

RC | **RUDOLPH CLARKE, LLC**
ATTORNEYS AT LAW

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Please respond to: Trevoise

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10 Beatty Road, Suite 102
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By appointment only
Phone 215-633-1890
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Malvern, PA 19355
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Fax 215-633-1830

*Member of PA & NJ Bars

OF COUNSEL:
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Benjamin V. Sanchez*
Maria Collett
Joseph W. Pizzo

Burlington County Office
10000 Lincoln Drive East
1 Greentree Center, Ste 201
Marlton, NJ 08053
By appointment only
Phone 215-633-1890
Fax 215-633-1830

March 6, 2023

VIA HAND DELIVERY

Roger D. McLarnon, P.E., P.P., C.M.E., C.F.M., C.P.W.M., Q.P.A.
Planner, Zoning Officer, Purchasing Manager, Staff Engineer
Palma Shiles
Planning Board Administrator
City of Margate
9001 Winchester Avenue
Margate, NJ 08402

Re: *Planning Board Application*
419 North Douglas Avenue, Block 604.03, Lot 5

Dear Mr. McLarnon:

Please find enclosed a Planning Board Application (the "Application") for the above-referenced property request a "C" Variance from the terms of the City of Margate Zoning Ordinance, as further detailed in the Application. Representing a complete Application, please find the following enclosed:

1. Eighteen (18) copies of the Application for Action by Planning Board;
2. Eighteen (18) copies of the Staff Committee Review Application;

419 N. Douglas Ave.

March 6, 2023

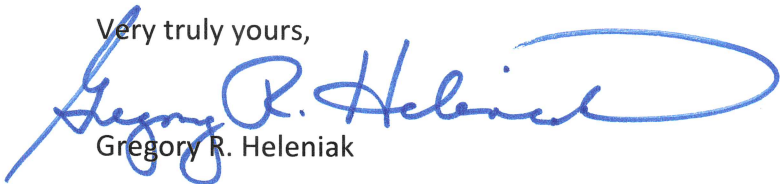
Page 2

3. Eighteen (18) copies of the Staff Committee Action – Planning Board form;
4. Eighteen (18) copies of the Refusal and attached documentation;
5. Eighteen (18) copies of Boundary & Topographic Survey prepared by Carroll Engineering dated February 7, 2023;
6. One (1) copy of the Tax List certified by James W. Manghan, CTA – Tax Assessor with surrounding property map included;
7. One (1) copy of the Tax Certification certified by Tara J. Mazza, CTC – Tax Collector;
8. One (1) copy of the Deed showing ownership by Michael P. Clarke and Pamela E. Clarke, dated June 28, 2013, recorded in Book 13622 of the Atlantic County Clerk’s Office;
9. Eighteen (18) copies of photographs of the Property, dated March 3, 2023;
10. One (1) check in the amount of Two-hundred Fifty Dollars and No Cents (\$250.00) representing the Application Fee; and
11. One (1) check in the amount of Two-hundred Dollars and No Cents (\$250.00) representing the Escrow.

It is my understanding that this Application will be reviewed by the Planning Board on Thursday, March 30, 2023 at 6:30 PM. Proof of Published and Mailed Notices will be provided in accordance with the City’s regulations and instructions.

Should you have any questions or require any further information, please advise.

Very truly yours,



Gregory R. Heleniak

cc: Michael P. Clarke and Pamela E. Clarke

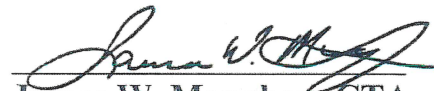


Office of the Tax Assessor
Municipal Building
9001 Winchester Avenue
Margate City, NJ 08402
PHONE: 609-822-1950
FAX: 609-487-1142

James W. Manghan, CTA
Tax Assessor

Gregory R. Heleniak
Rudolph Clarke, LLC
Seven Neshaminy Interplex
Suite 200
Trevoise, PA 19053

Block: 604.03 Lot: 5
Location: 419 N Douglas
Date: February 24, 2023


James W. Manghan, CTA
Tax Assessor

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

www.margate-nj.com

PROPERTY ID	PROPERTY LOCATION	CLASS	OWNERS NAME & ADDRESS	
604.02 2	421 N DELAVAN AVE	2	WRIGHT, BRIAN W & STACIE A 13 1ST STREET OCEAN CITY, NJ	08226
604.02 3	419 N DELAVAN AVE	2	SCHWARTZ, JOYE 7 ASBURY AVE ELKINS PARK, PA	19027
604.02 4	417 N DELAVAN AVE	2	ROSENBERG TRUST, ETHEL 1133 9TH STREET #211 SANTA MONICA, CA	90403
604.02 5	415 N DELAVAN AVE	2	REED, MATTHEW S & GRETCHEN S 415 N DELAVAN AVE MARGATE, NJ	08402
604.02 6	413 N DELAVAN AVE	2	PETRARCA, JOHN 413 N DELAVAN AVE MARGATE, NJ	08402
604.02 7	411 N DELAVAN AVE	2	DI GEROLAMO III, JOSEPH & THERESA M 507 S EGG HARBOR ROAD HAMMONTON, NJ	08037
604.02 24	416 N CLERMONT AVE	2	BIDDLE, VICTORIA N 416 N CLERMONT AVE MARGATE, NJ	08402
604.02 25	418 N CLERMONT AVE	2	HARTFORD JR, RICHARD W 3801 NEDIA RD PHILADELPHIA, PA	19154
604.02 26	420 N CLERMONT AVE	2	SAMILOW TRUSTS, @MERRIE & JOSHUA K 108 ROLLING HILL DRIVE MORGANVILLE, NJ	07751
604.02 27	422 N CLERMONT AVE	2	MASHIOFF, BEN & DIANE 9 STRATMORE DRIVE CHERRY HILL, NJ	08003
604.02 28	424 N CLERMONT AVE	2	ZEITLIN, SAMUEL & SVETLANA 105 ADDIS DRIVE CHURCHVILLE, PA	18966
604.02 29	426 N CLERMONT AVE	2	POTENA, DOMINICK 426 N CLERMONT AVE MARGATE, NJ	08402
604.03 1	427 N DOUGLAS AVE	2	LEEDS, AMY 427 N DOUGLAS AVE MARGATE, NJ	08402
604.03 2	425 N DOUGLAS AVE	2	MC CARTHY, J B & WESTCOTT, L R 425 N DOUGLAS AVENUE MARGATE, NJ	08402

PROPERTY ID	PROPERTY LOCATION	CLASS	OWNERS NAME & ADDRESS	
604.03 3	423 N DOUGLAS AVE	2	GETZ, IRMA 423 N DOUGLAS AVE MARGATE, NJ	08402
604.03 4	421 N DOUGLAS AVE	2	DE PIETRO, JASON S & ALEXIS 421 N DOUGLAS AVE MARGATE, NJ	08402
604.03 5	419 N DOUGLAS AVE	2	CLARKE, MICHAEL P & PAMELA E 506 LANTERN LANE PHILADELPHIA, PA	19128
604.03 6	417 N DOUGLAS AVE	2	WEINER, RONALD & DEBORAH 417 N DOUGLAS AVE MARGATE, N J	08402
604.03 7	415 N DOUGLAS AVE	2	FIEDLER, ROBERT & CARACCILOLO, LAUREN 415 N DOUGLAS AVE MARGATE, NJ	08402
604.03 9	411 N DOUGLAS AVE	2	HUFFNAGLE, JOHN & CHERYL 411 N DOUGLAS AVE MARGATE, NJ	08402
604.03 17	408 N DELAVAN AVE	2	FANE, JESSICA 408 N DELAVAN AVE MARGATE, NJ	08402
604.03 18	410 N DELAVAN AVE	2	BARR, JENNIFER BROECK 410 N DELAVAN AVE MARGATE, NJ	08402
604.03 19	412 N DELAVAN AVE	2	RYAN, DERMOT J 412 N DELAVAN AVE MARGATE, NJ	08402
604.03 20	414 N DELAVAN AVE	2	MEYER, ROBERT E & SHELLEY SKALER 414 N DELAVAN AVE MARGATE, NJ	08402
604.03 21	416 N DELAVAN AVE	2	MULLEN, KIMBERLY A 416 N DELAVAN AVE MARGATE, NJ	08402
604.03 22	418 N DELAVAN AVE	2	SAVOPOULOS, SUSAN & EMANOUEL 418 N DELAVAN AVE MARGATE, N J	08402
604.03 23	420 N DELAVAN AVE	2	STALLER TRUST ET AL, J G 2529 NW 52ND STTREET BOCA RATON, FL 33496	19446.5694
604.03 24	422 N DELAVAN AVE	2	PETSCH, GLENN & LISA 422 N DELAVAN AVENUE MARGATE, NJ	08402

PROPERTY ID	PROPERTY LOCATION	CLASS	OWNERS NAME & ADDRESS
605.01 2	421 N ESSEX AVE	2	CLARKE, CHARLES & CAROL 11023 KNIGHT ROAD PHILADELPHIA, PA 19154
605.01 3	419 N ESSEX AVE	2	BELLINGERI, JOHN & MIGLIACCI, BIANCA 419 N ESSEX AVE MARGATE, NJ 08402
605.01 4	417 N ESSEX AVE	2	SCHUBEL, DAVID K & MARY LOU 417 N ESSEX AVE MARGATE, NJ 08402
605.01 5	415 N ESSEX AVE	2	ALLEN, MARC & ESTHER 415 N ESSEX AVE MARGATE, NJ 08402
605.01 6	413 N ESSEX AVE	2	SLESS, MARCIA E 413 N ESSEX AVE MARGATE, NJ 08402
605.01 7	411 N ESSEX AVE	2	STAHLEY, CARMELA & WILLIAM 411 N ESSEX AVE MARGATE, NJ 08402
605.01 24	426 N DOUGLAS AVE	2	BLUE COAST HOLDINGS LLC 795 EAST RT 70 STE. J MARLTON, NJ 08053
605.01 25	424 N DOUGLAS AVE	2	ROSS, MARTIN & D DAVIDA 424 N DOUGLAS AVE MARGATE, N J 08402
605.01 26	422 N DOUGLAS AVE	2	BOROWSKY TRUST, MARK L 7719 NEW HOLLAND WAY BOYNTON BEACH, FL 33472
605.01 27	420 N DOUGLAS AVE	2	RIMM, MARILYN O 420 N DOUGLAS AVE MARGATE, NJ 08402
605.01 28	418 N DOUGLAS AVE	2	KORIK, PATRICIA 418 N DOUGLAS AVE MARGATE, N J 08402
605.01 29	416 N DOUGLAS AVE	2	WEISS, SUSAN C. 416 NO DOUGLAS AVE MARGATE, NJ 08402
605.01 31	412 N DOUGLAS AVE	2	MACKLER, KENNETH & SANDRA 412 N DOUGLAS AVE MARGATE, NJ 08402
605.01 32	410 N DOUGLAS AVE	2	DANSKY, EILEEN 410 N DOUGLAS AVE MARGATE, NJ 08402

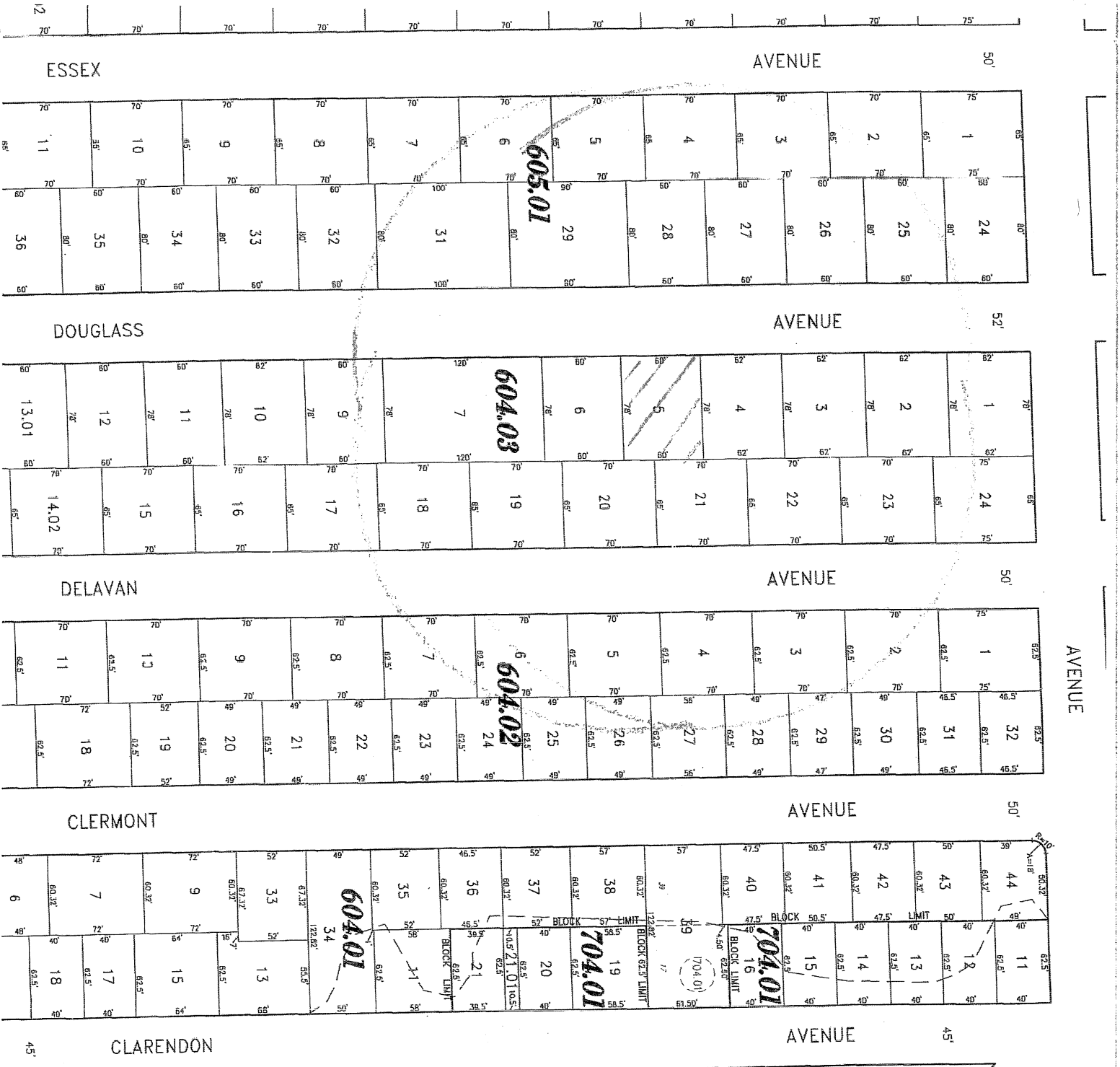
UTILITIES TO BE NOTIFIED WITH TAXLIST

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

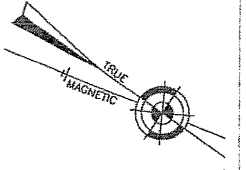
COMCAST CABLE, GREG SMITH, PM
901 LEEDS AVENUE
ABSECON, NJ 08201

ITEMS PRINTED.....45



AVENUE

BRUNSWICK DRIVE



SHEET 15.01

THIS TAX MAP PLATE DRAWING USING COMPUTER DRAFTING/DESIGN (CAD) GEOMETRY (CGO) IS BEING FILED FOR RECORD DATE 8-3-2005 SEE SIGNATURES OF SIGN CHIEF LOCAL PROPE SAANTO C. DIDONTO, REPRESENTATIVE IN DRAWN TAX MAP 15 REMINGTON, VERMONT



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: February 21, 2023

To Whom It May Concern:

I HEREBY CERTIFY THAT the TAX for Q1 due February 1st, 2023;

And the WATER and SEWER charges for the year 2022

Are paid on property located at 419 N. Douglas Avenue;

Assessed to Michael P. & Pamela E. Clarke;

Designated as BLOCK 604.03, LOT 5, Tax Map of Margate City, N.J.

Tara J Mazza, CTC
Tax Collector
Mazza_tara@margate-nj.com

Per *T.M.*

Prepared by:

John Scott Abbott Esq
JOHN SCOTT ABBOTT, ESQ.
#108 614268

DEED

THE TITLE COMPANY OF JERSEY
Margate, New Jersey 08402-2220

This Deed is made on June 28, 2013,

BETWEEN Catherine Wright, Executrix of the Estate of Anne R. Scittina-Mascio and Vincent Mascio, as to a life estate interest, whose address is 100 Troguois Rd, Egg Harbor Twp, NJ 08234, referred to as the Grantors,

AND

Michael P. Clarke and Pamela E. Clarke, husband and wife, whose address is 506 Lantern Lane, Philadelphia, PA 19128, referred to as the Grantees.

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

1. **Transfer of Ownership.** The Grantors grant and convey (transfer ownership of) the property described below to the Grantees. This transfer is made for the sum of Four Hundred Thirty-Five Thousand Dollars (\$435,000.00). The Grantors acknowledge receipt of this money.

2. **Tax Map Reference.** (N.J.S.A. 46:15-1.1) Municipality: City of Margate, Block No. 604.03, Lot 5, Qualifier

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

(X) Please see attached Legal Description annexed hereto and made a part hereof. (Check box if applicable).

BEING the same lands and premises conveyed to Ernest J. Scittina and Anne R. Scittina, husband and wife, by deed from Robert R. Linzner and Roberta Linzner, husband and wife, dated September 29, 1972 and recorded October 4, 1972 in Deed Book 2674, Page 3 et seq. in the Atlantic County Clerk's Office.

It is alleged that the said Ernest J. Scittina predeceased Anne R. Scittina and the premises became vested in her solely by reason of her survivorship.

Thereafter, the said Anne R. Scittina, also known as Anne R. Scittina-Mascio, passed away on February 26, 2011 leaving a Last Will and Testament dated January 17, 2001 and probated in the Atlantic County Surrogate's Court on February 3, 2012 wherein her daughter, Catherine Wright, was appointed Executrix and Letters Testamentary were issued to Catherine Wright on February 3, 2012. In Article Fourth of her Last Will and Testament, Anne R. Scittina-Mascio stated "I give and devise to my beloved husband, Vincent Mascio, the house...in which we presently reside at 419 North Douglas Avenue...for as long as he shall survive..."

The street address of the Property is: 419 N. Douglas Avenue, Margate, NJ 08402

4. **Promises by Grantor.** The Grantors promise that the Grantors have 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 Grantors have 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 Grantors).

ATLANTIC COUNTY, NJ EDWARD F. McGETTIGAN, COUNTY CLERK
VOL 13622 REC'D 07/09/2013 03:44:36 PM RGF 1027762
REC FEE \$80.00 RIF \$3,551.00 COMSID \$435,000.00
INST# 2013042880 RECD BY E11aen





State of New Jersey
SELLER'S RESIDENCY CERTIFICATION/EXEMPTION
(C.55, P.L. 2004)

(Please Print or Type)

SELLER(S) INFORMATION (See Instructions, Page2)

Name(s)

Scittina, Estate of Anne R. by Catherine A. Wright, Executrix

Current Resident Address:

Street 100 Iroquois Road

City, Town, Post Office Egg Harbor Twp

State NJ

Zip Code 08234

PROPERTY INFORMATION (Brief Property Description)

Block(s) 604.03 Lot(s) 5 Qualifier

Street Address

419 N. Douglas Avenue

City, Town, Post Office

State

Zip Code

Margate

N.J.

08402

Seller's Percentage of Ownership

Consideration

Closing Date

100%

\$435,000.00

6/28/2013

SELLER ASSURANCES (Check the Appropriate Box) (Boxes 2 through 10 apply to Residents and Non-residents)

- 1. I am a resident taxpayer... 2. The real property being sold... 3. I am a mortgagor... 4. Seller, transferor or transferee is an agency... 5. Seller is not an individual... 6. The total consideration for the property... 7. The gain from the sale... 8. Transfer by an executor or administrator... 9. The property being sold is subject to a short sale... 10. The deed being recorded is a deed dated prior to the effective date of P.L. 2004, c. 55...

SELLER(S) DECLARATION

The undersigned understands that this declaration and its contents may be disclosed or provided to the New Jersey Division of Taxation and that any false statement contained herein could be punished by fine, imprisonment, or both. I furthermore declare that I have examined this declaration and, to the best of my knowledge and belief, it is true, correct and complete. By checking this box I certify that the Power of Attorney to represent the seller(s) has been previously recorded or is being recorded simultaneously with the deed to which this form is attached.

6/28/13

Date

Catherine A. Wright

Signature

(Seller) Please indicate if Power of Attorney or Attorney in Fact

Date

Signature

(Seller) Please indicate if Power of Attorney or Attorney in Fact



State of New Jersey
SELLER'S RESIDENCY CERTIFICATION/EXEMPTION
(C.55, P.L. 2004)

(Please Print or Type)

SELLER(S) INFORMATION (See Instructions, Page2)

Name(s)

Vincent Mascio

Current Resident Address:

Street 419 N. Douglas Avenue

City, Town, Post Office Margate NJ State 08402 Zip Code

PROPERTY INFORMATION (Brief Property Description)

Block(s) 604.03 Lot(s) 5 Qualifier

Street Address

419 N. Douglas Avenue

City, Town, Post Office Margate State N.J. Zip Code 08402

Seller's Percentage of Ownership 100% Consideration \$435,000.00 Closing Date 6/28/2013

SELLER ASSURANCES (Check the Appropriate Box) (Boxes 2 through 10 apply to Residents and Non-residents)

- 1. [X] I am a resident taxpayer...
2. [] The real property being sold...
3. [] I am a mortgagor...
4. [] Seller, transferor or transferee...
5. [] Seller is not an individual...
6. [] The total consideration...
7. [] The gain from the sale...
8. [] Transfer by an executor...
9. [] The property being sold...
10. [] The deed being recorded...

SELLER(S) DECLARATION

The undersigned understands that this declaration and its contents may be disclosed or provided to the New Jersey Division of Taxation and that any false statement contained herein could be punished by fine, imprisonment, or both.

6/28/13

Date

Vincent Mascio

Signature

(Seller) Please indicate if Power of Attorney or Attorney in Fact

Date

Signature

(Seller) Please indicate if Power of Attorney or Attorney in Fact

3. The land referred to in this Commitment is described as follows:

SCHEDULE A - DESCRIPTION

All that certain lot, tract or parcel of land and premises situate, lying and being in the City of Margate, County of Atlantic, State of New Jersey, bounded and described as follows:

BEGINNING at a point in the easterly line of Douglas Avenue, 542 feet Northwardly from the northerly line of Fremont Avenue; and extending thence

- (1) Northwardly along the easterly line of Douglas Avenue, 60 feet; thence
- (2) Eastwardly parallel with Fremont Avenue 78 feet; thence
- (3) Southwardly parallel with Douglas Avenue, 60 feet; thence
- (4) Westwardly parallel with Fremont Avenue 78 feet to a point in the easterly line of Douglas Avenue and the point and place of BEGINNING.

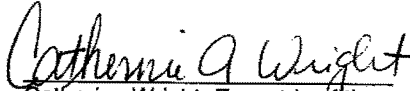
FOR INFORMATION ONLY:

Commonly known as: 419 N. Douglas Avenue
Margate, New Jersey 08402

Block 604.03 Lot 5 City of Margate

End Schedule A Description

5. **Signatures.** The Grantors signed this Deed as of the date at the top of the first page.


Catherine Wright, Executrix of the
Estate of Anne R. Scittina-Mascio


Vincent Mascio

STATE OF NEW JERSEY, COUNTY OF ATLANTIC, SS.:

I CERTIFY that on June 20, 2013, Catherine Wright, Executrix of the Estate of Anne R. Scittina-Mascio and Vincent Mascio, owner of a life estate interest, the Grantors herein, personally came before me and stated to my satisfaction that this person (or if more than one, each person):

- (a) was the maker of this Deed;
- (b) they executed this Deed as their own act and deed: and
- (c) this Deed was made for \$435,000.00 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.



Susan L. Hacker
A Notary Public of New Jersey
My Commission expires 06/23/2018
ID#82122

Record and Return To:

**APPLICATION FOR ACTION BY PLANNING BOARD
MARGATE, NEW JERSEY**

PLEASE
TYPE OR
PRINT

1. Date of Application: January 4, 2023

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) 419 North Douglas Avenue
 Block Number 604.03 Lot No(s) 5
 Total Area (in square feet) 4,680 sq. ft.
 Frontage: 60 ft.
 Depth: 78 ft.

4. Information about the Applicant:

Full name(s) Michael P. Clarke & Pamela E. Clarke
 If Business Entity, Names of Officers or Principals (Submit disclosure statement if appropriate)

 Local Residence Address 419 North Douglas Avenue, Margate City, NJ Zip 08402
 Other Residence Address 506 Lantern Lane, Philadelphia, PA Zip 19128
 Business Address _____ Zip _____
 Phone Number(s) (include area code);
 Email Address mclarke@rudolphclarke.com
 Business 215-633-1890 Fax 215-633-1830 Cell Phone 215-872-0398

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 June 28, 2013

___ 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 Gregory R. Heleniak Phone 215-633-1890
 Address 7 Neshaminy Interplex, Suite 200, Trevoise, PA 19053
 Fax 215-633-1830 Cell 610-416-9695 Email gheleniak@rudolphclarke.com

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

___ Engineer: Name _____ Phone _____
 Address _____
 Fax _____ 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 Residential

-Proposed use: Single-family Residential

-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
Sec. 174-33D(11)(b)	Screen or spark arrestor required	N/A	Spark screen not appropriate
Sec. 174-33D(11)(b)	Max. diameter of 3 ft.	N/A	4 ft. sq.
Sec. 174-33D(11)(b)	Max. height of 2 ft.	N/A	> 2 ft.
Sec. 175-33D(11)(e)	15 ft. setback from any structure	N/A	11.5 ft.

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".

None. This is an appeal from a Refusal of Zoning Permit, Application No. 2120, dated 12/15/2022.

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.

Bulk variances from Section 175-33D(11) are requested to permit installation of a gas fire pit in the rear yard of the property located at 419 North Douglas Avenue. The property is currently improved with a two-story, single-family dwelling with detached masonry garage. On December 13, 2022, Applicant submitted a Zoning Permit Application for installation of a gas fire pit in the rear yard of the property. A permit refusal was issued by the Zoning Officer on December 15, 2022, citing setback and other design discrepancies with the Zoning Code. It is the Applicant's understanding that these particular provisions of the Zoning Code were intended to regulate wood-burning outdoor fire pits. Accordingly, the application of these requirements to gas fire pits creates an undue hardship on the placement of such fire pit in an otherwise safe location.

The Applicant proposes to place the gas fire pit in the center of the available rear yard, placed approximately 11.5 ft. from the rear of the dwelling, 11.1 ft. from the fence located along the rear property line, and 11.2 ft. from the fence located along the side property line. Due to shallowness of the rear yard and the location of the lawfully situated structures on the property, a strict application of the Zoning requirements creates peculiar and exceptional practical difficulties and an exceptional and undue hardship for the placement of a gas fire pit in the rear yard of the property. Additionally, due to the controlled nature of a gas fire pit, the same concerns do not exist for the size and height of the fire pit. The proposed increased size of the fire pit allows for an appropriate and safe distance for the location of the fire mechanism from individuals enjoying the fire pit. Similarly, a screen or spark arrestor is not necessary as a gas fire pit does not generate a risk of sparks (as would a wood-burning fire pit). Accordingly, the application of these requirements to the proposed gas fire pit is inappropriate and causes the Applicant peculiar and exceptional practical difficulties and an exceptional and undue hardship. The Applicant requests that these bulk ("C") variances be granted.

16. Signature of Applicant(s):

 Date 1-3-23

Pamela E. Clarke Date 1-3-23

17. This space for Board Administrator:

-Staff Committee action took place _____ and case assigned to the Planning Board for _____ or

-This application received by the Planning Board Administrator on _____

By: _____

18. Notarized Statement by Applicant:

State of ^{PA} ~~New Jersey~~ } ss.
 County of ^{Bucks} ~~Atlantic~~ }
Michael P. Clarke, 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 3rd day of January, 2023

Eileen M. Cherry

Commonwealth of Pennsylvania - Notary Seal
 EILEEN M. CHERRY, Notary Public
 Bucks County
 My Commission Expires December 1, 2024
 Commission Number 1211343

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

Office Use Only:	Date Submitted: _____ Paid: _____ Check/Receipt #: _____	Received By: _____ Board Administrator or Zoning Officer
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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: January 4, 2023

2. Submitted by – Name: Gregory R. Heleniak, Esquire Phone No.: 215-633-1890
Address: Rudolph Clarke, LLC, 7 Neshaminy Interplex, Suite 200, Trevose, PA 19053
Email Address: gheleniak@rudolphclarke.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: Michael P. Clarke & Pamela E. Clarke Phone No.: 215-872-0398
Address: 506 Lantern Lane, Philadelphia, PA 19128
Email Address: mclarke@rudolphclarke.com

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: 419 North Douglas Avenue Block: 604.03 Lot(s): 5
Zoning District: S-40

7. Describe site (and buildings, if any) as existing now: (THIS SECTION MUST BE COMPLETED)

Property is currently improved with a two-story, single-family dwelling with detached masonry garage.

8. Answer the following as to:	<u>Existing Condition</u>	<u>Proposed Condition</u>
a. Size and Dimension of Lot:	<u>60' x 78' (4,680 sf)</u>	<u>No change.</u>
b. Size, Dimensions of Buildings:	<u>See attached.</u>	<u>No change.</u>
c. Height of Buildings (Feet):	<u>Unknown.</u>	<u>No Change.</u>
d. Height of Buildings (Stories):	<u>2</u>	<u>No Change.</u>
e. % of Coverage on Land:	<u>See attached.</u>	<u>No Change.</u>
f. Front Yard Setback:	<u>19.48'</u>	<u>No Change.</u>
g. Rear Yard Setback:	<u>26.5'</u>	<u>No Change.</u>
h. Side Yard Setbacks:	<u>See attached.</u>	<u>No Change.</u>

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)

See attached narrative included in Planning Board Application.

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? See attached Planning Board Application.

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: N/A

Signature of Submitting Party: 

Print or Type Name: Gregory R. Heleniak



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

Block 604.03	Lot 5	Applicant Name Michael and Pamela Carke
District S-40		Address of Subject Application 419 North Douglas Avenue

Dear (Name of Submitting Party) Gregory R. Heleniak, Esq.

Your submittal was considered at the Staff Committee meeting of Thursday, January 19, 2023

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

The Staff Committee met and agreed with the variances identified. Unfortunately the City's Ordinances does not differentiate between wood burning and gas burning fire pits.

The matter will be placed on the agenda of the Planning Board at 6:30PM on Thursday, February 23, 2023

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:

complete application. The Applicant is tasked with the providing proofs required for variance relief for C-1 and C-2 criteria. Full size to-scale survey is required.

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, February 01, 2023

Palma Accardi
Planning Board Administrator
Thursday, January 19, 2023



**REFUSAL OF ZONING PERMIT
DEPARTMENT OF BUILDING INSPECTION
CITY OF MARGATE CITY**

Date: 12/15/2022
Application #: 2120

To:
CLARKE, MICHAEL P & PAMELA E
506 LANTERN LANE
PHILADELPHIA PA 19128

Receipt#:	
Check #:	22086
Amount collected	\$50.00

Your application for a permit to:

NEW OUTDOOR FIRE PIT

on the property at 419 N DOUGLAS AVE MARGATE Block : 604.03 Lot : 5
has been denied for noncompliance with provisions of the City of Margate Land Use Ordinance for the following reasons:

- 1) **DOES NOT MEET SECTION 17-533D(11) OF THE LAND USE ORDINANCE.**
- 2) **SETBACKS NOT BEING MET.**

Margate City, NJ Code
Chapter 175: Land Use
§ 175-33D(11)
<https://ecode360.com/33650462>

Information on procedures for an appeal of this decision to the Board of Adjustment can be obtained from the Planning Board Administrator. It should be noted that under State Statute, notice of appeal of this decision must be filed with this office no later than twenty (20) days from the date of this notice.

If you have any technical questions about the items listed above, please contact the City of Margate Zoning Officer at [mclarnon_roger\(a\)margate-nj.com](mailto:mclarnon_roger(a)margate-nj.com). NOTE: All revisions must be submitted directly to the Building Department for processing.

Denied by: Roger D. McLarnon
Zoning Officer

CC: Roger D. McLarnon, Zoning Officer
G. James Galantino, Construction Code Official



CITY OF MARGATE CITY
ZONING PERMIT APPLICATION

Date Submitted: 12/12/22
Zoning Permit # 22588-60403-5
Zoning Control # 2120

ZONING REVIEW - FOR MUNICIPAL USE ONLY
Date Received by Zoning: 12/15/22
Condition / Comments:
Authorization: Roger D. McLarnon, Zoning Officer
REVISIONS - FOR MUNICIPAL USE ONLY
PAYMENT - FOR MUNICIPAL USE ONLY
Paid: \$500
Check/Receipt #: 22086
Date: 12/12/22
Clerk: Jenkins Plumbing

FEES: PAYMENT IS DUE AT THE TIME A ZONING PERMIT IS SUBMITTED. Per § 175-42, the following fees apply:
New/Major* Construction Plan Review: \$300.00
All others (fences, sheds, signs, additions, etc.): \$50.00

A. IDENTIFICATION:
Subject Property - Address: 419 NORTH DOUGLAS AVENUE, MARGATE NJ 08402 Block: 604.03 Lot: 5
Applicant's Name: JENKINS PLUMBING AND HEATING Phone: 609-641-6262
Address: 103 SOUTH FRANKLIN AVENUE, PLEASANTVILLE NJ 08232
E-mail Address: SEANT@JENKINSANDSONS.COM
Owner's Name: MIKE CLARKE Phone: 215-872-0398
Address: SAME
E-mail Address: MIKECLARKE410@GMAIL.COM

B. TYPE OF APPLICATION: Check all that apply-
New Construction
Addition/Alteration
Home Elevation*
Swimming Pool
Hot Tub/Spa
Deck/Porch
Shed
Garage
Generator
HVAC
Fence
Outdoor Shower Enclosure
Parking Area
Pavers
Sign
Ramp
Solar
Other: gas line
Use of Property/Buildings - Existing: Proposed: Zoning District:
Has the proposed project been subject to an application to the Planning Board? Yes or No
Please attach the Board resolution and signed, approved plans. Date of Approval: Resolution #:

C. CERTIFICATION IN LIEU OF OATH:
I hereby certify that I have read this application, that the information provided is correct, and that I am the (authorized agent of) owner in fee of the property listed, as such hereby agree to comply with the applicable requirements of the Code of the City of Margate City, County of Atlantic and The State of New Jersey.

Applicant Signature: [Signature] Date:

ALL ZONING PERMIT APPLICATIONS MUST BE SUBMITTED TO THE MARGATE CITY BUILDING DEPARTMENT LOCATED AT 9001 WINCHESTER AVENUE. PLEASE SUBMIT THE COMPLETED APPLICATION WITH A PLOT PLAN SHOWING LOT SIZE, EXISTING STRUCTURES AND PROPOSED STRUCTURES AS WELL AS PROPERTY LINE SETBACKS.

PROPERTY LINE PARALLEL WITH DOUGLASS AVENUE

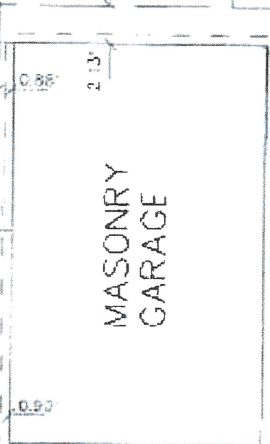
S36°36' 22"E

60.00'

PROPERTY LINE PARALLEL WITH FREMONT AVENUE

N53°21' 38"E

78.00'

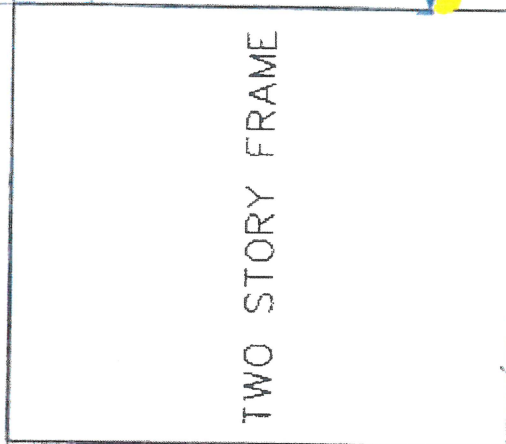


MASONRY GARAGE

PIT OVERLAP

ONE STORY FRAME

CHIMNEY



FIRE PIT

O.D. 4'x4'
I.D. 28"x28"

13' 1"

6' STOCKADE

11' 1"

11' 2"

NEW GAS LINE

13' 5"

13' 2"

6' STOCKADE

6' STOCKADE

6' STOCKADE

78.00'

S53°21' 38"W

PROPERTY LINE PARALLEL WITH FREMONT AVENUE

BEGINNING 542 FT. N.W. OF THE N.W.

LINE OF FREMONT AVENUE (50 FT. WIDE)

REJECTED

*Denies 12/15/10
Does not meet
Section 175-33(1)
of the ordinance*

60.00'

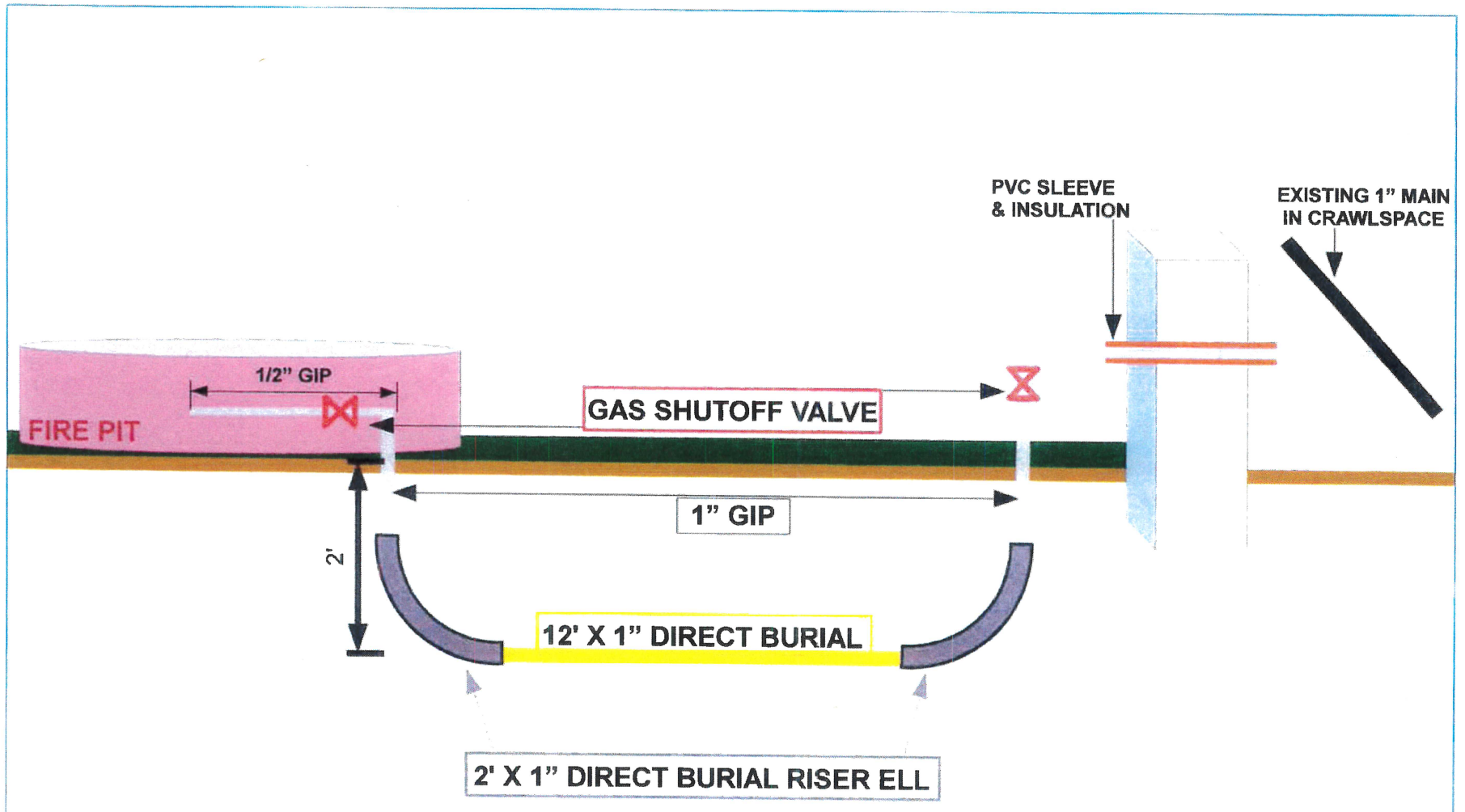
N36°36' 22"W

N.E. LINE OF DOUGLASS AVENUE

DOUGLASS AVENUE
(52 FT. WIDE)

RECORD
DRAWING

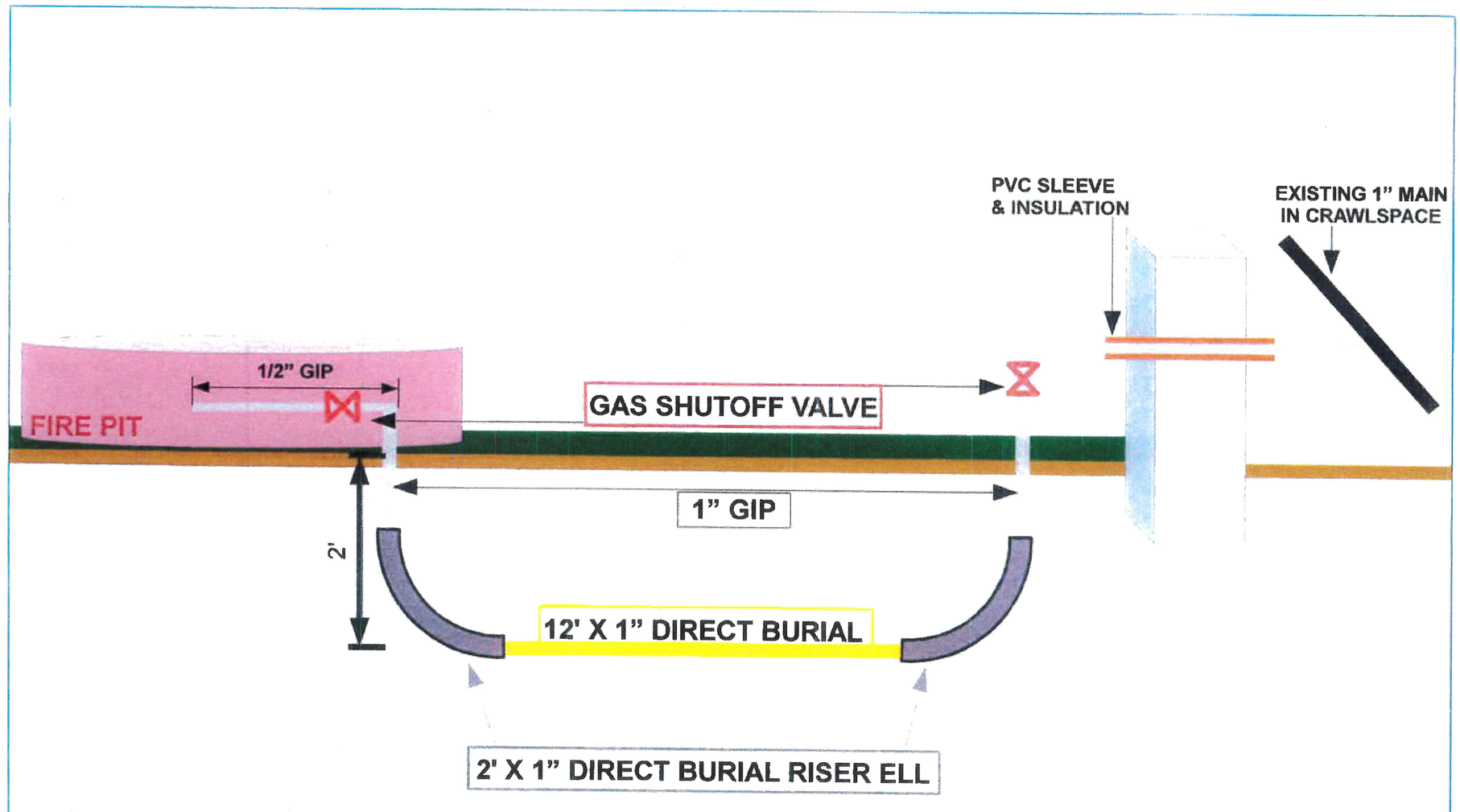
RECORD
DRAWING



419 NORTH DOUGLAS AVENUE
MARGATE CITY, NJ 08402

CLARKE

and sons
Jenkins
 PLUMBING AND HEATING
Since 1949
 103 S Franklin Ave
 PO Box 509
 Pleasantville, NJ 08232
 (609) 641-6262



419 NORTH DOUGLAS AVENUE
MARGATE CITY, NJ 08402

CLARKE

Jenkins *and sons*
 PLUMBING AND HEATING
 Since 1949
 103 S Franklin Ave
 PO Box 509
 Pleasantville, NJ 08232
 (609) 641-6262



All Photographs taken on Friday, March 3, 2023 by Gregory R. Heleniak, Esquire

NOTES:

- PROPERTY KNOWN AS BLOCK 604.03, LOT 5, AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF MARGATE, ATLANTIC COUNTY, NEW JERSEY.
- AREA= 4,680 S.F.± OR 0.107 AC.±
- THE LOCATION OF UNDERGROUND UTILITIES IF SHOWN HEREON ARE APPROXIMATE. LOCATIONS, TYPES AND SIZES ARE BASED ON ABOVE GROUND STRUCTURES ALONG WITH ASSOCIATED APPURTENANCES THAT WERE VISIBLE AND ACCESSIBLE FOR FIELD OBSERVATIONS AS WELL AS FROM AVAILABLE INFORMATION COMPILED FROM EXISTING DRAWINGS AND REFERENCES, ETC. AS LISTED HEREON. NO WARRANTY OR GUARANTEE IS EXPRESSED OR IMPLIED THAT UNDERGROUND UTILITIES ARE IN THEIR EXACT LOCATIONS INDICATED OR FULLY COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. A DYE TEST MAY BE NECESSARY TO DETERMINE THE ULTIMATE DIRECTION, SOURCE, AND OUTFALL OF EXISTING UNCONFIRMED STORM DRAINAGE STRUCTURES. PRIOR TO ANY SITE EXCAVATION ALL UNDERGROUND UTILITIES MUST BE VERIFIED AS TO THEIR EXACT PHYSICAL LOCATION, SIZE, DEPTH AND TYPE BY THE PROPER UTILITY COMPANIES AND/OR THEIR REPRESENTATIVES.
- THIS PLAN IS BASED ON INFORMATION TAKEN FROM A SURVEY PREPARED IN THE FIELD BY CARROLL ENGINEERING CORPORATION ON FEBRUARY, 2023, AS WELL AS OTHER REFERENCE MATERIAL AS LISTED HEREON.
- BY GRAPHIC PLOTTING ONLY PROPERTY IS LOCATED IN FLOOD HAZARD ZONE X AND FLOOD HAZARD ZONE AE (AREA OF 100-YEAR FLOOD; BASE FLOOD ELEVATIONS DETERMINED). BASE FLOOD ELEVATION=8'(NGVD29), PER REF. #2.
- THE EXISTENCE OF UNDERGROUND STORAGE TANKS, IF ANY, WAS NOT KNOWN AT THE TIME OF THE FIELD SURVEY.
- ELEVATIONS ARE BASED ON AN ASSUMED DATUM ESTABLISHED IN THE FIELD BY CARROLL ENGINEERING ON FEBRUARY 6, 2023.

TEMPORARY BENCH MARKS SET:

- TBM-A: MAG NAIL SET IN SIDEWALK
(ELEVATION= 100.00')(ASSUMED)
- TBM-B: NAIL SET IN STONE
(ELEVATION= 100.04')(ASSUMED)

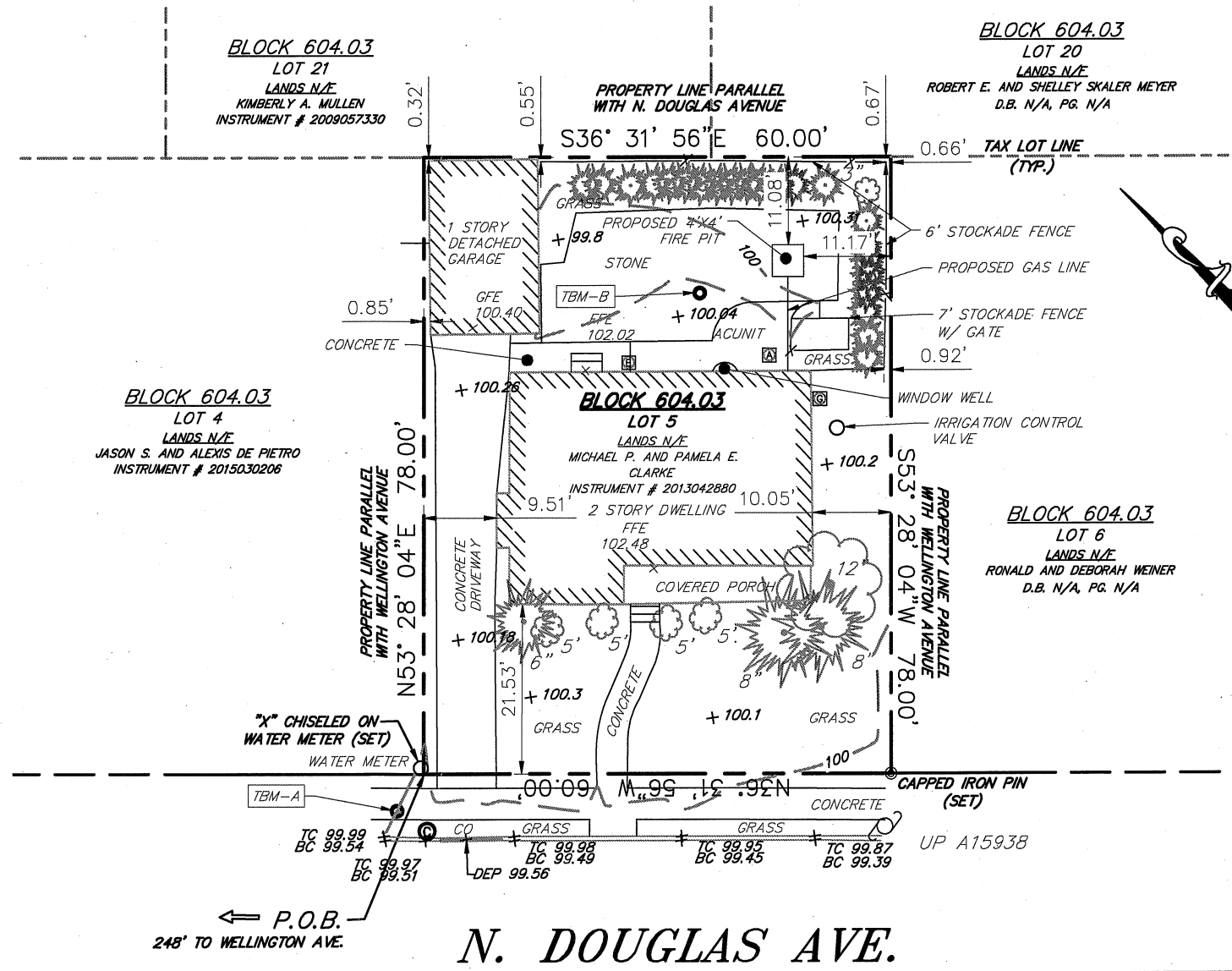
PRIOR TO CONSTRUCTION IT IS THE CONTRACTOR'S RESPONSIBILITY TO VERIFY THAT THE BENCHMARKS ILLUSTRATED ON THIS SKETCH HAVE NOT BEEN DISTURBED AND THEIR ELEVATIONS HAVE BEEN CONFIRMED. ANY CONFLICTS MUST BE REPORTED PRIOR TO CONSTRUCTION.

- HORIZONTAL DATUM IS BASED ON AN ASSUMED DATUM ESTABLISHED IN THE FIELD BY CARROLL ENGINEERING ON FEBRUARY 6, 2023.
- THE OFFSETS SHOWN ARE NOT TO BE USED FOR THE CONSTRUCTION OF ANY STRUCTURE, FENCE, PERMANENT ADDITION, ETC.
- ALL CONIFEROUS TREES HAVE A 3" TRUNK UNLESS SHOWN OTHERWISE.
- PROPERTY CORNERS COULD NOT BE SET IN THE REAR OF THE PROPERTY DUE TO INACCESSIBILITY TO THE LOCATION.

IMPERVIOUS SURFACE SUMMARY	
	AS-BUILT (SF)
HOUSE FOOTPRINT/ FRONT PORCH/ GARAGE	1,457
DRIVEWAY (TO R.O.W. LINE)	457
OTHER (STONE INCLUDED)	677
TOTAL IMPERVIOUS AREA	2,591
AREA OF PROPERTY	4,680
IMPERVIOUS COVERAGE	55.4%

REFERENCES:

- THE OFFICIAL TAX ASSESSOR'S MAP OF THE CITY OF MARGATE, ATLANTIC COUNTY, NEW JERSEY, SHEET #15.
- MAP TITLED, "NATIONAL FLOOD INSURANCE PROGRAM, FIRM, FLOOD INSURANCE RATE MAP, ATLANTIC COUNTY, NEW JERSEY (ALL JURISDICTIONS) ONLY PANEL PRINTED, COMMUNITY PANEL NUMBER 34001C0434F", MAP EFFECTIVE DATE: AUGUST 28, 2018.



P.O.B.
248' TO WELLINGTON AVE.

N. DOUGLAS AVE.

(52' WIDE PUBLIC ROW)
(ASPHALT ROADWAY)
(TWO-WAY TRAFFIC)

Board Chairperson _____
 Board Administrator _____
 City Engineer _____
 Zoning Officer _____
 Construction Official _____
 City Clerk _____

LEGEND

- CLEANOUT
- GAS METER
- ELECTRIC METER
- WATER VALVE
- DECIDUOUS TREE W/TRUNK DIAMETER
- CONIFEROUS TREE W/TRUNK DIAMETER
- DEP DEPRESSED CURB
- MINOR CONTOUR
- MAJOR CONTOUR
- SPOT GRADE ELEV. (IMPERVIOUS SURFACE)
- SPOT GRADE ELEV. (PERVIOUS SURFACE)
- SPOT GRADE DWELLING FLOOR ELEV.
- SPOT GRADE GARAGE FLOOR ELEV.

GRAPHIC SCALE



(IN FEET)
1 inch = 20 ft.



Carroll Engineering

105 Raider Boulevard Suite 206
 Hillsborough, NJ 08844
 Phone: (908) 874-7500 Fax: (908) 874-5762
 Certificate of Authorization: #24GA27952100
CORPORATE OFFICE:
 949 Easton Road Warrington, PA 18976
 Phone: (215) 343-5700 Fax: (215) 343-0875
OTHER OFFICES:
 630 Freedom Business Center Third Floor
 King of Prussia, PA 19406
 Phone: (610) 489-5100
 101 Lindenwood Drive Suite 225 Mahan, PA 19355
 Phone: (484) 875-3075
 www.carrollengineering.com
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Ryan J. Patrick
RYAN J. PATRICK
 PROFESSIONAL LAND SURVEYOR
 NJ LIC. NO. 24GS04344400
 DATE: 2/14/23

BOUNDARY & TOPOGRAPHIC SURVEY

BLOCK 604.03
LOT 5
 SITUATED IN
 CITY OF MARGATE
 ATLANTIC COUNTY
 STATE OF NEW JERSEY
 PREPARED FOR
 RUDOLPH CLARKE LLC
 SEVEN NESHAMINY INTERPLEX - SUITE 200
 TREVISO, PA. 19053

DATE:	02/07/23
CADD FILE:	23-1254-000
JOB NO:	23-1254.00
DSG BY:	N/A
DWN BY:	R.J.P.
CKD BY:	R.J.P.
SCALE:	1"=20'
DRAWER NUMBER:	
SHEET:	1 OF 1 SHEETS
DRAWING NUMBER	23-1254-000