area where the pool is located. As further detailed below, the Applicants agreed to instead erect the fence 8 feet from the front property line and to make it an open one as exists at the rear of the pool at 5 feet in height. The proposed garage and fence require variance relief pursuant to N.J.S.A. 40:55D-70c, as set forth below. The Applicants are also requesting a waiver from the submission of an Application checklist, as is also set forth below.

6. The within Application requires and is for:

a) Variance relief pursuant N.J.S.A. 40:55D-70c for the following:

<u>C Variances</u>	<u>Min. Required/ Max. Permitted</u>	<u>Proposed</u>
Distance from rear property line to face of garage	26 ft.	39 ft.
Detached garage	Not permitted with garage underneath	Yes
Fence location	Not permitted in front yard setback	Yes @ 8 ft. setback (initially @ 5 ft.)
Driveway curb cut width	20 ft.	32 ft.

- b) A waiver from the submission of an Application checklist.

Based upon the testimony and evidence presented, the City of Margate Planning Board makes the following additional findings of fact and conclusions of law, and decision:

- a) The Board finds that pursuant to N.J.S.A. 40:55D-70c(2), the Municipal Land Use Act would be advanced by a deviation or departure from the Margate zoning ordinance requirements for the requested variances noted in paragraph 6 and that the benefits of the requested variances substantially outweigh any detriment. Further, the Board finds that pursuant to N.J.S.A. 40:55D-70c(1), the shape of the subject property and the physical features uniquely affecting the subject property would result in peculiar and exceptional practical difficulties, and exceptional and undue hardship upon the Applicants, justifying the grant of the requested variance pertaining to the required distance from the rear property line to the face of the garage. Moreover, the Board finds that the requested variance relief set forth in paragraph 6 will not cause a substantial detriment to the public good and will not substantially impair the intent and the purpose of the zone plan or zoning ordinance of the City of Margate.

Specifically, pursuant to N.J.S.A. 40:55D-70c(2), the Board finds that the Applicants' proposal advances several purposes of zoning set forth in N.J.S.A. 40:55D-2, and specifically sections:

- c. Adequate light, air and open space - The Board finds that with the exception of the fence and garage location, the Applicants' proposal meets all other bulk requirements of the zoning ordinance of the City of Margate. The Board further finds that instead of a swimming pool, the Applicants' could have maintained two separate lots and constructed an additional single family dwelling. The Board finds that the proposal by the Applicants is a better design alternative

for the property which provides significant open space and will advance that purpose of zoning.

i. Aesthetic Enhancement – the Board finds that the project promotes a desirable visual environment through creative development techniques and good civic design and arrangement as the detached garage and swimming pool with a fence will compliment and upgrade the existing dwelling. The Board finds that the Applicants' proposal will provide a significant aesthetic upgrade to the neighborhood.

Moreover, by advancing the purposes of zoning detailed above, the Board finds that the Applicants' proposal will in turn promote the general welfare as set forth in N.J.S.A. 40:55D-2a. Further, pursuant to N.J.S.A. 40:55D-70c(1), with respect to the distance from the rear property line to the face of the garage, the Board finds that the Applicants have set the detached garage back as far as possible towards the rear property line without interfering with the wetlands area and still maintain a compliant parking spot in front of the garage. The Board finds that the rear property line being in the wetlands area presents a classic hardship justifying relief from that condition.

In terms of the negative criteria (that granting the variances will not cause substantial detriment to the public good or substantially impair the intent and purpose of the zone plan or zoning ordinance), the Board finds that the consolidation of the property into one lot, combined with the wetlands buffer to the rear, provides justification for the variance to allow the fence to be erected within the front yard setback area. The Board finds that had the Applicants not consolidated the property and instead proposed a second dwelling, that dwelling would likely require front yard setback relief under a hardship basis as a result of the wetlands to the rear of the property. The Board finds that under those circumstances, a fence within the front yard setback is

a much better alternative for the property. The Board additionally finds that at an 8 foot front yard setback, there is more than sufficient green space between the sidewalk and the fence and further notes that the fence is limited to the area of the property in front of the swimming pool. The Board also finds that 2 curb cuts totaling 32 feet is warranted and will have no negative impact and notes that 40 feet of total driveway curb cut width could have been provided had the property not been consolidated. The Board moreover finds that allowing the detached garage where a garage exists underneath the dwelling to essentially no longer require variance relief as the Applicants have agreed to confirm as a condition of approval that the garage underneath the dwelling has been de-converted and will be restricted as storage. The Board further notes that a full parking space will be provided for in front of the detached garage and by doing so the Applicants have met the main intent of the ordinance requiring a certain distance from the rear property line to the face of the garage. The Board finds that the overall benefits of granting the variances detailed above substantially outweigh any detriments, if any.

For these reasons, the Board finds that the variance relief is warranted and should be granted. In reaching its decision, the Board notes that it has considered the Applicants' entire proposal for the property rather than only the benefits derived solely from each requested deviation and finds the Applicants' proposal to be a better design alternative for the property than what may otherwise be allowed.

b) The Board finds the waiver request set forth in paragraph 6 above to be reasonable and appropriate as the Applicants have provided more than sufficient information with their Application and that an Application checklist is not necessary for the Board to make an informed decision on the Application. The Board finds that the waiver should thus be granted.

NOW, THEREFORE, a Motion having been made and seconded, the City of Margate Planning Board hereby grants approval for variance relief pursuant to N.J.S.A. 40:55D-70c, and a waiver, as set forth in Paragraph 6 above, with conditions agreed to by the Applicants as follows:

- 1) The Applicants shall provide for four street trees across the front of the property.
- 2) The garage underneath the dwelling shall be de-converted and restricted to storage space only, to the extent that has not already been done by the Applicants.
- 3) The detached garage shall not be connected to the public sewer line.
- 4) Concrete on the south side of the property shall be removed in order to comply with the landscaping requirements of the zoning ordinance of the City of Margate, as is detailed on the plans presented.
- 5) The fence in the front yard shall be setback 8 feet from the front property line. The fence shall be an open fence in the same style as the existing fence behind the swimming pool and shall be 5 feet in height.
- 6) The Applicants shall comply with all conditions in the Board Planner's report noted above, unless modified herein or on the record during the hearing.
- 7) All representations made by or on behalf of the Applicants during the course of the hearing shall be followed.

In granting the Application, the Board also notes that it initially voted with the fence being set back 5 feet from the property line, which was denied by a vote of 5 against and 1 in favor. The Board additionally notes that prior to that vote there was discussion as to whether to undertake a separate vote on the fence variance and the other variances requested, and an agreement by the Applicants' counsel to do so. The Board finds that when it proceeded with one vote with a 5 foot fence setback, it was mistaken as to the effect a negative vote would have on the other variances

requested pertaining to the curb cuts and the garage (i.e. that the whole Application and all variance relief requested would be denied). The Board finds that as a result, it was appropriate to exercise its discretion to reconsider the Application and revote with the Applicants agreeing to provide for an 8 foot front yard setback for the fence and to provide an open fence 5 feet in height.

Those in Favor: (5) Five - Wasleski, Patterson, Cristaldi, DiGirolamo and Gruppo.

Those Opposed: (1) One - Jasiecki

CITY OF MARGATE PLANNING BOARD

By:


Richard Patterson, Chairman

By:


Palma Accardi, Board Secretary

Certified as a true copy of the resolution
Adopted by the City of Margate Planning
Board on this 24th
day of OCTOBER, 2019.


Palma Accardi, Board Secretary



Office of the Tax Assessor

Municipal Building
9001 Winchester Avenue
Margate City, NJ 08402
609-822-1950
609-487-1142 Fax

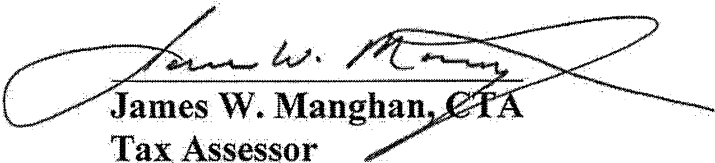
James W. Manghan, CTA

**Samara Trocki-Videll
Trocki-Videll Law Firm, LLC
539 Tilton Toad
Northfield, NJ 08225**

Block 607.02 Lot 33.05

Location: 408 N Exeter Ave.

Date: January 25, 2021


**James W. Manghan, CTA
Tax Assessor**

Tax list good for 60 days per Margate City Code Book (170-5)

PROPERTY ID	PROPERTY LOCATION	CLASS	OWNERS NAME & ADDRESS	
507.02 1.02	333 N GLADSTONE AVE 1.01	2	PERSKIE, JACOB SCHERNERHORN 333 N GLADSTONE AVE MARGATE, NJ	08402
507.02 2	331 N GLADSTONE AVE	2	MCGOLDRICK, FREDRA 331 N GLADSTONE AVE MARGATE, N J	08402
507.02 3	329 N GLADSTONE AVE	2	BENDER, ABBY S. 329 N GLADSTONE AVE MARGATE, NJ	08402
507.02 4	327 N GLADSTONE AVE	2	SPITZER, KENNETH C & ANNE 327 N GLADSTONE AVE MARGATE, NJ	08402
507.02 5	325 N GLADSTONE AVE	2	PACKARD, KEVIN 325 NO GLADSTONE AVE MARGATE, NJ	08402
507.02 6	323 N GLADSTONE AVE	2	BERMAN, ESTHER & BROWN, GLENN 323 N GLADSTONE AVE MARGATE, NJ	08402
605.02 5	419 N EXETER AVE	2	OLIVO, JAMES 419 N EXETER AVE MARGATE, NJ	08402
605.02 6	417 N EXETER AVE	2	GREENBERG, THEODORE & ROSENTHAL, TOBY 417 N EXETER AVE MARGATE, NJ	08402
605.02 7	415 N EXETER AVE	2	EDCALIFE LP 22 FOUNTAIN COURT CHERRY HILL, NJ	08034
605.02 8	413 N EXETER AVE	2	BLOCH, IAN 413 N EXETER AVE MARGATE, NJ	08402
605.02 9	411 N EXETER AVE	2	LICHTENSTEIN, GREGG A & ELLEN L 411 N EXETER AVE MARGATE, NJ	08402
605.02 10	409 N EXETER AVE	2	ORDILLE, MICHAEL & NANCY 409 N EXETER AVE MARGATE, N J	08402
605.02 11	407 N EXETER AVE	2	HORN, SUSAN 407 N EXETER AVE MARGATE, NJ	08402
605.02 12	405 N EXETER AVE	2	SUTOR, ANDREW P & VIRGINIA 405 N EXETER AVE MARGATE, NJ	08402

PROPERTY ID	PROPERTY LOCATION	CLASS	OWNERS NAME & ADDRESS	
605.02 13.01	403 N EXETER AVE	2	MURPHY, LEA 403 N EXETER AVE MARGATE, NJ	08402
605.02 14.01	401 N EXETER AVE	2	DE YOUNG, NORMAN & DENA 401 N. EXETER AVE. MARGATE, N. J.	08402
605.02 14.02	402 N ESSEX AVE	2	CARTER TRUST, DAVID W %C R CARTER 402 N ESSEX AVE MARGATE, NJ	08402
605.02 15	404 N ESSEX AVE	2	BLANCO, MARK & LORA 404 N ESSEX AVE MARGATE, NJ	08402
605.02 16	406 N ESSEX AVE	2	HALL, LYDIA & LINS, WILLIAM D 9 N HANOVER AVE MARGATE, NJ	08402
605.02 17	408 N ESSEX AVE	2	FINE, IRWIN & GLORIA 1646 PENNYPACK ROAD HUNTINGDON VALLEY, PA	19006
605.02 18	410 N ESSEX AVE	2	STEARNS, FRANK M & LUCILLE 141 CAROL LANE RICHBORO, PA	18954
605.02 19	412 N ESSEX AVE	2	SHAFMAN, MICHAEL 412 N ESSEX AVE MARGATE, N J	08402
605.02 20	414 N ESSEX AVE	2	MC KEANEY, M. & GERBER, M.E. 414 N ESSEX AVE MARGATE, N J	08402
607.01 4	418 N EXETER AVE 3	2	OZLEK, RONALD S. & MONA TROCKI 418 N EXETER AVE MARGATE, NJ	08402
607.02 5	FREMONT AVE	15C	CITY OF MARGATE 9001 WINCHESTER AVE MARGATE, NJ	08402
607.02 6	FREMONT AVE	15C	CITY OF MARGATE 9001 WINCHESTER AVE MARGATE, NJ	08402
607.02 7	FREMONT AVE	15C	CITY OF MARGATE 9001 WINCHESTER AVE MARGATE, NJ	08402
607.02 8	FREMONT AVE	15C	CITY OF MARGATE 9001 WINCHESTER AVE MARGATE, NJ	08402

PROPERTY ID	PROPERTY LOCATION	CLASS	OWNERS NAME & ADDRESS	
607.02 17	N FRONTENAC AVE	15C	CITY OF MARGATE 9001 WINCHESTER AVE MARGATE, NJ	08402
607.02 18	N FRONTENAC AVE	15C	CITY OF MARGATE 9001 WINCHESTER AVE MARGATE, NJ	08402
607.02 19	N FRONTENAC AVE	15C	CITY OF MARGATE 9001 WINCHESTER AVE MARGATE, NJ	08402
607.02 20	N FRONTENAC AVE	15C	CITY OF MARGATE 9100 WINCHESTER AVE MARGATE, NJ	08402
607.02 21	N FRONTENAC AVE	15C	CITY OF MARGATE 9100 WINCHESTER AVE MARGATE, NJ	08402
607.02 22	N FRONTENAC AVE	15C	CITY OF MARGATE 9001 WINCHESTER AVE MARGATE, NJ	08402
607.02 23	N FRONTENAC AVE	15C	CITY OF MARGATE 9001 WINCHESTER AVE MARGATE, NJ	08402
607.02 24	N FRONTENAC AVE	15C	CITY OF MARGATE 9100 WINCHESTER AVE MARGATE, NJ	08402
607.02 29	FULTON AVE	15C	CITY OF MARGATE 9001 WINCHESTER AVE MARGATE, NJ	08402
607.02 30	FULTON AVE	15C	CITY OF MARGATE 9100 WINCHESTER AVE MARGATE, NJ	08402
607.02 31	FULTON AVE	15C	CITY OF MARGATE 9100 WINCHESTER AVE MARGATE, NJ	08402
607.02 32	FULTON AVE	15C	CITY OF MARGATE 9001 WINCHESTER AVE MARGATE, NJ	08402
607.02 33.01	400 N EXETER AVE	2	KIEJDAN, MICHAEL 400 N EXETER AVE MARGATE, N J	08402
607.02 33.02	402 N EXETER AVE	2	RICHMOND, MICHAEL & KIMBERLY 402 N EXETER AVE MARGATE, NJ	08402

PROPERTY ID	PROPERTY LOCATION	CLASS	OWNERS NAME & ADDRESS
607.02 33.03	404 N EXETER AVE	2	HARTZ, LINDA M 1100A HIGHLAND BEACH DR HIGHLAND BEACH, FL 33487
607.02 33.04	406 N EXETER AVE	2	ERICKSON, THOMAS & SMIGELL, ELINORE 406 N EXETER AVE MARGATE, NJ 08402
607.02 33.05	408 N EXETER AVE 33.06	2	DICKER, D S & S T-V 408 N EXETER AVE MARGATE, NJ 08402
607.02 33.07	412 N EXETER AVE	2	LENDACKI, THOMAS M & MAGLIETTA, R 412 N EXETER AVE MARGATE, N J 08402
607.02 33.08	414 N EXETER AVE	2	DOTSIS, LUBA SCHOFFER 414 N EXETER AVE MARGATE, NJ 08402
707.01 5	FULTON AVE	15C	CITY OF MARGATE 9001 WINCHESTER AVE MARGATE, NJ 08402
707.01 6	FULTON AVE	15C	CITY OF MARGATE 9001 WINCHESTER AVE MARGATE, NJ 08402
707.01 7	FULTON AVE	15C	CITY OF MARGATE 9001 WINCHESTER AVE MARGATE, NJ 08402
707.01 8	FULTON AVE	15C	CITY OF MARGATE 9001 WINCHESTER AVE MARGATE, NJ 08402
707.01 17	FRONTENAC AVE	15C	CITY OF MARGATE 9001 WINCHESTER AVE MARGATE, NJ 08402
707.02 1	401 N GLADSTONE AVE	2	BAAKE, KATHLEEN 401 N GLADSTONE AVE MARGATE, NJ 08402
707.02 9	403 N GLADSTONE AVE	2	SMITH, RITA M 403 N GLADSTONE AVE MARGATE, NJ 08402

UTILITIES TO BE NOTIFIED WITH TAXLIST

ATLANTIC CITY ELECTRIC
5100 HARDING HIGHWAY, SUITE 399
MAYS LANDING, NJ 08330

SOUTH JERSEY GAS COMPANY
VP CONSTRUCTION
1 SOUTH JERSEY PLAZA, RT. 54
FOLSOM, NJ 08037

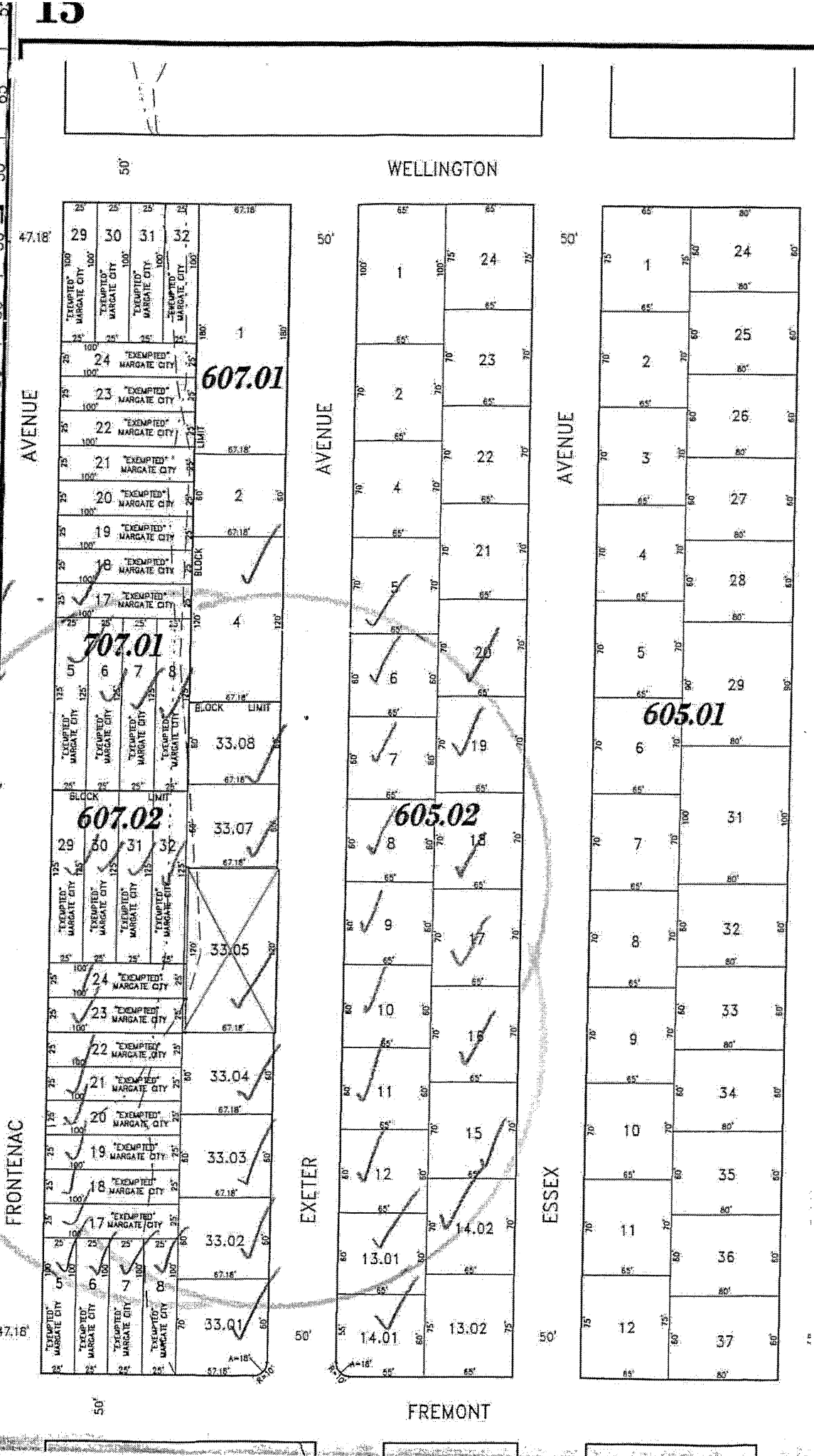
COMCAST CABLE, GREG SMITH, PM
901 LEEDS AVENUE
ABSECON, NJ 08201

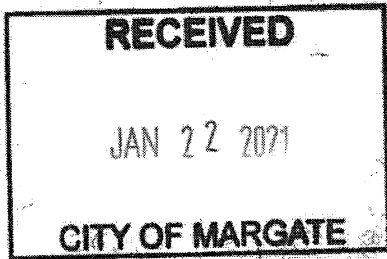
ITEMS PRINTED..... 57

80'
46
80'
72'
47
72'
80'
48
80'
50
80'
50
51
80'
50
53
80'
50
54
80'
50
56
114.96'
50'
112.42'
114.36'
124.96'
42
80'
43
80'
45
80'
46
80'
48
80'
49

GLADSTONE
FRONTENAC
WELLINGTON
EXETER
ESSEX
FREMONT

50'
100'
2
MARGATE CITY
EXEMPTED
100'
1
MARGATE CITY
EXEMPTED
100'
BLOCK 100' LIMIT
16
100'
15
100'
14
100'
13
MARGATE CITY
EXEMPTED
100'
11
RIPARIAN
GRANT
100'
10
100'
707.02
100'
BLOCK 100' LIMIT
1.01
100'
1.02
100'
2
100'
3
100'
4
100'
5
100'
507.02
100'
6
100'
7
100'
8
100'





Samara P. Trocki-Videll, Esq.
Attorney-At-Law

January 19, 2021

Margate City Tax Assessor
9001 Winchester Avenue
Margate, NJ 08402

RE: 200ft list for Planning Board Appeal

Tax Assessor Department:

Please provide the 200 ft tax list for the premises locations at 408 N. Exeter Avenue, Block 607.02 Lot 33.05. Please find enclosed a check in the amount of \$10.00

This list may be emailed to trocki.videll.law@gmail.com or faxed to 609-568-6487, whichever is easier for you, at your earliest convenience.

Thank you for your cooperation in this regard,

Cordially,


Samara Trocki-Videll

Address: 539 Tilton Road, Northfield, NJ 08225

Phone: (609) 568-6488

Fax: (609) 568-6487

Email: trocki.videll.law@gmail.com

509.02 - 1.02 - 6

(6)

54
+ 3 utilities

685.02 - 5 - 13.01 - 9

(17)

14.01 - 20 - 8

609.02 - 5 - 33.08

(23)

709.01 - 5 - 8

4

(5)

17

1

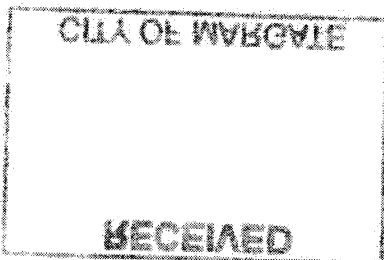
709.02 - 1 #9

(2)

609.01 - 4

(1)

(54)





Atlantic County Document Summary Sheet



INST # 2019026275
 RECD 05/21/2019 VOL 14609
 RCPT # 1473572 RECD BY TM (5 PGS)
 CDN \$1.00 RTF \$0.00
 EDWARD P. McGETTIGAN, COUNTY CLERK
 ATLANTIC COUNTY, NJ

ATLANTIC COUNTY CLERK
 5901 MAIN ST
 MAYS LANDING, NJ 08330

Return Name and Address
 SAMARA TROCKI-VIDELL DICKER
 408 NORTH EXETER AVENUE
 MARGATE, NJ 08402

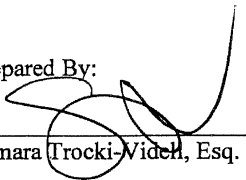
Official Use Only

Submitting Company					
Document Date (mm/dd/yyyy)		05/20/2019			
Document Type		Deed			
No. of Pages of the Original Signed Document (Including the cover sheet)		5			
Consideration Amount (If applicable)		1.00			
First Party <i>(Grantor or Mortgagor or Assignor)</i> <i>(Enter up to five names)</i>	Name(s) <i>(Last Name First Name Middle Initial Suffix) (or Company Name as written)</i>	Address (Optional)			
	TROCKI-VIDELL DICKER, SAMARA DICKER, DANIEL				
Second Party <i>(Grantee or Mortgagee or Assignee)</i> <i>(Enter up to five names)</i>	Name(s) <i>(Last Name First Name Middle Initial Suffix) (or Company Name as written)</i>	Address (Optional)			
	TROCKI-VIDELL DICKER, SAMARA DICKER, DANIEL				
Parcel Information <i>(Enter up to three entries)</i>	Municipality	Block	Lot	Qualifier	Property Address
	Margate	607.02 607.02	33.06 33.05		410 N. EXETER AVE 408 N. EXETER AVE
Reference Information <i>(Enter up to three entries)</i>	Book Type	Book	Beginning Page	Instrument No.	Recorded/File Date

DO NOT REMOVE THIS PAGE

DOCUMENT SUMMARY SHEET (COVER SHEET) IS PART OF ATLANTIC COUNTY FILING RECORD. RETAIN THIS PAGE FOR FUTURE REFERENCE.

Prepared By:



Samara Trocki-Videll, Esq.

DEED OF CONSOLIDATION

This Deed is made on May 20, 2019.

BETWEEN Samara Trocki-Videll Dicker and Daniyel Dicker, Husband and Wife, whose post office address is 408 N. Exeter Avenue, Margate, NJ 08402, herein referred to as the Grantor,

AND Samara Trocki-Videll Dicker and Daniyel Dicker, Husband and Wife, whose post office address is 408 N. Exeter Avenue, Margate, NJ 08402, herein referred to as the Grantee.

The words "Grantor" and "Grantee" shall mean all Grantors and all Grantees listed above.

Transfer of Ownership. The Grantor grants and conveys (transfers ownership of) the property described below to the Grantee. This transfer is made for the sum of one dollar and zero cents (\$1.00). The Grantor acknowledges receipt of this money.

Tax Map Reference. (N.J.S.A. 46:15-2.1) Municipality of Margate, Block No. 607.02 Lot No(s). 33.06.

No property tax identification number is available on the date of this deed. (Check if applicable.)

Property. The property consists of the land and all the buildings and structures on the land in the City of Margate, County of Atlantic, and State of New Jersey. The legal description is:

ALL that certain lot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Municipality of Margate City, in the County of Atlantic, State of NJ:

BEING land No. 408 North Exeter Avenue, Margate, New Jersey 08402.

BEING Block 607.02 Lot 33.05 on the official tax map of Margate City, New Jersey.

BEING the same land and premises which became vested in Samara Trocki-Videll Dicker and Daniyel Dicker, husband and wife, by deed from Samara Trocki-Videll Dicker dated 12/14/2018, and recorded 01/03/2019, in the Atlantic County Clerk's Office Deed Book 14540 Page 461, Instrument No. 2019000186.

BEING the same land and premises which became vested in Samara Trocki-Videll Dicker, by deed from Jared Videll, dated 9/17/2018, recorded 9/24/2018, in the Atlantic County Clerk's Office Deed Book 14493, Instrument No. 2018049102.

Prior title vested in Jared Videll and Cyla Trocki-Videll, husband and wife, by deed from Jack Trocki and Mira Trocki, husband and wife, dated 12/28/1990, recorded 12/31/1990, in the Atlantic County Clerk's Office in Deed Book 5170, Page 332, Instrument No. 0011847. Subsequently, Cyla Trocki-Videll, dies March 22, 2009, whereby title vested in her husband Jared Videll, by right of survivorship.

Tax Map Reference. (N.J.S.A. 46:15-2.1) Municipality of Margate, Block No. 607.02 Lot No(s). 33.06.

___ No property tax identification number is available on the date of this deed. (Check if applicable.)

Property. The property consists of the land and all the buildings and structures on the land in the City of Margate, County of Atlantic, and State of New Jersey. The legal description is:

ALL that certain lot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Municipality of Margate City, in the County of Atlantic, State of NJ:

BEING land No. 410 North Exeter Avenue, Margate, New Jersey 08402.
BEING Block 607.02 Lot 33.06 on the official tax map of Margate City, New Jersey.

BEING the same land and premises which became vested to Jack Trocki and Mira Trocki, husband and wife, dated 11/6/86 recorded 11/6/86, in the Atlantic County Clerk's office in Deed Book 4341, Page 82 and re-recorded on 12/24/86 in Atlantic County Clerk's office in Deed Book 4369, Page 18. Jack Trocki died 09/06/96, thereby vesting Title in Mira Trocki by operation of law.

BEING the same land and premises which became vested to Samara Trocki-Videll Dicker, through Executor Deed, dated 05/15/2018 and recorded on 05/16/2018 in the Atlantic County Clerk's office in Deed Book 14429 ,page 40.

BEING the same land and premises which became vested to Samara Trocki-Videll Dicker and Daniyel Dicker, through Deed, dated 04/10/2019 and recorded on 05/20/2019 in the Atlantic County Clerk's office instrument No. 2019025892.

Purpose of this Deed. The purpose of this deed is to effectuate the consolidation of the two Tax Lots above, being Block 607.02 Lots 33.05 and Lots 33.06 into one Tax Lot being Block 607.02 Lot 33.05, pursuant to the assignment by the Margate City Tax Assessor.

Promises by Grantor. The Grantor promises that the Grantor has done no act to encumber the property. This promise is called a "covenant as to grantor's acts" (N.J.S.A. 46:4-6). This promise means that the Grantor has not allowed anyone else to obtain any legal rights which affect the property (such as by making a mortgage or allowing a judgment to be entered against the Grantor).

Signatures. The Grantor signs this Deed as of the date at the top of the first page.

Witnessed by:

Linda A. Jayne Potter
Barbara Maul

[Signature] (Seal)
Samara Trocki-Videll Dicker
[Signature] (Seal)
Daniyel Dicker

STATE OF NEW JERSEY, COUNTY OF ATLANTIC SS.:

I CERTIFY that on May 21, 2019, Samara Trocki-Videll Dicker and Daniyel Dicker personally came before me and acknowledged under oath, to my satisfaction, that this person (or if more than one, each person):

- (a) is named in and personally signed this Deed;
- (b) signed, sealed and delivered this Deed as his act and deed; and,
- (c) made this Deed for \$1.00 as the full and actual consideration paid or to be paid for the transfer of title. (Such consideration is defined in N.J.S.A. 46:15-5.)

Linda A. Jayne Potter
Notary Public of New Jersey

LINDA S. JAYNE POTTER
NOTARY PUBLIC
STATE OF NEW JERSEY
MY COMMISSION EXPIRES JULY 8, 2022



REVENUE and FINANCE DEPARTMENT
Office of the Tax Collector
City of Margate City
9001 Winchester Avenue
Margate City, New Jersey 08402
609-822-2508

Date: 3/2/21

To Whom It May Concern:

I HEREBY CERTIFY THAT the TAX for 1st Qtr 2021

And the WATER & SEWER for 2020

Are paid on property located 408 N. Exeter Ave.

Assessed to DS⁺ ST-V Dicker

And designated as
BLOCK 007.02, LOT 33.05; Tax Map of Margate City, N.J.

Tara J Mazza, CTC
Tax Collector

Per LH

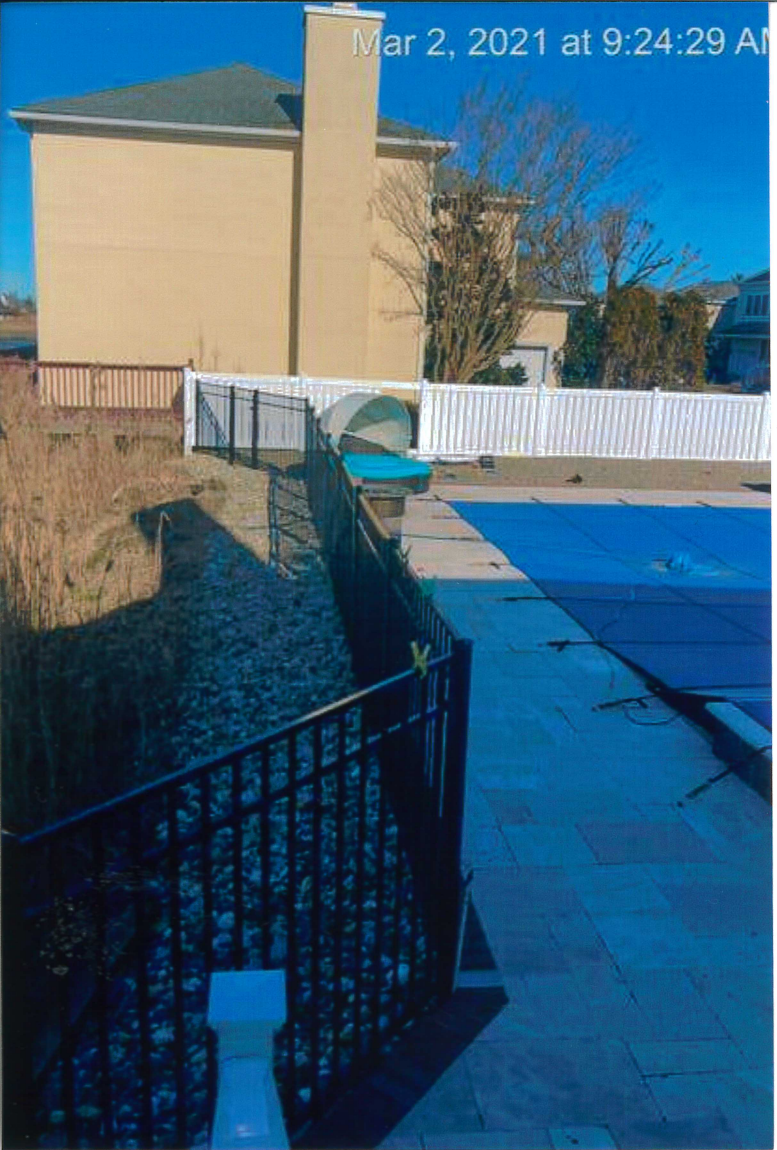
Mar 2, 2021 at 9:25:57 AM



Mar 2, 2021 at 9:24:32 AM



Mar 2, 2021 at 9:24:29 AM



Mar 2, 2021 at 9:24:26 AM



Mar 2, 2021 at 9:27:06 AM



Mar 2, 2021 at 9:27:11 AM



Mar 2, 2021 at 9:26:43 AM



Mar 2, 2021 at 9:54:24 AM

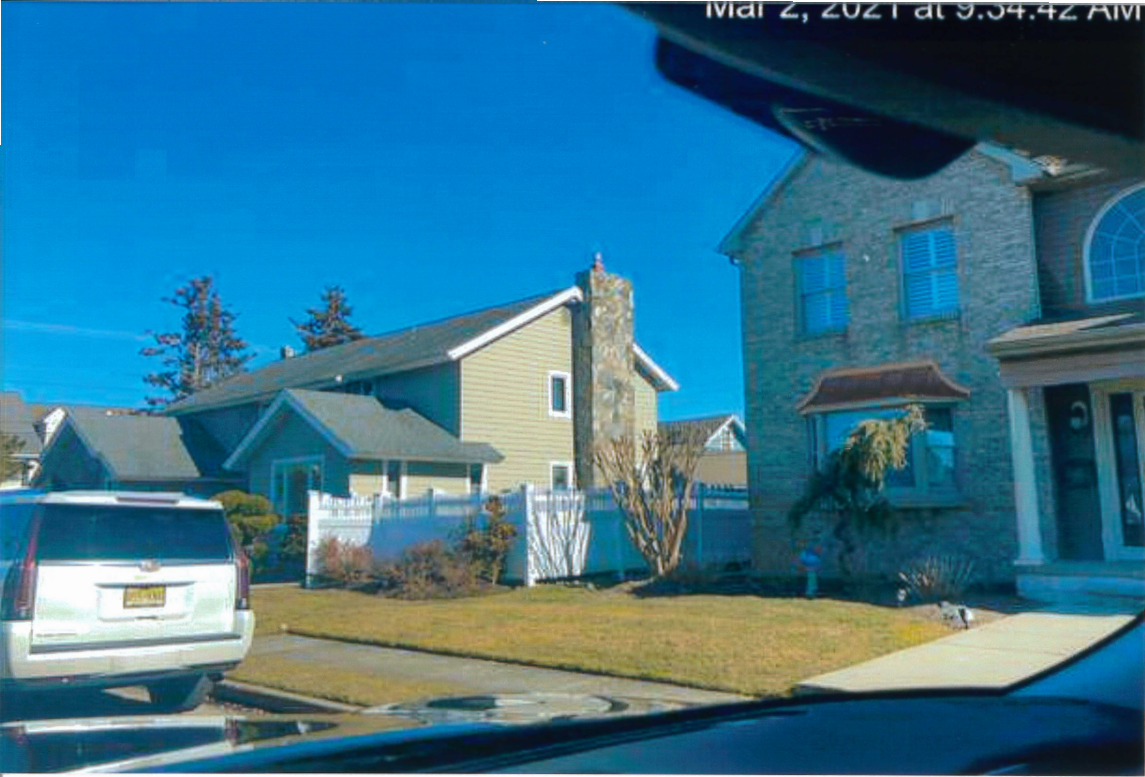




Mar 2, 2021 at 9:52:35 AM



Mar 2, 2021 at 9:54:42 AM





Mar 2, 2021 at 9:56:16 AM

