

RABAN & RABAN

— LLC —

Attorneys at Law

**11710 Long Beach Blvd.
Haven Beach, NJ 08008**

REGINALD J. RABAN (1945-2024)

JAMES S. RABAN*▲

MEMBER OF NJ BAR *

MEMBER OF PA BAR ▲

TEL (609) 492-0533

FAX (609) 492-0464

Email: jraban@regraban.com

August 26, 2025

Via Hand Delivery & Email Sdelacruz@shipbottom.org

Sara Dela Cruz, Secretary
Ship Bottom Land Use Review Board
1621 Long Beach Boulevard
Ship Bottom, NJ 08008

Re: Ship Bottom Creek NJ LLC Special Reasons and Bulk Variance #3716
127 E. 27th Street, Ship Bottom, NJ 08008
Block 23, Lot 13

Dear Ms. Dela Cruz:

Enclosed please find the following with regard to the above referenced matter:

- (x) 18 copies of Land Use Development Application;
- (x) 18 copies of Floor Plans prepared by Robert Musgnug of Musgnug and Associates;
- (x) 18 copies of Variance Plans prepared by Jason Marciano, P.E., P.P. of East Coast Engineering;
- (x) Affidavit of Ownership;
- (x) W-9;
- (x) Public Notice;
- (x) Check No.: 4028 Amount \$1,125.00 Administrative Fee;
- (x) Check No.: 4029 Amount \$4,000.00 Escrow Account Deposit;
- (x) Please consent and/or approve for public hearing on September 16, 2025 at 6:30 p.m.

Thank you for your courtesies and attention to this matter. If you have any questions, please do not hesitate to contact me.

Very truly yours,

JAMES S. RABAN

JSR/dh
Enc.

Sara Dela Cruz, Secretary

August 26, 2025

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Cc: Ship Bottom Creek, NJ LLC (via email)
Robert Musnug (via email)
Jason Marciano (via email)
Frank Little Jr., P.E., P.P. (via email)
Joseph Coronato, Sr., Esq. (via email)
Joseph Coronato, Jr., Esq. (via email)

LAND USE DEVELOPMENT APPLICATION

BOROUGH OF SHIP BOTTOM

17TH & LONG BEACH BOULEVARD
SHIP BOTTOM, NEW JERSEY 08008
(609) 494-2171

TO BE COMPLETED BY BOROUGH STAFF ONLY

Date Filed _____ Docket No. _____
Application Fees _____ Escrow Deposit _____
Scheduled for: Review of Completeness _____ Hearing _____

1. SUBJECT PROPERTY - TO BE COMPLETED BY APPLICANT

Location : 127 E. 27th Street
Tax Map: Page 2 Block 23 Lot 13
Dimensions: Width: 25 ft. Depth: 80 ft. Total Area: 2,000 sq. ft.

Zoning District: R-3 Single and Two-Family Residential District

2. APPLICANT

Name: Ship Bottom Creek NJ LLC

Address: 1319 Mill Creek Road, Manahawkin, NJ 08050

Telephone Number: Home: 917-699-1694 Local:

Work: Fax:

Applicant is a Corporation Partnership Individual

Other: Limited Liability Company

Social Security Number / Federal ID Number:

3. DISCLOSURE STATEMENT

Pursuant to N.J.S. 40:55D-48.1, the names and address of all persons owning 10% of the stock in a corporate application or 10% interest in any partnership applicant must be disclosed. In accordance with N.J.S. 40:55D-48.2 that disclosure requirement applies to any corporation or partnership which owns more than 10% interest in the applicant followed up the chain of ownership until the names and addresses of the non-corporate stockholders and partners exceeding the 10% ownership criterion have been disclosed (attach pages as necessary to fully comply.)

Name: Michael Ems Interest: 50%

Address: 1319 Mill Creek Rd., Manahawkin, NJ 08050

Name: Carol Ems Interest: 50%

Address: 1319 Mill Creek Rd., Manahawkin, NJ 08050

APPLICANT IS RESPONSIBLE FOR PAYMENT OF ALL PROFESSIONAL REVIEW FEES, INCLUDING THE ENGINEERING AND ATTORNEY. ALL ENGINEERING AND LEGAL FEES MUST BE PAID BEFORE CONSTRUCTION OR ZONING PERMITS CAN BE ISSUED.

4. If owner (s) is other than the applicant, provide the following information on the Owner (s):

Owner's Name: Same as Applicant

Address:

Telephone Number: Home: Work: Local:

Relationship of the applicant to the property in question:

Owner: ☒ Lessee Purchaser Under Contract: Other

5. PROPERTY INFORMATION:

Deed restrictions, covenants, easements, rights of way, association by-laws, or other dedication existing or proposed on the property:

Yes (attach copies) No ☒

Note: All Deed Restrictions, Covenants, Easements, Rights of Ways, Association By-Laws, or other dedications existing and proposed must be submitted for review.

Site Plan and / or conditional use applicants: N/A

Proposed for: New Structure Expanded Area Alteration
Expansion of Structure Change of Use Sign

Other (please specify)

Has this property been the subject of any prior application (s) to the Planning Board or Zoning Board of Adjustment? Yes ☒ No If so, please attach the date (s), the relief sought, the disposition of the case and a copy of the resolution (s).

Attached is a copy of Resolution# 24-12 dated December 17, 2025 denying the Applicant's prior request to demolish the existing single-family dwelling and to construct a new single-family dwelling.

Is the subject property located on:

A County Road: Yes No ☒ ; A State Road: Yes No ☒
within 200 feet of a municipal boundary: Yes No ☒

Present use of the premises: single-family dwelling

6. Applicant's Attorney: JAMES S. RABAN

Address: 11710 Long Beach Blvd., Haven Beach, NJ 08008

Telephone Number: (609) 492 – 0533 Fax Number: (609) 492 – 0464

7. Applicant's Engineer/Surveyor: East Coast Engineering, Inc.

Address: 508 Main Street, Toms River, NJ 08753

Telephone Number: 732-244-3030 Fax Number: 732-244-3044

8. Applicant's Planning Consultant: Same as Engineer

Address:

Telephone Number: Fax Number

9. Applicant's Architect: Musgnug & Associates Architects

Address: 1907 Bayview Ave., P.O. Box 902, Barnegat Light, NJ 08006

Telephone Number: 609-361-3456 Fax: 609-361-3488

10. List any other Expert who will submit a report or who will testify for the Applicant: (Attach additional sheets as may be necessary)

Name

Field of Expertise

Address

Telephone Number

Fax Number

11. APPLICATION REPRESENTS A REQUEST FOR THE FOLLOWING:

SUBDIVISION: N/A

Minor Subdivision Approval
Subdivision Approval (Preliminary)
Subdivision Approval (Final)
Number of Lots to be created
Number of proposed Dwelling Units (if applicable)
Area and Dimensions of each Proposed Lot

SITE PLAN: N/A

Minor Site Plan Approval
Preliminary Site Plan Approval [Phases (if applicable)]
Final Site Plan Approval [Phases (if applicable)]
Amendment or Revision to an Approved Site Plan
Area to be disturbed (square feet)

Total number of proposed dwelling units

Request for Waiver from Site Plan Review and Approval

Reason for Request:

INFORMAL REVIEW
APPEAL DECISION OF AN ADMINISTRATIVE OFFICER [N.J.S. 40:55d-70A]
MAP OR ORDINANCE INTERPRETATION OR SPECIAL QUESTION [N.J.S. 40:55D-70B]
X VARIANCE RELIEF (HARDSHIP) [N.J.S. 40:55D-70C (1)]
X VARIANCE RELIEF (SUBSTANTIAL BENEFIT) [N.J.S. 40:55D-70C (2)]
X VARIANCE RELIEF (SPECIAL REASONS) [N.J.S. 40:55D-70D]
CONDITIONAL USE APPROVAL [N.J.S. 40:55D-67]
DIRECT ISSUANCE OF A PERMIT FOR A STRUCTURE IN BED OF A MAPPED STREET, PUBLIC
DRAINAGE WAY, OR FLOOD CONTROL BASIN [N.J.S. 40:55D-34]
DIRECT ISSUANCE OF A PERMIT FOR A LOT LACKING STREET FRONTAGE [N.J.S. 40:55D-35]

12. Section (s) of Ordinance from which a variance is requested:

Section 16.32.010(D) – The minimum required lot area is 4,000 square feet. The existing and proposed lot area is 2,000 square feet. This is an existing nonconformity which is not changing.

Section 16.32.010(D) – The minimum required lot width is 40 feet. The existing and proposed lot width is 25 feet. This is an existing nonconformity which is not changing.

Section 16.32.010(D) – The minimum required lot depth is 100 feet. The existing and proposed lot depth is 80 feet. This is an existing nonconformity which is not changing.

Section 16.32.010(D) – The minimum required combined side yard setback is 15 feet, with one side yard requiring a minimum setback of 10 feet. The existing easterly side yard setback is 11.1 feet; 3.5 feet is proposed. The existing westerly side yard setback is -0.6 feet; 3.5 feet is proposed. The proposed combined side yard setback is 7 feet.

Section 16.32.010(D) – On any non-conforming lot of less than 40 feet in width no building shall be erected consisting of more than one habitable story or exceeding 24 feet in height. The existing dwelling has one and one half stories and the proposed number of stories is two. The existing building height is 19.7 feet; 27.92 feet is proposed.

Section 16.32.010(G) – The minimum required floor area is 900 square feet at the first-floor level per dwelling unit. The existing area of the first floor is 521 square feet; 699 square feet is proposed.

13. Waivers Requested of development Standards and/or Submission Requirements: (attach additional pages as needed)

The Applicant reserves the right to request any waivers at the hearing that the Board may deem appropriate.

14. ATTACH A COPY OF THE PROPOSED NOTICE TO APPEAR IN THE OFFICIAL NEWSPAPER OF THE MUNICIPALITY AND TO BE MAILED TO THE OWNERS OF ALL REAL PROPERTY, AS SHOWN ON THE CURRENT TAX DUPLICATE, LOCATED WITHIN THE STATE AND WITHIN 200 FEET IN ALL DIRECTIONS OF THE PROPERTY WHICH IS THE SUBJECT OF THIS APPLICATION. THE NOTICE MUST SPECIFY THE SECTIONS OF THE ORDINANCE FROM WHICH RELIEF IS SOUGHT, IF APPLICABLE.

*The publication and the service on the affected owners must be accomplished at least 10 days prior to the date scheduled by the Administrative Officer for the hearing.

*An Affidavit of Service on all property owners and a Proof of Publications must be filed before the Application will be complete and the hearing can proceed.

15. Explain in detail the exact nature of the Application and the changes to be made at the premises, including the proposed use of the premises: (Attach pages as needed)

The Applicant is seeking to demolish the existing single-family home at the site and construct a new single-family dwelling. The Applicant previously applied to the Board for variances on October 15, 2024 and, after receiving input from the Board, revised their plans and continued their hearing at the November 19, 2024 meeting of the Board. The Applicant's application was denied at the November 19, 2024 hearing. The Applicant has since modified their plans to further reduce the size of the home and to eliminate a variance for building coverage. Additionally, the revised plans do not contain a roof deck, which was a concern of the Board.

16. Is a public Water Line available? Yes
17. Is public Sanitary Sewer available? Yes
18. Does the application propose any lighting ? Normal residential lighting
19. Have any proposed new lots been reviewed with the Tax Assessor to determine appropriate Lot and Block number ? N/A
20. Are any Off-Tract Improvements required or proposed ? No
21. Is the Subdivision to be filed by Deed or Plat ? N/A
22. What form of security does the applicant propose to provide as performance and maintenance guarantees ?
N/A
23. OTHER APPROVALS WHICH MAY BE REQUIRED AND DATE PLANS SUBMITTED:

	YES	NO	DATE PLANS SUBMITTED
SHIP BOTTOM FIRE PREVENTION BUREAU		x	
SHIP BOTTOM WATER & SEWER DEPT.		x	
SHIP BOTTOM PUBLIC WORKS DEPT.		x	
LONG BEACH ISLAND HEALTH DEPT.		x	
OCEAN COUNTY PLANNING BOARD		x	
OCEAN COUNTY SOIL CONSERVATION DEPT.		x	
N.J. DEPT. ENVIRONMENTAL PROTECTION		x	
SANITARY SEWER CONNECTION PERMIT		x	
SEWER EXTENSION PERMIT		x	
WATERFRONT DEVELOPMENT PERMIT		x	
WETLANDS PERMIT		x	
TIDAL WETLANDS PERMIT		x	
F.E.M.A.		x	
N.J. DEPT. OF TRANSPORTATION		x	
ATLANTIC ELECTRIC		x	
N.J. NATURAL GAS		x	

24. CERTIFICATION FROM THE TAX COLLECTOR THAT ALL TAXES DUE ON THE SUBJECT PROPERTY HAVE BEEN PAID.
25. LIST OF MAPS, REPORTS AND OTHER MATERIALS ACCOMPANYING THE APPLICATION
(attach additional pages as required for complete listing)

THE DOCUMENTATION MUST BE RECEIVED BY THE BOARD SECRETARY AT LEAST TWENTY-ONE (21) DAYS PRIOR TO THE MEETING AT WHICH THE APPLICATION IS TO BE CONSIDERED. A LIST OF THE PROFESSIONAL CONSULTANTS IS ATTACHED TO THE APPLICATION FORM.

Quantity Description of Item

18 copies of Land Use Development Application
 18 copies of Variance Plan prepared by East Coast Engineering, Inc.
 18 copies of Architectural Drawings prepared by Musgnug & Associates Architects

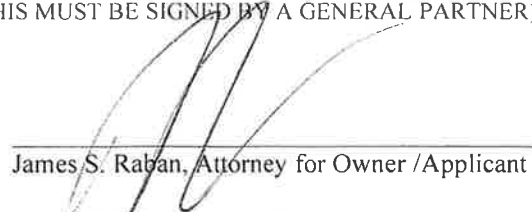
26. THE APPLICANT HEREBY REQUESTS THAT COPIES OF THE REPORTS OF THE PROFESSIONAL STAFF REVIEWING THE APPLICATION PROVIDED TO THE FOLLOWING OF THE APPLICANT'S PROFESSIONALS:

SPECIFY WHICH REPORTS ARE REQUESTED FOR EACH OF THE APPLICANT'S PROFESSIONALS OR WHETHER ALL REPORTS SHOULD BE SUBMITTED TO THE PROFESSIONAL LISTED.

	Applicant's Professional	Reports Requested
<u> x </u>	Attorney	<u>All Reports</u>
<u> x </u>	Engineer	<u>All Reports</u>
<u> x </u>	Architect	<u>All Reports</u>

CERTIFICATIONS

27. I CERTIFY THAT THE FOREGOING STATEMENTS AND THE MATERIALS SUBMITTED ARE TRUE, AND WAIVE ALL APPLICABLE TIME LIMITS UNTIL THE FIRST PUBLIC HEARING OF THIS APPLICATION. I FURTHER CERTIFY THAT I AM THE INDIVIDUAL APPLICANT OR THAT I AM AN OFFICER OF THE CORPORATE APPLICANT AND THAT I AM AUTHORIZED TO SIGN THE APPLICATION FOR THE CORPORATION OR THAT I AM A GENERAL PARTNER OR THE PARTNERSHIP APPLICANT. (IF THE APPLICANT IS A CORPORATION, THIS MUST BE SIGNED BY AN AUTHORIZED CORPORATE OFFICER, IF THE APPLICANT IS A PARTNERSHIP, THIS MUST BE SIGNED BY A GENERAL PARTNER)

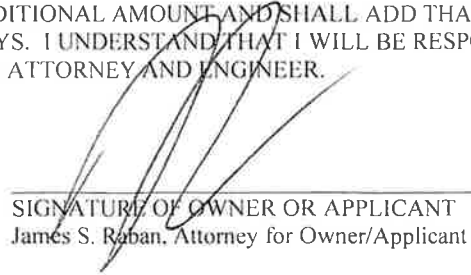


 James S. Raban, Attorney for Owner /Applicant

28. I UNDERSTAND THAT A SUM, TO BE DETERMINED, WILL BE DEPOSITED IN AN ESCROW ACCOUNT, IN ACCORDANCE WITH THE ORDINANCES OF THE BOROUGH OF BEACH HAVEN. I FURTHER UNDERSTAND THAT THE ESCROW ACCOUNT IS ESTABLISHED TO COVER THE COST OF PROFESSIONAL SERVICES INCLUDING ENGINEERING, PLANNING, LEGAL AND/OR OTHER EXPENSES ASSOCIATED WITH THE REVIEW OF SUBMITTED MATERIALS. SUMS NOT UTILIZED IN THE REVIEW PROCESS SHALL BE RETURNED. IF ADDITIONAL SUMS ARE DEEMED NECESSARY, I UNDERSTAND THAT I WILL BE NOTIFIED OF THE REQUIRED ADDITIONAL AMOUNT AND SHALL ADD THAT SUM TO THE ESCROW ACCOUNT WITHIN FIFTEEN (15) DAYS. I UNDERSTAND THAT I WILL BE RESPONSIBLE FOR PAYING FEES DUE TO THE LAND USE BOARD ATTORNEY AND ENGINEER.

DATE

8/26/25



 SIGNATURE OF OWNER OR APPLICANT
 James S. Raban, Attorney for Owner/Applicant

BOROUGH OF SHIP BOTTOM PROFESSIONAL CONSULTANTS

LAND USE BOARD ATTORNEY

Joseph D. Coronato, Sr.
680 Hooper Avenue,
Building C, Second Floor, Suite 304
Toms River, NJ 08754

(732) 240-4600

ENGINEER

Frank J. Little, Jr. P.E., P.P.
Owen, Little & Associates, Inc.
443 Atlantic City Boulevard
Beachwood, NJ 08722

(732) 244-1090
FAX (732) 341-3412

**RESOLUTION# 24-12
RESOLUTION OF DENIAL
APPLICATION OF
SHIP BOTTOM CREEK NJ, LLC
APPLICATION #24-12**

IN THE MATTER OF : LANDUSE BOARD
SHIP BOTTOM CREEK NJ, : BOROUGH OF SHIP BOTTOM
LLC : APP NUMBER 24-12
 : BLOCK 23; LOT 13
 : 127 E. 27th STREET

WHEREAS an application has been made to the Borough of Ship Bottom Land Use Board (the "Board") by Ship Bottom Creek NJ, LLC (the "applicant"), seeking a Special Reasons D variance and Bulk variances. The subject property is currently improved with a one and half -story single-family dwelling. The Applicant proposes to the demolition and reconstruction of a new two-story and 29ft high, single-family dwelling. The property is commonly located at 127 E. 27th Street in the Borough of Ship Bottom, NJ, Block 23 Lot 13, as depicted on the Tax Maps of the Borough of Ship Bottom, Ocean County, New Jersey, and said premises being located in R-3 Single and Two-Family Residential Zone; and

WHEREAS, the Applicant has satisfied the noticing requirements of the New Jersey Municipal Land Use Law and provided proof of same to the Borough of Ship Bottom, and

WHEREAS, the Applicant was represented by James S. Raban, Esquire; and

WHEREAS, the Borough of Ship Bottom Land Use Board reviewed the application, documents, plans, and exhibits as submitted, and listened to the Applicant and received information from its professional staff; and

WHEREAS the Board heard the testimony and the evidence presented by the Applicant and received comments from the public.

NOW, THEREFORE BE IT RESOLVED, that the Land use Board of the Borough of Ship Bottom, County of Ocean, and State of New Jersey, on the 19th day of November 2024, made the following findings:

1. The Board found the application complete.
2. According to the application, the Applicant is requesting to demolish the existing home and construct a new two-story single-family dwelling 29 FT in height.
3. The following variances are requested:

1. Minimum Lot Area, the existing lot Area is 2,000 SF whereas 4,000 SF is required. This is an existing non-conforming condition. A variance is required.
2. Minimum Lot Width, the existing Lot Width is 25 FT whereas 40 FT is required. This is an existing non-conforming condition. A variance is required.
3. Minimum Lot Frontage, the existing Lot Frontage is 25 Ft whereas 40 Ft is required. This is an existing non-conforming condition. A Variance is required.
4. Minimum Lot Depth, the existing lot Depth is 80 FT whereas 100 FT is required. This is an existing non-conforming condition. A variance is required.
5. Minimum Side Yard Setback, the proposed Side Yard Setback is 3FT whereas 10 FT is required. A variance is required'
6. Minimum Combined Side Yard Setback, the proposed Combined Side Yard Setback is 6 FT whereas 15 FT is required. A variance is required.
7. Minimum Floor Area, the proposed Floor Area is 760 SF whereas 900 SF is required. A variance is required.
8. Maximum Building Coverage, the proposed building coverage is 38.9% whereas 35% is the maximum permitted. A variance is required.
9. Maximum Height, in all residential zoning districts in the Borough of Ship Bottom, on lots with a width of less than 40 FT, no building shall be erected consisting of more than one (1) habitable story or exceeding 24 FT in height. The proposed building is two (2) stories and 29 FT; therefore, a Special Reasons "D" Variance is required for the height and number of stories of the proposed dwelling.

B. The applicant has not requested any design waivers.

C. The applicant has not requested any submission waivers.

4. In support of the application, the Applicant submitted the following documents:

- A. Plot Plan, one (1) Sheet, prepared by East Coast Engineering, Inc., signed by Jason m. Marciano, PE., PP and dated 8/26/2024.
- B. Architectural Plans, three (3) Sheets, prepared by Musgnug & Associates, Inc., signed by Robert P. Musgnug, AI and dated 07/16/2024.

5. During the public hearings held on October 15, 2024, and November 19, 2024; the Land use Board discussed the following review letters prepared by the Board's professionals, the contents of which are hereby adopted and incorporated in full:
 - A. Review letters dated October 8, 2024, and November 8, 2024, by the Land use Board Engineer, Frank J. Little, Jr., P.E., P.P., C.M.E.
6. The Land use Board has received no review letters/memos from the Borough of Ship Bottom Officials.
7. During the public hearing no exhibits were marked into evidence.
8. The Applicant currently owns the subject property is 2,000 SF in total Lot area. The property is currently improved with a 1.5-story single-family dwelling. The Applicant proposes the demolition and reconstruction of a new two-story and 29 FT high, single-family dwelling.
9. On July 16, 2024, Applicants Engineer Jason Marciano, PE, PP, testified to the overall project. Mr. Marciano testified to the basics of the application. Mr. Marciano explained that the existing dwelling is about 7 inches over the property line. The Applicant proposes to relocate a new 2 story single-family dwelling solely on the property. In addition, the Applicant proposes two (2) off street parking spaces. He described the plan for the new two story dwelling on the existing lot. He further testified that positive criteria outweighed any negative criteria. Mr. Marciano stated the new dwelling does not impair the zoning plan and preserves the integrity of the neighborhood.
10. The applicant's Architect Robert Musnug, AI, testified to the proposed two-story dwelling with three (3) bedrooms, two full bathrooms and one-half bathroom, as well as a kitchen, dining area and living area. A lower enclosure will provide one (1) parking space, and the remainder of the lower enclosure will include a foyer for access, storage area and elevator for access to all living floors. A rooftop deck is also proposed which will be accessible via interior staircase as well as an outdoor shower. The new dwelling would be 29 FT in height. Mr. Musnug indicated the existing dwelling on the property was very old and the foundation was in very poor condition.
11. A member of the public came forth and was in support of the application.

12. The Applicant came back before the Board on November 19, 2024. The Applicant's plans now reduced the size of the rooftop deck, reduced the width of the new dwelling, reduced building coverage, shifted the dwelling to the rear for more off street parking and lowered the height to 28.3FT. The Applicant now shows three (3) parking spaces, one in the garage and 2 in the driveway.

CONCLUSIONS OF LAW AND FACT

WHEREAS the Board determined that the Application of Ship Bottom Creek NJ, LLC pursuant to *N.J.S.A. 40:55D-46* and *N.J.S.A. 40:55D-50* were found to be insufficient, and the Board DENIED the Applicant's request; and

WHEREAS, the Ship Bottom Land Use Board has determined that the Applicant should be denied the requested relief for the following reasons:

1. The new proposed dwelling on the property is such that it violates the Borough of Ship Bottom height requirement for an undersized lot and should not be granted.
2. The Applicant did not sufficiently prove that the new two-story dwelling could not be reduced in height or brought more into compliance with the Ship Bottom Ordinances.
3. The applicant's plan for the new dwelling exceeds the lot coverage for the property and should not be granted.
4. The applicant failed to bring the application for the new two-story, single-family dwelling more in compliance with Ship Bottom Ordinances and therefore should not be granted.

NOW, THEREFORE, BE IT RESOLVED, by the Ship Bottom Borough Land Use Board, in the County of Ocean and State of New Jersey, on the 19th day of November 2024, upon a motion to Approve made by Mr. Dixon and seconded by Ms. Tallon, that the Application of was DENIED for not receiving the required votes to approve the "D" variance as requested.

ADOPTED this 19th day of November 2024.

VOTE ON ROLL CALL:

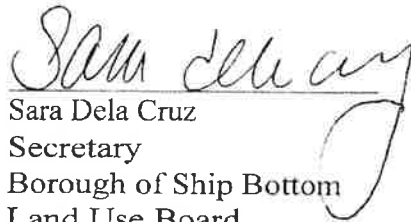
IN FAVOR: Mr. Dixon, Vice- Chairwoman Ms. Tallon, and Ms. Schmidt,
Mr. Fenimore,

OPPOSED: Mr. Basile, Mr. Czarzasty and Chairman Kenneth Yankowski

NOT- PRESENT:

CERTIFICATION

It is hereby certified that the attached is a true copy of the Resolution for Application #P24-12, denied on November 19, 2024, and duly adopted as to form by the Land Use Board of Ship Bottom Borough and memorialized at its meeting held on the 17th Day of December, 2024.


Sara Dela Cruz
Secretary
Borough of Ship Bottom
Land Use Board

AFFIDAVIT OF OWNERSHIP

STATE OF NEW JERSEY :

: SS

COUNTY OF Ocean

Ship Bottom Creek NJ LLC, of full age, being duly sworn according to law, on oath deposes and say that it owns 127 E. 27th Street in the Municipality of Ship Bottom in the County of Ocean, and State of New Jersey that the they are the owner in fee of all that certain lot, tract, or parcel of land, situated, lying and being in the Borough of Ship Bottom, Ocean County, New Jersey, and known and designated at Lot 13 Block 23 and that they hereby authorize and appoint James S. Raban as their attorney in fact to make the within application on their behalf to the Land Use Review Board of the Borough of Ship Bottom, Ocean County, New Jersey.


Michael Ems, Managing Member

Sworn and subscribed before
me this 25th day of
August 2025.

DENISE LAWLOR-HAMOUDA
Notary Public, State of New Jersey
My Commission Expires 5/18/2028


Carol Ems, Managing Member

Sworn and subscribed before
me this 25th day of
August 2025.

DENISE LAWLOR-HAMOUDA
Notary Public, State of New Jersey
My Commission Expires 5/18/2028

PUBLIC NOTICE

BOROUGH OF SHIP BOTTOM

Public notice is hereby given that Ship Bottom Creek NJ LLC (the “Applicant”) has applied to the Land Use Review Board of the Borough of Ship Bottom (the “Board”), Ocean County, New Jersey for variances relative to development on the property designated as Lot 13 in Block 23 on the Tax Map of the Borough of Ship Bottom, located at 127 E. 27th Street. The Applicant is seeking to demolish the existing single-family home and construct a new single-family dwelling. The following variances from the Ship Bottom Zoning Ordinance are requested:

1. Section 16.32.010(D) – The minimum required lot area is 4,000 square feet. The existing and proposed lot area is 2,000 square feet. This is an existing nonconformity which is not changing.
2. Section 16.32.010(D) – The minimum required lot width is 40 feet. The existing and proposed lot width is 25 feet. This is an existing nonconformity which is not changing.
3. Section 16.32.010(D) – The minimum required lot depth is 100 feet. The existing and proposed lot depth is 80 feet. This is an existing nonconformity which is not changing.
4. Section 16.32.010(D) – The minimum required combined side yard setback is 15 feet, with one side yard requiring a minimum setback of 10 feet. The existing easterly side yard setback is 11.1 feet; 3.5 feet is proposed. The existing westerly side yard setback is -0.6 feet; 3.5 feet is proposed. The proposed combined side yard setback is 7 feet.
5. Section 16.32.010(D) – On any non-conforming lot of less than 40 feet in width no building shall be erected consisting of more than one habitable story or exceeding 24

feet in height. The existing dwelling has one and one half stories and the proposed number of stories is two. The existing building height is 19.7 feet; 27.92 feet is proposed.

6. Section 16.32.010(G) – The minimum required floor area is 900 square feet at the first floor level per dwelling unit. The existing area of the first floor is 521 square feet; 699 square feet is proposed.

Any other variances, waivers or exceptions deemed necessary or appropriate by the Board will be requested at the public hearing.

A public hearing has been scheduled for September 16, 2025 at 6:30 p.m. in the Court Room of the Municipal Building, located at 1621 Long Beach Boulevard, Ship Bottom, New Jersey. The Court Room will be set up following all social distancing guidelines, in adherence with the Governor's adopted Executive Order.

The meeting format will be posted on the Borough's website and may change the day of the meeting. Interested parties are encouraged to check the website to confirm the meeting format. Subject can change at any time prior to the actual meeting date.

If a meeting is in-person there will not be a virtual means to attend, anyone wanting to participate will have to attend the meeting in person.

Should government-imposed restrictions change prior to the meeting that would prevent an in-person meeting, this meeting will proceed virtually under the following circumstances:

Join Zoom Meeting

<https://zoom.us/j/97260536124?pwd=dmJ6MTVLKzhrc0pBcVJXcitpaWFKdz09>

Meeting ID: 972 6053 6124, **Passcode:** 087822

One tap mobile: +13017158592,,97260536124#,,, *087822# US (Washington D.C)

+13126266799,,97260536124#,,, *087822# US (Chicago) **Dial by your location:**

+1 301 715 8592 US (Washington D.C) +1 312 626 6799 US (Chicago) +1 646 558 8656 US (New York) +1 253 215 8782 US (Tacoma) +1 346 248 7799 US (Houston) +1 669 900 9128 US (San Jose)

Meeting ID: 972 6053 6124 **Passcode:** 087822 Find your local number:

<https://zoom.us/j/97260536124?pwd=dmJ6MTVLKzhrc0pBcVJXcitpaWFKdz09>

The Meeting Agenda and all documents pertaining to the applications and all other matters to be considered are available for public inspection on the Borough of Ship Bottom Land Use Review Board website or during business hours of the Borough Hall at 1621 Long Beach Boulevard. If there are any questions, comments or concerns, please call the Land Use Review Board Secretary, Sara Dela Cruz at (609)-494-2171 Ext. 122.

File # 3716

James S. Raban,
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