

**City of Cape May Zoning Board of Adjustment Meeting Minutes  
Thursday, December 8, 2016**

**Opening:** In compliance with the Open Public Meetings Act of 1975, adequate notice of the meeting was provided. Chairperson Hutchinson called the meeting to order at 6:30 P.M.

<b>Roll Call:</b>	Mrs. Hutchinson, Chairperson	Present
	Mr. Iurato, Vice Chairperson	Present
	Mr. Murray	Present
	Mrs. McAlinden	Present
	Mrs. Werner	Present
	Ms. Hesel	Absent-Excused
	Mr. Mullock Alt. 1	Present

**Also Present:** Richard King, Esquire, Board Solicitor  
Craig Hurless, PE, PP, CME, Board Engineer  
Erin Burke, Board Assistant

**Minutes**

**Motion was made by Mr. Iurato to approve the minutes from September 22, 2016**, seconded by Mr. Murray and **carried 5-0**. Those in favor: Mr. Murray, Mrs. Werner, Mr. Mullock, Mr. Iurato, Mrs. Hutchinson. Those opposed: None. Those abstaining: Mrs. McAlinden.

**Resolutions**

**Motion was made by Mr. Mullock to approve Resolution Number 12-08-2016:1 Beacon Condominium Association (Wigs Cherry, LLC.), 34 Jackson Street, Block 1034, Lot(s) 3**, seconded by Mrs. Werner and **carried 5-0**. Those in favor: Mr. Murray, Mrs. McAlinden, Mrs. Werner, Mr. Mullock, Mrs. Hutchinson. Those opposed: None. Those abstaining: None.

Mr. Iurato claimed to have "no vote" on the motion.

**Motion was made by Mr. Murray to approve Resolution Number 12-08-2016:2 Robert Jenkins, Catherine Jenkins, and Donna Schroeder, 403 Reading Avenue, Block 1134, Lot(s) 24**, seconded by Mr. Iurato and **carried 6-0**. Those in favor: Mr. Murray, Mrs. McAlinden, Mrs. Werner, Mr. Mullock, Mr. Iurato, Mrs. Hutchinson. Those opposed: None. Those abstaining: None.

**Motion was made by Mr. Mullock to approve Resolution Number 12-08-2016:3 2015 Zoning Board of Adjustment Report**, seconded by Mr. Iurato and **carried 6-0**. Those in favor: Mr. Murray, Mrs. McAlinden, Mrs. Werner, Mr. Mullock, Mr. Iurato, Mrs. Hutchinson. Those opposed: None. Those abstaining: None.

## Applications

*David Heuwetter and Geraldine Smith-Heuwetter  
1218 Maryland Avenue  
Block 1132, Lot(s) 19, 20*

Joseph Gittle, of Blaine Steinman Architects, Carol Tutelian, of Engineering Design Associates, and Board Engineer Craig Hurless, PE, PP, CME, were sworn in and stated their credentials for the record.

The representative for the applicant, Jeffrey P. Barnes, Esquire, gave a brief explanation of the proposed demolition of the existing structure on the property, and construction of a new two story single family dwelling. A total of four bedrooms are proposed with a total floor area of 2,082 square feet. The existing garage and driveway are to remain to address parking. Mr. Barnes emphasized that the proposed new building will comply with all setbacks, and the only reason the applicant is before the Board is to seek variances related to the existing non-conforming lot size, width, and frontage. Mr. Barnes claimed that the existing shed is not in compliance, but no changes are being made to it.

Joe Gittle, Architect, described the proposed home in detail, and reiterated that it complies with all bulk requirements, and all zoning, code, and flood regulations. He maintained that there is adequate parking for four (4) parking spaces on the property, where only two (2) are required.

Carol Tutelian, Planner, testified that her office prepared the variance plan for the application, and explained the variances sought extensively. Referring to **Exhibit A-1: Aerial photograph of neighborhood**, Ms. Tutelian claimed that out of 25 surrounding houses, 22 are undersized and non-conforming (approximately 88% of the neighborhood). Ms. Tutelian emphasized that the existing non-conforming accessory shed located on the property would not be changed besides some aesthetic updates (new siding, etcetera).

Board Engineer Craig Hurless, PE, PP, CME, then summarized his latest memorandum dated November 7, 2016. Mr. Hurless explained the three (3) variances required in detail (pages 3 of 4):

1. §525-15B(1) Table 1 Lot Size
2. §525-15B(1) Table 1 Lot Width
3. §525-15B(1) Table 1 Lot Frontage

The General Review Comments 1-9 (page 3 and 4 of 4) were reviewed and explained in detail, with all items being classified as conditions of approval. Item number 6 was adjusted to accommodate the relocation or replacement of the existing Crepe Myrtle, as per the Shade Tree Commission recommendations.

**Discussion was opened to the public within 200 feet at 7:00 PM, then beyond 200 feet, then closed with no public coming forward.**

**Motion was made by Mr. Iurato to approve §525-15B(1) Table 1 Lot Size, §525-15B(1) Table 1 Lot Width, §525-15B(1) Table 1 Lot Frontage, as well as Rear Yard and Side Yard Setback variances related to an existing accessory detached garage, subject to General Review Comments (page 3 and 4 of 4) item numbers 1-9, all as conditions of approval, seconded by Mrs. McAlinden and carried 6-0. Those in favor: Mr. Murray, Mrs. McAlinden, Mrs. Werner, Mr. Mullock, Mr. Iurato, Mrs. Hutchinson. Those opposed: None. Those abstaining: None.**

Mr. Murray, Mr. Mullock, Mr. Iurato, and Mrs. Hutchinson voiced the reasoning for their votes in the positive for the record.

**Motion to adjourn was made at 7:05 PM with all in favor.**

**Respectfully Submitted, Erin Burke/Board Assistant.**