

June 9, 2026

Robin Schilling, Secretary
Township of Little Egg Harbor Zoning Board
665 Radio Road
Little Egg Harbor, NJ 08087
Email: rschilling@leht.com

**Re: Bulk Variance Application #2026-03
Carl J. & Concetta Tina Schmidt
105 East Sail Drive
Block 323 Lot 20
Zone: R-50 – Residential Zone
Our File: 1517-Z-486**

Dear Ms. Schilling:

Our office has received and reviewed the referenced application and offers the following comments:

A. Background

The property in question (PIQ) is located on the north side of East Sail Drive and is a lagoon lot. The tract consists of 0.114-acres (5,000 sf) with an upland area of 4,288 sf. The site is currently developed with a 1 story single family dwelling, 2 sheds, an asphalt driveway, paver walkways, stone areas, a bulkhead, an upper dock, a ramp, and 2 floating docks.

The Applicant is proposing the construction of a new 2-story single-family dwelling with a one-car attached garage, a covered front porch, a first and second floor rear deck, a retaining wall, and driveway. It appears that all existing upland improvements are to be removed. The bulkhead, upper dock, ramp, and 2 floating docks appear to remain.

The Applicant seeks variance relief to permit the construction of a new 2-story single-family dwelling on a lot where the minimum upland lot area, minimum lot depth, and maximum building coverage have not been met. Per §215-4.14F(1)(a) the minimum upland lot area of 4,350 sf is required, whereas 4,288 sf is existing. Per §215-4.14F(1)(b) the minimum lot depth to a bulkhead is 87 ft, whereas 85.68 ft is existing. Per §215-4.14E(10) the maximum building coverage is 30%, whereas 30.6% is proposed.

B. Items Submitted

1. Copy of the Township of Little Egg Harbor Zoning Board of Adjustment Application and Appeal dated April 15, 2026.
2. Copy of an Affidavit of Non-Collusion dated April 20, 2026.
3. Copy of a Site Inspection Consent dated April 20, 2026.
4. Copy of a Certified List of Property Owners within 200 ft of Site dated April 14, 2026.
5. Copy of a Map of Survey/Plot Plan/Variance Plan, prepared by John P. Augustine, P.L.S., and Bruce A. Jacobs, P.E. of Gravatt Consulting Group dated March 31, 2026.
6. Copy of a Reduced Set of Architectural Plans prepared by G3C consisting of 15 sheets. Not readable.
7. Copy of Proof of Taxes Paid dated April 15, 2026.
8. Copy of Check No. 1419 in the amount of \$100.00 for Application Fees.

9. Copy of Check No. 1418 in the amount of \$150.00 for Resolution Fees.

10. Copy of Check No. 1420 in the amount of \$500.00 for Escrow Fees.

C. Completeness

The following is a list of items required to be submitted by checklist which our office finds relevant for this application. The Board and our office reserve the right to request additional item(s) be submitted, should the testimony provided require such documentation.

1. Item #16 – Provide at least 4 photographs of the site for an accurate description on site.
2. Item #32 – Driveway material to be shown.
3. Item #33 – Driveway dimension to be shown.
4. Item #40 – Copies of Notice of Publication.

D. Relief Required

The Applicant seeks variance relief to permit the construction of a new 2 story single-family dwelling on a lot where the minimum upland lot area, minimum lot depth, and maximum building coverage have not been met. Per §215-4.14F(1)(a) the minimum upland lot area of 4,350 sf is required, whereas 4,288 sf is existing. Per §215-4.14F(1)(b) the minimum lot depth to a bulkhead is 87 ft, whereas 85.68 ft is existing. Per §215-4.14E(10) the maximum building coverage is 30%, whereas 30.6% is proposed.

E. Zoning

Bulk Requirements: The PIQ is located within R-50 – Residential Zone. The site is a lagoon lot.

The chart below summarizes the area and bulk requirements for the R-50 – Residential Zone in accordance with §215-4.14E and §215-4.14F:

	Required	Existing	Variance
Minimum Lot Area (Upland)	4,350 SF	4,288 SF (<i>EV</i>) ⁽¹⁾	<i>Existing Non-Conforming Condition</i>
Minimum Lot Width	50 FT	50 FT	Conforms
Minimum Lot Depth - Bulkhead Lot	87 FT	85.68 FT (<i>EV</i>) ⁽²⁾	<i>Existing Non-Conforming Condition</i>
Minimum Front Yard Setback	20 FT	20 FT	Conforms
Minimum Side Yard Setback	5 FT	5.5 FT	Conforms
Minimum Combined Side Yard Setback	15 FT	16.75 FT	Conforms
Minimum Rear Yard Setback – Bulkhead Lot – Dwelling (Decks)	15 FT	15.12 FT	Conforms
Maximum Building Height for lots located in Areas of Special Flood Hazard	40 FT	34.2 FT	Conforms
Maximum Building Coverage, Percent	30%	30.6% (<i>V</i>) ⁽³⁾	<i>Variance</i>
Minimum Setback to Bulkhead for Accessory Structures	15 FT	N/A	N/A

EV – Existing Non-conforming Condition N/A – Not Applicable

- (1) Per §215-4.14F(1)(a) the minimum required upland lot area is 4,350 sf, whereas 4,288 is existing.
- (2) Per §215-4.14F(1)(b) the minimum required lot depth to a bulkhead is 87 ft, whereas 85.68 ft is existing.
- (3) Per §215-4.14E(10) the maximum building coverage is 30%, whereas 30.6% is proposed.

F. Review Comments

1. Testimony should be presented as to the hardships associated with the land which force the Applicant to come before the Board to request the required variance relief.
2. The Applicant shall provide testimony to discuss the history of the site including any previous variances granted for the site. A variance may be required for the minimum upland lot area and the minimum lot depth to a bulkhead.
3. Per §215-7.8J in order to accommodate elevated building construction in Areas of Special Flood Hazard as set forth in §185-7, unroofed entrance porches or steps may encroach into the required side yard setback as required to elevate the building to the minimum of the ABFE or the BFE, plus any required freeboard, provided the unroofed entrance porches or steps do not extend more than 5 feet from the principle structure. Unroofed entrance porches or steps may not be located within five (5) feet of any property line. The Applicant is proposing stairs and a platform within the front yard setback. The required setback is 20 ft, whereas the stairs are 16.25 ft. The stairs should be relocated, or the Applicant shall request a variance. Testimony shall be provided to discuss the location of the stairs and platform.
4. The architectural plans submitted are a reduced copy and not legible. A full size set of plans should be provided.
5. It appears that all existing upland improvements are to be removed. The bulkhead, upper dock, ramp, and 2 floating docks appear to remain. Testimony shall be provided to discuss the disposition of the existing improvements and the existing improvements labeled accordingly.
6. The Applicant shall provide testimony to discuss on-site drainage and where the drainage is directed.
7. The Applicant shall provide testimony to discuss the potential impacts to adjacent properties.
8. The Applicant shall provide at least 4 photographs of the site for an accurate description on site.
9. The material of the driveway shall be labeled on the plan and a driveway detail provided.
10. The width of the driveway shall be dimensioned on the plan.
11. The Applicant shall provide proof of the Notice of Publication.

G. Fees Required

1. Pursuant to §215-16.1 the following non-refundable administrative fees are required for this application:

§215-16.1A(1)(n)[3] Bulk Variance	<u>\$100.00</u>
Total Application Fee	\$100.00

2. Pursuant to §215-16.2 of the Land Development Ordinance, the resolution fee is required:

\$150.00

3. Pursuant to §215-16.3, the following escrow fees are required for this application:

§215-16.3M(3) Bulk Variance \$500.00

Total Escrow Fee \$500.00

The Applicant has submitted the application fee in the amount of \$100.00, the resolution fee in the amount of \$150.00 and the escrow fee in the amount of \$500.00.

H. Recommendation

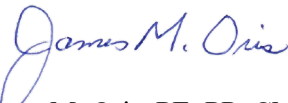
Based upon our review of the information submitted, we recommend that this application be deemed **complete** subject to the Applicant submitting 4 site photographs and complying with all applicable notification requirements as set forth in the Municipal Land Use Law.

Our office recommends that the Board proceed with the variance request. The Zoning Board of Adjustment meets the second Wednesday of the month, therefore subject to the notice provided by the Applicant, this application will be scheduled for a public hearing on the July 8, 2026, meeting of the Little Egg Harbor Zoning Board of Adjustment. By copy of this letter, we are informing the Applicant of the items to be addressed.

Should you have any questions, please do not hesitate to contact our office on 732-286-9220.

God Bless America,

REMINGTON & VERNICK ENGINEERS



James M. Oris, PE, PP, CME

EJP/JMO/MMG:mr

cc: via e-mail:

Mr. Greg Leszega, Chairman

Ms. Kelly Lettera, RMC, Interim Township Administrator

Mr. John Cooley, Zoning Officer

Ms. Debra Rumpf, Esq., Board Attorney

Mr. Jason Worth, P.E., Township Engineer

Carl J. & Concetta Tina Schmidt, Applicant/Owner (105 East Sail Drive, Little Egg Harbor, NJ 08087)

Mr. Richard Kitrick, Esq., Applicant's Attorney (kitricklawfirm@gmail.com)

Mr. Bruce Jacobs, P.E., Applicant's Engineer (414 Lacey Road, Forked River, NJ 08731)