

8. Type of application presented:

- Appeal from decision of Zoning Official (N.J.S.A. 40:55D-70a)
- Interpretation of Zoning Ordinance or Zoning Map (N.J.S.A. 40:55D-70b)
- Hardship Variance (N.J.S.A. 40:55D-70c(1))
- Flexible (C)/balancing benefits and detriments (N.J.S.A. 40:55D-70c(2))
- Use Variance (N.J.S.A. 40:55D070d)
 - (1) Use or principal structure
 - (2) Expansion of non-conforming use
 - (3) Deviation from conditional use standard
 - (4) Increase in permitted floor area ratio
 - (5) Increase in permitted density
 - (6) Height of principal structure greater than 10 feet or 10% of maximum height permitted
- Permit to build in street bed (N.J.S.A. 40:55D-34)
- Permit to build where lot does not abut street (N.J.S.A. 40:55D-36)
- Site plans (N.J.S.A. 40:55D-76)
- Major
 - Preliminary
 - Final
- Minor
 - Waiver of site plan itself
- Subdivision (N.J.S.A. 40:55D-76)
- Minor
- Major
 - Preliminary
 - Final
- Waivers from subdivision and/or site plan standards
- Other

9. Request is made for permission to construct a 40'x80' two-story pole barn building to relocate the existing brewing operations and create a larger bar & tap room. The second story will be completed a future date, creating a half second floor. The existing one-story building will continue to operate as a bar & tap room, and the existing brewing location will be converted to a pizza take-out.

A use variance is required to permit three principal uses, as well as an expansion of a non-conforming use, and 'C' variances for lot coverage, front yard and parking setbacks contrary to the requirements of Sections: 185-23(B), 185-23(D), and 185-23(E) of the Dennis Township Land Use and Development Ordinances, Dennis Township Code Chapters 98, 165 and 185.

10. Supply the following information concerning this application. Place an asterisk to the left of the description of all items for which variances are sought.

	<u>EXISTING CONDITION</u>	<u>REQUIRED BY ORDINANCE</u>	<u>PROPOSED</u>	<u>VARIANCE REQUIRED YES/NO</u>
<u>LOT SIZE:</u>				
Lot Area	1.40 acres	1 acres	1.40 acres	NO
Lot Frontage				
Lot Width	150ft.	150ft.	150ft.	NO
Lot Depth	300ft.	200ft.	300ft.	NO
<u>PRINCIPAL BUILDING:</u>				
Side Yard, each	55.8ft.	30ft.	55.8ft.	NO
Front Yard	130.9ft.	0ft. (min) 8ft. (max)	130.9ft.	YES
Rear Yard	130.7ft.	55ft.	25 ft.	YES
Building Height	<30ft.	30ft.	<30ft.	NO
<u>ACCESSORY BUILDING:</u>				
Side Yard, each				
Rear Yard				
Distance to Other Buildings				
Building Height				
<u>MAXIMUM COVERAGE:</u>				
Principal Building %	1.70% (1,044 SF)	35%	6.94% (4,244 SF)	NO
Accessory Building %	2.87% (1,756 SF)		2.87% (1,756 SF)	NO
<u>GROSS FLOOR AREA:</u>				
Principal Building	1,044 SF		4,224 SF	NO
Accessory Building	1,756 SF		1,756 SF	NO

	<u>EXISTING CONDITION</u>	<u>REQUIRED BY ORDINANCE</u>	<u>PROPOSED</u>	<u>VARIANCE REQUIRED YES/NO</u>
<u>PARKING:</u>				
No. of Spaces	32 spaces	44 spaces	44 spaces	NO
<u>SIGNS:</u>				
Size	N/A	32SF	32SF	NO
Number	N/A	1	1	No
Type (free standing or building mounted)	Freestanding			

11. Has there been any previous appeal, request or application to this Board or to the Planning Board involving these premises? If yes, state the nature of application, date of application, date of hearing and result received from Board.
Prior approvals per Resolution 2024-07
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BY LAW, VARIANCES CAN ONLY BE GRANTED WHERE THE APPLICANT IS ABLE TO SATISFY BOTH POSITIVE AND NEGATIVE CRITERIA ESTABLISHED BY THE MUNICIPAL LAND USE LAW. NO VARIANCE RELIEF OF ANY TYPE MAY BE GRANTED UNLESS THE VARIANCE OR RELIEF CAN BE GRANTED WITHOUT SUBSTANTIAL DETRIMENT TO THE PUBLIC GOOD AND WITHOUT SUBSTANTIALLY IMPAIRING THE INTENT AND PURPOSE OF THE ZONE PLAN AND ZONING ORDINANCE. HARDSHIP VARIANCES OF THE ZONE PLAN AND ZONING ORDINANCE. HARDSHIP VARIANCES (40:55dc(1)) CAN ONLY BE GRANTED WHERE AN EXCEPTIONAL CONDITION EXISTS WITH REGARD TO A SPECIFIC PIECE OF PROPERTY, WHERE EXCEPTIONAL TOPOGRAPHICAL CONDITIONS OR PHYSICAL FEATURES UNIQUELY AFFECT A SPECIFIC PIECE OF PROPERTY OR WHEREBY REASON OF AN EXTRAORDINARY AND EXCEPTIONAL SITUATION UNIQUELY AFFECTING A SPECIFIC PIECE OF PROPERTY OR THE STRUCTURES LAWFULLY EXISTING THEREON THE STRICT APPLICATION OF THE ZONING REQUIREMENT WOULD RESULT IN PECULIAR AND EXCEPTIONAL PRACTICAL DIFFICULTIES TO OR EXCEPTIONAL AND UNDUE HARDSHIP UPON THE DEVELOPER OF THE PROPERTY. RELIEF UNDER THE FLEXIBLE C TYPE VARIANCE (N.J.S.A. 40:55D-70c(2)) CAN ONLY BE GRANTED WHERE, WITH REGARD TO A SPECIFIC PIECE OF PROPERTY, THE PURPOSES OF THE MUNICIPAL LAND USE LAW WOULD BE ADVANCED BY A DEVIATION FROM THE ZONING ORDINANCE REQUIREMENT AND THE BENEFIT OF THE DEVIATION WOULD SUBSTANTIALLY OUTWEIGH ANY DETRIMENT. USE, AND RELATED VARIANCES (N.J.S.A. 40:55d-70d) CAN ONLY BE

GRANTED WHERE THERE ARE SPECIAL REASONS AS SPECIFIED BY THE MUNICIPAL LAND USE LAW. THE BURDEN IS UPON THE APPLICANT TO PROVIDE PROOF OF SATISFACTION OF THE AFORESAID REQUIREMENTS APPLICABLE TO HIS APPLICATION.

A SHORT SUMMARY OF THE REASONS WHY YOU ARE ENTITLED TO THE RELIEF SOUGHT FROM THE ZONING BOARD OF ADJUSTMENT SHALL BE PROVIDED ON A SEPARATE SHEET OF PAPER AND ENUMERATED WITH THE APPROPRIATE PARAGRAPH NUMBER UNDER WHICH THE RELIEF IS SOUGHT, (PARAGRAPHS NO. 12-15)

12. Attach to this application a statement of the facts showing why the relief sought can be granted without substantial detriment to the public good and without substantially impairing the intent and purpose of the Dennis Township Zoning Plan and Zoning Ordinance. State why the variance can be granted without substantial harm to the neighborhood and without significant overturning of the Township Zoning Plan.
13. Attach to this application a statement specifying the hardship/exceptional conditions of the specific property involved justifying the granting of a variance pursuant to N.J.S.A. 40:55D-70c(1). State what is unique about your specific piece of property noting such things as an exceptionally narrow, deep, or otherwise unusually shaped lot; physical features located on the lot that prevent its use in a normal manner that would be allowed by the existing zoning; the specific location of existing structures that limit compliance with the required zoning. Note how the circumstances relating to your particular lot differ from other lots in the neighborhood. State what hardships would result should the variance not be granted to you.
14. Attach to this application a statement setting forth the facts supporting the contention that the purposes of the Municipal Land Use Law would be advanced by a deviation from the Zoning requirements in question and the benefits of that deviation would substantially outweigh any detriment pursuant to N.J.S.A. 40:55D-70c(2). Among the purposes of the Municipal Land Use Law are following: promotion of public health, safety and welfare; provision of adequate light, air and open space; establishment of appropriate population densities; provision of sufficient space for agricultural, residential, recreational, commercial and industrial uses and open space; promotion of a desirable visual environment; conservation of historic sites, districts, open space and natural resources; encouragement of senior citizens housing. Cite which of these apply to your application and further, cite the characteristics of your land that will present an opportunity for improved zoning and planning to benefit the community.
15. Attach to this application a statement setting forth the special reasons for granting this variance pursuant to N.J.S.A. 40:55D-70d. "Special Reasons" exist where a proposed project carries out a purpose of zoning, (such as those noted in Section 14 above) or where the refusal to allow the project would impose an undue hardship on you; state why the property at issue cannot reasonably be developed with a use permitted by the Zoning Ordinance.

16. Set forth specifically the determination of the Zoning Official from which an appeal has been filed and the basis for the appeal. (N.J.S.A. 40:55D-70a)

N/A

17. Set forth specifically the Zoning Ordinance section and provisions and/or the portion of the Zoning Map for which an interpretation from the Zoning Board is sought. Set forth the interpretation sought by the applicant. (N.J.S.A. 40:55D-70b)

N/A

18. All applicants must supply with this application the required fees (application and escrow) the necessary survey, plan, and plat and the following Zoning Board of Adjustment forms together with all attachments required in connection with the forms:

ZB-1 Application form including verification of application
ZB-2 Survey, plan, plat affidavit
ZB-4 Escrow, fees and application fees
ZB-5 Proof of payment of taxes
ZB-6 Notice of hearing
ZB-7 Affidavit of Service
ZB-10 Applications involving subdivisions
ZB-11 Applications involving Site Plans

19. For undersized lot cases only, the following additional forms are supplied.

Notice to Applicant's Concerning Undersized Lots.
ZB-8 Applicant's Offer to Abutting Property Owners.
ZB-9 Response to Abutting Property Owners.

20. List the names, addresses, telephone and fax numbers and professions of any and all professionals employed by the applicant in completing the application to the Zoning Board of Adjustment and/or intended to be called as witnesses at the hearing on the application.

Name: John P. Amenhauser, Esquire - The DeWeese Law Firm, PC

Address: 3200 Pacific Avenue - Wildwood New Jersey 08260

Phone: 1-609-522-5599

Fax: 1-609-522-3003

E-Mail: john@deweese-lawfirm.com

Name: Vincent Orlando, P.E., P.P., L.L.A., C.M.E.

Address: 5 Cambridge Drive, Ocean View, New Jersey 08230

Phone: 1-609-390-0332

Fax: 1-609-390-9204

E-Mail: vorlando@engineeringdesign.com



September 10, 2025

Dennis Township Consolidated Land Use Board
571 Petersburg Road
Dennisville, NJ 08214

RE: Ocean View Lighthouse, LLC
c/o Michael Meyers
Block 241, Lot 2.01
Township of Dennis, Cape May County, NJ
EDA #10164

Justification for Variance Relief

The Applicant, Ocean View Lighthouse, LLC, is the owner of the property is the owner of the property located at 2576 Route 9, also known as Block 241, Lot 2.01. The subject property is located in the Township's OVC (Ocean View Center) zoning district and it is currently developed with miniature golf course, and a 1,024 SF building which facilitates brewery operations with a bar and tap room. There is a partially paved parking lot that can currently accommodate a total of 32 parking spaces. The Applicant is seeking approval to renovate the existing building located on site to convert the brewing operations to pizza take-out, while maintain the bar and tap room portion of the building. The Applicant is also seeking approval to construct a 40'x80' two-story pole barn building to accommodate the relocation of brewing operations and provide a larger bar and tap room. The second story will be constructed at a later date, creating a half story over the bar area. The total seat count does not change from the current seat count of 50 seats, however the applicant is expanding the parking area to provide nine (9) additional parking spaces to accommodate the addition of the pizza take-out. Therefore, a total of 44 spaces will be provided. The Applicant is requesting a waiver in order to maintain the existing gravel parking lot and to forgo the installation of curbing around the parking lot as concrete wheelstops will be provided in lieu of curbing.

The Applicant is seeking minor site plan approval and is also requesting a D(1) use variance pursuant to N.J.S.A. 40:55D-70(d)(1) in order to permit three (3) principal uses on one site and due to the fact that the existing brewery is not a permitted use in the OVC zone. The Applicant is also requesting a D(2) use variance pursuant to N.J.S.A. 40:55D-70(d)(2) in order to permit the expansion of the brewery as a non-conforming use. As outlined within the Township's Zoning Ordinance, the purpose of the OVC District is to promote a desirable mix of commercial, office, civic and residential land uses within a vibrant, pedestrian-friendly Village Center environment with an emphasis on uses that serve community needs. The zone permits restaurants that serve alcohol and liquor stores; however, a brewery is not specifically addressed or permitted in the zone. The Applicant contends that the existing brewery use is consistent with the restaurant and liquor store uses that are permitted in the zone. In addition, the subject property is located in a highly commercial area of the Township and the Applicant's proposal advances the underlying purpose of the OVC zone. Compliant off-street parking is also provided on site to serve the existing miniature golf course, existing brewery, and proposed pizza take-out uses. Accordingly, based on the foregoing, it is evident that the subject property is particularly suited to accommodate the existing and proposed uses.

The Applicant is also requesting 'C' variance relief in connection with maximum front yard setback (8 ft. is permitted, whereas 103.9 ft. is existing), primary street façade built to BTL (50% at 0 ft. is permitted, whereas 0% is existing and proposed), minimum rear yard setback (55 ft is required, whereas 25 ft. is proposed), maximum lot coverage (60% is permitted, whereas 64.32% is proposed),

Cambridge Professional Offices

and minimum front-primary street setback for off-street parking (30 ft. is required, whereas 27.4 ft. is proposed). The pre-existing non-conforming conditions will not be exacerbated in connection with this application. The proposed non-conformities are rear yard setback and lot coverage.

In accordance with N.J.S.A. 40:55D-70, a Land Use Board may grant variance relief when the Applicant establishes that the purpose of zoning, outlined under N.J.S.A. 40:55D-2, are advanced in connection with the relief sought. The Applicant must also establish that the benefits associated with the requested relief outweigh any substantial detriments to the public good, the zoning ordinance, or the specific zone plan.

The application can be granted without substantial detriment to the public good, the zoning ordinance, or the zone plan because it satisfies several of the special reasons, or the positive criteria, set forth in N.J.S.A. 40:55D-2.

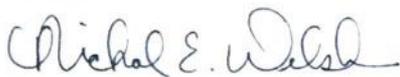
The first purpose advanced in connection with this Application is purpose "A," "To encourage municipal action to guide the appropriate use or development of all lands in this State, in a manner which will promote the public health, safety, morals, and general welfare." The Applicant's proposal serves to advance the underlying purpose of the OVC zone, "to promote a desirable mix of commercial, office, civic and residential land uses within a vibrant, pedestrian-friendly Village Center environment with an emphasis on uses that serve community needs." Given the minimal modifications proposed to the site itself and the fact that compliant off-street parking will be provided to accommodate the existing miniature golf course, existing brewery, and proposed pizza take-out, the Applicant's proposal will have no negative impact on the surrounding neighborhood. In addition, the combination of the miniature golf course, the brewery, and the pizza take-out furthers the establishment of a vibrant, pedestrian-friendly Village Center. While the brewery use itself is specifically permitted in the zone, it is comparable and consistent with the types of commercial uses that are permitted in the zone.

The second purpose advanced in connection with this Application is purpose "G," "to provide sufficient space in appropriate locations for a variety of agricultural, residential, recreational, commercial, and industrial uses and open space, both public and private, according to their respective environmental requirements in order to meet the needs of all New Jersey citizens." As outlined above, the Applicant's proposal to increase the number of parking spaces located on site which will in turn eliminate the potential impact that the site would have on parking and traffic in the surrounding neighborhood.

In summary, the requested relief and variances can be granted as there is no substantial detriment to the public good and the relief sought by the Applicant will not impair the intent and purpose of the zone plan or zoning ordinance as there will be no negative impact on the surrounding neighborhood. Furthermore, the purpose of the Municipal Land Use Law will be advanced by the Application and the benefits of granting same substantially outweigh any potential detriment.

The Applicant reserves the right to amend/revise the contents of this memorandum in advance of the hearing before the Board.

Sincerely,



Nichol E. Welsh, LLA

DENNIS TOWNSHIP ZONING BOARD OF ADJUSTMENT

SURVEY/PLAN/PLAT AFFIDAVIT

STATE OF NEW JERSEY:

SS

COUNTY OF CAPE MAY:

(Name) Michael Meyers, being duly sworn according to law, upon his oath deposes and says:

1. I am the owner of the property known and identified as Block 24 1, Lot(s) 2.01, in the Township of Dennis or I am the applicant for development in this matter.

2. The attached sealed survey/plan/plat prepared by James Boney PLS, and dated 10/31/2023, accurately reflects the physical condition of the property as of the date of this Affidavit and there have been no changes or alterations to the property since the date of the sealed survey/plan/plat.

3. I make this Affidavit in support of an application for development before the Dennis Township Zoning Board of Adjustment and understand that said Board shall rely on the current accuracy of the said survey/plan/plat in considering the application for development of the property.


Signature - Owner/Applicant

Sworn to and subscribed
before me this 12th

day of September 2025



Notary Public
New Jersey

KIMBERLY A MCCARDELL
Commission # 50023762
Notary Public, State of New Jersey
My Commission Expires
September 22, 2025

**DENNIS TOWNSHIP ZONING BOARD OF ADJUSTMENT
ESCROW FEES AND APPLICATION FEES**

Applicant's Name: Ocean View Lighthouse, LLC
Address: 10 54th Stcet, Ocean City, New Jersey 08226

Address of Property: 2576 Route 9
Subject to the Application: (Street Address): _____

Block: 241 Lot (s): 2.01

Amount of required Escrow: \$ 4,000.00

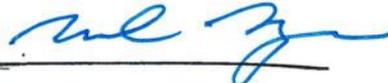
Amount of required Application Fees: \$ 1,100.00

All escrow funds shall be deposited by the applicant with the Municipal Treasurer who shall, in turn, deposit them in a separate escrow account and carry them under the Township's Trust Fund section of accounts on the books of the Township as a professional, inspection and consulting fee escrow fund. Said escrow fund shall be used to pay the fees of professional personnel employed to assist the Dennis Township Zoning Board of Adjustment in review of the application, to prepare Board Resolutions and other legal documents relating to the application, and to inspect and approve construction. Professional fees shall be billed through the Municipality's voucher system and approved for payment by the Zoning Board of Adjustment. Any excess of funds remaining in the escrow account at the time when all required improvements have been finally accepted and all professional work completed shall be returned to the applicant. If at any time it become evident that the escrow account is or will be insufficient to cover said fees, the developer shall increase the fund as required by the appropriate Zoning Board of Adjustment Official having jurisdiction over the matter.

The application fee is non-refundable and is a separate charge from the escrow fee.

I understand and consent to the foregoing.

Date: 9-12-2025

Applicant: 

TOWNSHIP OF DENNIS

Tax Assessment Department

571 Petersburg Road

P.O. Box 204

Dennisville, NJ 08214

Phone: (609) 861-9700 ext. 241

Fax: (609) 861-9719



LEE ANN RUSS, CTA

Tax Assessor

December 11, 2023

THIS IS TO CERTIFY THAT THE FOLLOWING LIST OF PROPERTY OWNERS ARE WITHIN 200 FEET OF BLOCK 241 LOT 2.01 ACCORDING TO THE OFFICIAL TAX MAP OF DENNIS TOWNSHIP.

ATTEST Lee Ann Russ
LEE ANN RUSS, CTA

BLOCK 241 LOT 2.01

DN-309, CENTRAL MAIL ROOM
CAPE MAY COURT HOUSE, NJ 08210

VERIZON COMMUNICATIONS
% ENGINEERING DEPARTMENT
10 TANSBORO RD, FL 2
BERLIN, NJ 08009

SOUTH JERSEY GAS COMPANY
% JOSEPH SCHNEIDER
GENERAL MANAGER
SYSTEM ENGINEERING & PLANNING
1 SO JERSEY PLAZA
FOLSOM, NJ 08037

CONNECTIV REAL ESTATE DEPARTMENT
5100 HARDING HIGHWAY, SUITE 399
MAYS LANDING, NJ 08330-9902

(CONTINUED)

LEE ANN RUSS, CTA
Tax Assessor

TOWNSHIP OF DENNIS
Tax Assessment Department
571 Petersburg Road
P.O. Box 204
Dennisville, NJ 08214

Phone: (609) 861-9700 ext. 241
Fax: (609) 861-9719



PAGE 2
RE: BLOCK 241 LOT 2.01

COMCAST CABLE
901 W LEEDS AVENUE
ABSECON, NJ 08201

PUBLIC SERVICE ELECTRIC & GAS CO.
MANAGER-CORPORATE PROPERTIES
80 PARK PLAZA, T6B
NEWARK, NJ 07102

CAPE ATLANTIC SOIL
CONSERVATION DISTRICT
ATTN: MICHAEL KENT
6260 OLD HARDING HIGHWAY
MAYS LANDING, NJ 08330

STATE OF NJ-DOT
CN-600 1035 PARKWAY AVE
TRENTON, NJ 08625-0600

BLOCK	LOT	QUAL	PROPERTY OWNER & MAILING ADDRESS PROPERTY LOCATION	PAGE
236	3		WAY, RONALD J & WAY, LINN R 2591 RT 9 N OCEAN VIEW, NJ 08230.1002 2571 RT 9	
236	4		WAY, EVELYN H REV TRUST 2591 RT 9 OCEAN VIEW, NJ 08230.1002 2591 RT 9	
236	8		WAY, RONALD J 2591 RT 9 N OCEAN VIEW, NJ 08230.1002 2585 RT 9	
236	9		TURNER PARTNERS LP 2555 RT 9 OCEAN VIEW, NJ 08230.1001 2577 RT 9	
236	10		TURNER PARTNERS LP PO BOX 607 OCEAN VIEW, NJ 08230.0607 2573 RT 9	
241	1		EDWARDI, FRANK P JR 300 77TH ST SEA ISLE CITY, NJ 08243.1278 2572 RT 9	
241	2.02		EDWARDI, FRANK P JR 300 77TH ST SEA ISLE CITY, NJ 08243.1278 10 FAIRWAY CT S	
241	2.03		EDWARDI, FRANK P JR 300 77TH ST SEA ISLE CITY, NJ 08243.1278 12 FAIRWAY CT S	
241	2.04		14 FAIRWAY COURT LLC 234 HAGEN RD CAPE MAY COURT HOUSE, NJ 08210.1175 14 FAIRWAY CT S	
241	3.01		FRANKLIN SAVINGS BANK SLA 1179 RT 40, PO BOX 230 WOODSTOWN, NJ 08098.0230 2584 RT 9	
242	4		DOWLING, ROSEMARY E 66 OCEAN VIEW DR OCEAN VIEW, NJ 08230.1019 66 OCEAN VIEW DR	
242	5		SCHNECK, BARBARA A G 62 OCEAN VIEW DR OCEAN VIEW, NJ 08230.1019 62 OCEAN VIEW DR	
242	22		GLEMBOCKI, EUGENE L & DONNA S 2562 RT 9 OCEAN VIEW, NJ 08230.1020 2562 RT 9	
242	23		CAMP, RANDOLPH 2568 RT 9 N OCEAN VIEW, NJ 08230.1020 2568 RT 9	
245	43		TURNER PARTNERS LP PO BOX 607 OCEAN VIEW, NJ 08230.0607 2557 RT 9	

PROOF OF PAYMENT OF TAXES

Every application for development submitted to the Consolidated Land Use Board shall be accompanied by this form.

Applicant's name: Gansert Holdings, LLC

Address: 2538 Route 9 N, Ocean View, New Jersey 08230

Property Owner's Name and Address: Gansert Holdings, LLC

2538 Route 9 N, Ocean View, New Jersey 08230

Address of property Subject to the Application: 2576 Route 9, Ocean View, New Jersey 08230

Block & Lot: Block: 241, Lots: 2.01

TO BE COMPLETED BY THE TAX COLLECTOR:

A. All Taxes are current through the 4th quarter of November

Date: 12/7/23

Dennis Township Tax Collector: Monica Heim

B. Taxes are due on the above referenced property as follows:

Amount of taxes due through the _____ quarter of _____ \$ _____

Date: _____

Dennis Township Tax Collector: _____

**DENNIS TOWNSHIP ZONING BOARD OF ADJUSTMENT
APPLICATIONS INVOLVING SITE PLANS**

Whenever a proposed development requires approval of a subdivision or site plan in addition to a use variance, the applicant may elect to submit a separate application requesting approval of the variance and a subsequent application for any required approval of subdivision, site plan or conditional use. The separate approval of the use variance shall be conditioned upon the granting of all required subsequent approvals by the Board of Adjustment.

When an applicant submits an application for subdivision, site plan or conditional use approval at the same time as an application for a use variance, and there are contradictions between the requirements of the respective applications as to number of copies of application form or plans, information required or other items, the most stringent (the most demanding) requirements shall apply. When submitting applications for a use variance and other approvals such as subdivisions or site plans, all application fees for the respective items must be submitted with the application itself.

In cases where the applicant seeks approval for premises located within the Pinelands area, the applicant must adhere to all requirements set forth in Township Code Chapters 165 (Subdivision of Land) and 185 (Zoning).

GENERAL INFORMATION:

Present use: Minature Golf Course

Proposed use: Minature Golf Course, Brewery, and Pizza Take-out

Size of proposed building: 40' (depth) 80' (width) <30' (height)

(no. of stories) 2 (total sq. footage) 3,200 (no. of units involved)

Waivers sought for (describe type of waivers sought and specify the Ordinance Section listing the items for which waivers have been sought) 185-38(A)(2) - From paving and providing curbing in the proposed parking area.

MINOR SITE PLAN (AND SITE PLAN WAIVERS)

Definition: See Dennis Township Code Section 165-59B (Minor Site Plans) and 165-59A (Waivers).

Procedures for Submission: See Dennis Township Code Section 165-51.

Plan Details: See Dennis Township Code Sections 165-59A, C and 165-54B.

PRELIMINARY MAJOR SITE PLAN

Procedures for Submission: See Dennis Township Code Section 165-51.

Plan Details: See Dennis Township Code Section 165-54B(1) and (2).

FINAL MAJOR SITE PLAN

Procedure for Submission: See Dennis Township Code Section 165-51

Plan Details: See Dennis Township Code Section 165-55B

PROPERTY DEED

Prepared By

DEED

This Deed is made on November 16, 2023,

Donald A. Wilkinson, Esquire

BETWEEN Gansert Holdings LLC, a New Jersey Limited Liability Company whose address is 2538 Route 9 North, Ocean View, NJ 08230 referred to as the Grantor,

AND Ocean View Lighthouse LLC, a New Jersey Limited Liability Company whose address is 10 54th Street, Ocean City, NJ 08226 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 (called the "Property") described below to the Grantee. This transfer is made for **THREE HUNDRED FIFTY THOUSAND AND 00/100 DOLLARS (\$350,000.00)**. The Grantor acknowledges receipt of said consideration.

Tax Map Reference. (N.J.S.A. 46:26A-3(a)(5)(b)) Municipality of Dennis Township Block No. 241 Lot No. 2.01 Qualifier No. _____ Account No.

Property. The Property consists of the land and all the buildings and structures on the land in the Municipality of Dennis Township, County of Cape May and State of New Jersey. The legal description is:

Please see attached Legal Description annexed hereto and made a part hereof.

BEGINNING at a concrete monument set in the Southeast line of NJ State Highway US Route 9 (66 feet wide) also known as Seashore Road where the same is intersected by the division line between Lot 1 and 2.01 in Block 241, said monument having a North coordinate of 126,401.4363 and an East coordinate of 1,982,323.6296 as established by using the New Jersey Plane Coordinate System (North American Datum 27); and extending thence

1. North 31 degrees 31 minutes 49 seconds East, along the same a distance of 125.0 feet to the point of curvature; thence
2. Northeastwardly and Southeastwardly along the arc of a curve to the right having a radius of 25 feet a central angle of 90 degrees 00 minutes 00 seconds an arc distance of 39.27 feet to a point of tangency; thence
3. South 58 degrees 28 minutes 11 seconds East, a distance of 274.98 feet to a pin and cap set; thence
4. South 31 degrees 31 minutes 49 seconds West, a distance of 269.93 feet to a pin and cap set; thence
5. North 45 degrees 32 minutes 59 seconds West, a distance of 125.00 feet to a concrete monument set; thence
6. North 44 degrees 24 minutes 10 seconds East, a distance of 50 feet to a concrete monument set; thence
7. North 45 degrees 35 minutes 58 seconds West, a distance of 194.16 feet to the point of beginning.

PURSUANT to Public Laws of 2011, Chapter 217 (N.J.S.A. 46:26A-3(a)(5)(b)) the above premises are also known as Lot 2.01, Block 241, as shown on the Official Tax Map of Dennis Township, County of Cape May, New Jersey.

UNDER AND SUBJECT to any and all covenants, conditions, rights, reservations, restrictions and easements of record, if any.

BEING of the same premises which, Lighthouse Mini Golf LLC by a deed dated May 13, 2021 and recorded on May 26, 2021 in Cape May County in Deed Book 3987, page 404, granted and conveyed unto Gansert Holdings LLC, a New Jersey Limited Liability Company in fee.

NJ Deed-Individual (Bargain and Sale, Covenant as to Grantor's Acts) File No. SIC-379-23

GIT/REP-3
(2-21)
(Print or Type)

State of New Jersey
Seller's Residency Certification/Exemption

Seller's Information

Name(s)
Gansert Holdings LLC by CARL GANSERT, SOLE MEMBER
Current Street Address
2538 Route 9 North
City, Town, Post Office
Ocean View
State
NJ
ZIP Code
08230

Property Information

Block(s)
241
Lot(s)
2.01
Street Address
2576 Route 9
City, Town, Post Office
Ocean View
State
NJ
ZIP Code
08230
Seller's Percentage of Ownership
100.00%
Total Consideration
\$350,000.00
Owner's Share of Consideration
\$350,000.00
Closing Date
11/16/2023

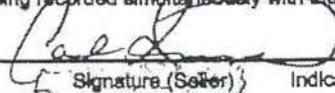
Seller's Assurances (Check the Appropriate Box) (Boxes 2 through 16 apply to Residents and Nonresidents)

1. Seller is a resident taxpayer (individual, estate, or trust) of the State of New Jersey pursuant to the New Jersey Gross Income Tax Act, will file a resident Gross Income Tax return, and will pay any applicable taxes on any gain or income from the disposition of this property.
2. The real property sold or transferred is used exclusively as a principal residence as defined in 26 U.S. Code section 121.
3. Seller is a mortgagor conveying the mortgaged property to a mortgagee in foreclosure or in a transfer in lieu of foreclosure with no additional consideration.
4. Seller, transferor, or transferee is an agency or authority of the United States of America, an agency or authority of the State of New Jersey, the Federal National Mortgage Association, the Federal Home Loan Mortgage Corporation, the Government National Mortgage Association, or a private mortgage insurance company.
5. Seller is not an individual, estate, or trust and is not required to make an estimated Gross Income Tax payment.
6. The total consideration for the property is \$1,000 or less so the seller is not required to make an estimated Income Tax payment.
7. The gain from the sale is not recognized for federal income tax purposes under 26 U.S. Code section 721, 1031, or 1033 (CIRCLE THE APPLICABLE SECTION). If the indicated section does not ultimately apply to this transaction, the seller acknowledges the obligation to file a New Jersey Income Tax return for the year of the sale and report the recognized gain.
8. Seller did not receive non-like kind property.
9. The real property is being transferred by an executor or administrator of a decedent to a devisee or heir to effect distribution of the decedent's estate in accordance with the provisions of the decedent's will or the intestate laws of this State.
10. The real property being sold is subject to a short sale instituted by the mortgagee, whereby the seller agreed not to receive any proceeds from the sale and the mortgagee will receive all proceeds paying off an agreed amount of the mortgage.
11. The deed is dated prior to August 1, 2004, and was not previously recorded.
12. The real property is being transferred under a relocation company transaction where a trustee of the relocation company buys the property from the seller and then sells the house to a third party buyer for the same price.
13. The real property is being transferred between spouses or incident to a divorce decree or property settlement agreement under 26 U.S. Code section 1041.
14. The property transferred is a cemetery plot.
15. The seller is not receiving net proceeds from the sale. Net proceeds from the sale means the net amount due to the seller on the settlement sheet.
16. The seller is a retirement trust that received an acknowledgment letter from the Internal Revenue Service that the seller is a retirement trust, and is therefore not required to make the estimated Gross Income Tax payment.
17. The seller (and/or spouse/civil union partner) originally purchased the property while a resident of New Jersey as a member of the U.S. Armed Forces and is now selling the property as a result of being deployed on active duty outside of New Jersey. (Only check this box if applicable and neither boxes 1 nor 2 apply.)

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 may 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 a 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.

11/16/2023
Date


Signature (Seller) Indicate If Power of Attorney or Attorney In Fact

Date

Signature (Seller) Indicate If Power of Attorney or Attorney In Fact

The street address of the Property is: 2576 Route 9, Ocean View, NJ 08230

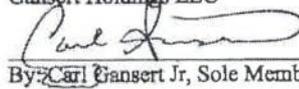
Promises by Grantor. The Grantor promises that the Grantor has done no act to encumber the property. This promise is called a "covenant as to grantor's acts" (N.J.S.A. 46:4-6). This promise means that the Grantor has not allowed anyone else to obtain any legal rights which affect the property (such as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



Gansert Holdings LLC



{SEAL}

By: Carl Gansert Jr, Sole Member

STATE OF NEW JERSEY
COUNTY OF CAPE MAY

I CERTIFY that on November 16, 2023, Carl Gansert Jr personally came before and stated to my satisfaction that this person (or if more than one, each person):

- a) is named in and personally signed this Deed as the of the Company named in this Deed;
- (b) signed and delivered this Deed on behalf of the Company as its voluntary act duly authorized by its members; and
- (c) made this Deed for 350,000.00 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.)

RECORD & RETURN TO:
Shore Title
4210 Landis Avenue
Sea Isle City, NJ 08243

Notary (Print name & title below signature)

ASHLEY L PEYTON
NOTARY PUBLIC
STATE OF NEW JERSEY
ID # 50137916
MY COMMISSION EXPIRES SEPTEMBER 25, 2025

NJ Deed-Individual (Bargain and Sale, Covenant as to Grantor's Acts)

SITE PHOTOGRAPHS



Willy's Curiosity Shop
Temporarily closed

Lighthouse Mini Golf

Franklin Bank

Lobos Pizza & Grill
Pizza + \$5

Jersey Shore Kitchens

Ocean View
Resort
Campground

Ocean View
Trail of Terror

Fairway Ct N

Milligan Dr

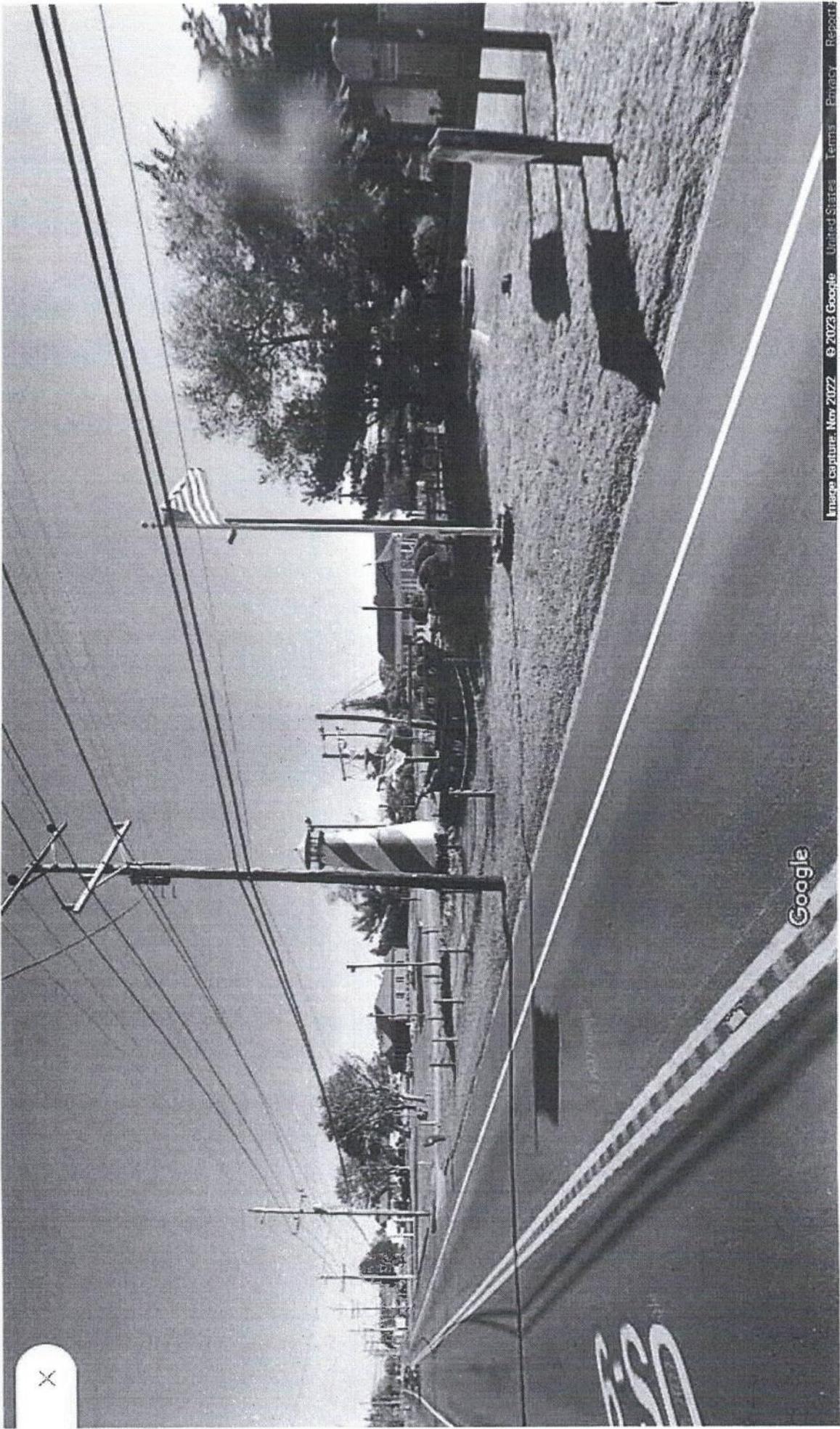
Milligan Dr

Shore Rd

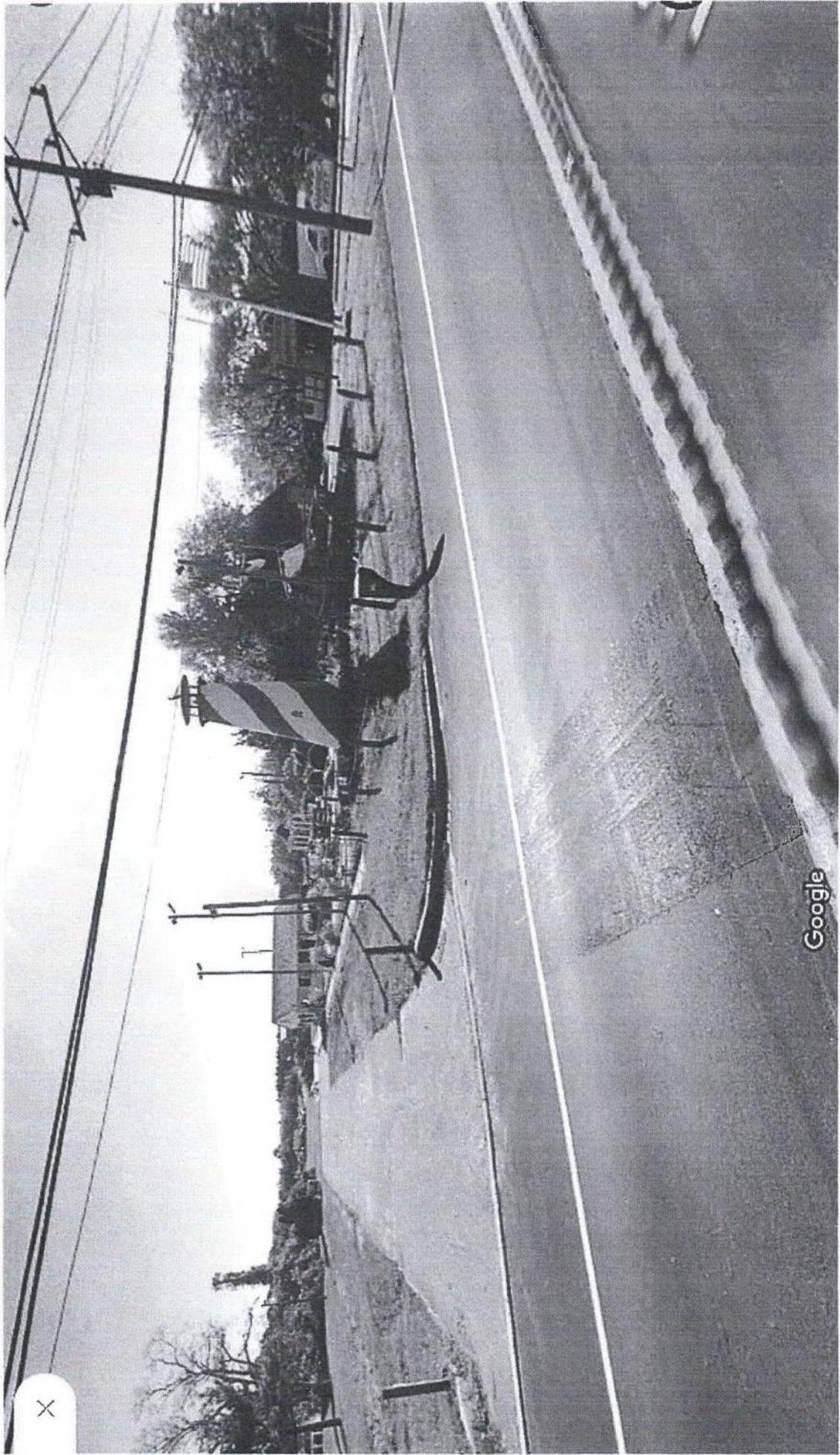
Ocean View Dr

Ocean View Dr

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