

Zoning Permit



ACCESSORY STRUCTURE (\$35)	✓ PORCH/DECK/BALCONY/ENTRY PLATFORM (\$35)
COMMERCIAL/RESIDENTIAL ADDITION (\$35)	RETAINING WALL (\$35)
CONTINUING THE USE/OCCUPANCY OF A PROPERTY, BUILDING OR STRUCTURE UNDER NEW BUSINESS/PROPERTY OWNERSHIP (\$35)	SIGN (\$35)
DRIVEWAY (\$35)	SOLAR PANEL (\$35)
✓ FENCE (\$35)	STARTING/CHANGING A USE/OCCUPANCY OF A PROPERTY, BUILDING, OR STRUCTURE (\$35)
HISTORIC DISTRICT: AC ✓ UNIT/GENERATOR/EXHAUST FAN (\$35)	STORAGE SHED (\$35)
✓ IMPERVIOUS COVERAGE (\$35)	SUBDIVISION (\$35)
INTERIOR REMODELING (\$35)	SWIMMING POOL/HOT TUB/TENNIS COURT (\$35)
✓ NEW PRINCIPAL STRUCTURE (\$35)	ZONING DETERMINATION LETTER (\$35)

OTHER: _____ (\$35)

*Indicate location, height, and type of fence or wall on survey / plot plan.

PLEASE REVIEW THE ZONING PERMIT INFORMATION SHEET, AND ALL APPLICABLE LAND DEVELOPMENT ORDINANCE REQUIREMENTS, PRIOR TO COMPLETING THIS APPLICATION

The Neptune Township Zoning Map, Land Development Ordinance and its amendments can be located online at www.neptunetownship.org/departments/land-use.

As per the Neptune Township Land Development Ordinance Section 1102, a Zoning Permit shall be issued prior to the commencement or change of use of a property, building or structure; the occupancy of any building or structure; the construction, erection, reconstruction, alteration, conversion, or installation of any building or structure; or the issuance of a Certificate of Appropriateness, where applicable.

PLEASE NOTE: If any of the requested information is submitted incomplete, this application shall be returned, unprocessed.

PLEASE PRINT CLEARLY:

1. Block: 165	Lot: 17	Zoning District: HD-O	
2. Property Address: 37 MAIN AVE			
3. Current Property Owner Information:			
<u>(AS IDENTIFIED ON THE TAX ASSESSORS RECORD)</u>		Applicant Information:	
Name: QUAKER INN, LLC	Name: SHORE POINT ARCHITECTURE		
Address: 39 MAIN AVENUE	Address: 108 SO MAIN STREET		
OCEAN GROVE, NJ 07756	OCEAN GROVE NJ 07756		
Phone: _____	Phone: (732)774-6900		
Email Address: _____	Email Address: abf@shorepointarch.com		

- | | | | |
|----|--------------------------------------|----------------------------------|-----------|
| 4. | Present zoning use of the property: | Vacant Lot | |
| 5. | Proposed zoning use of the property: | Detached Single Family Residence | Unchanged |

Zoning Permit

6. Describe in detail all zoning related activities you are proposing.

(PROVIDE DETAILED DESCRIPTION ON ADDITIONAL PAGES IF NECESSARY)

7. Has the above referenced premises been the subject of any prior application to the ZONING BOARD OF ADJUSTMENT or PLANNING BOARD?

Yes No If Yes, state date: _____ Board: _____ Resolution #: _____

(SUBMIT A COPY OF THE RESOLUTION WITH THE BOARD SIGNED PLANS WITH THIS APPLICATION SUBMISSION)

8. For all exterior work pertaining to additions and accessory structures, excluding fences, please provide:

Building Coverage: 0 % Lot Coverage: 0 %

-----FOR OFFICE USE-----

Zoning Review Notes:

03/19/2024 The Zoning Determination provided pertains exclusively to the proposed structures delineated within the leasehold boundaries of the property situated at 37 Main Avenue (Block: 165, Lot: 17). It is important to note that this determination does not extend to the proposed structures located on the adjacent property known as "Beach Avenue" (Block: 165, Lot: 1), also referred to as The Flared Avenue Open Space Area. Any structures outlined in the accompanying plans are expressly excluded from consideration and evaluation within the scope of this Zoning Determination.

The property is located within the HD-O Zoning District.

The zoning use of the property is a vacant lot.

The applicant and property owner affirm that the premises have not undergone any previous application to a Board of Jurisdiction (Zoning Board of Adjustment or Planning Board). It is acknowledged by the applicant and property owner that the Zoning Board of Adjustment and the Planning Board function as independent administrative municipal agencies, possessing the authority to adjudicate requests for deviations from the established Land Development Ordinance.

Furthermore, the applicant and property owner recognize that any variances granted by a Board of Jurisdiction (whether the Zoning Board of Adjustment or Planning Board) are binding throughout

the property's existence. Such variances may include conditions and/or restrictions relating to the property's use and/or structures.

Zoning Permits;

Neptune Township Land Development Ordinance section 1102-A states:

- A When required. A zoning permit shall be issued prior to:
- 1 The commencement or change of use of a property, building or structure;
 - 2 The occupancy of any building or structure;
 - 3 The construction, erection, reconstruction, alteration, conversion, or installation of any building or structure;
 - 4 Issuance of a Certificate of Appropriateness, where applicable.

ZONING NOTES:

- The applicant has submitted this zoning permit application identifying the proposed construction of a Principal Structure (Detached Single Family Residence).
- The applicant has submitted this zoning permit application identifying the proposed construction of Porches.
- The applicant has submitted this zoning permit application identifying the proposed construction of a balcony.
- The applicant has submitted this zoning permit application identifying the proposed construction of Projections.
- The applicant has submitted this zoning permit application identifying the proposed construction of impervious structures (walkways).
- The applicant has submitted this zoning permit application identifying the proposed installation of AC Condenser units.

Zoning Schedule B: HD-O (Single-family);

Zoning Schedule B for the HD-O Zoning District states:

Minimum Lot Area: 1,800 Square Feet

ZONING NOTES:

- The applicant indicates the Lot Area to be 2,557 Square Feet.

Minimum Lot Width: 30 Feet

ZONING NOTES:

- The applicant indicates the Minimum Lot Width to be 30.28 Feet.

Minimum Lot Frontage: 30 Feet

ZONING NOTES:

- The applicant indicates the Minimum Lot Frontage to be 30.28 Feet.

Minimum Lot Depth: 60 Feet

ZONING NOTES:

- The applicant indicates the Minimum Lot Depth to be 84.9 Feet.

Front Yard Setback: ** Feet

**= See section 413.06 for Supplementary Yard Regulations in Ocean Grove.

ZONING NOTES:

- The applicant indicates the proposed Front Yard Setback to be 10.4 Feet.

Side Yard Setback: 2 Feet

ZONING NOTES:

- The applicant indicates the proposed Side Yard Setback to be 3.5 Feet.

Combined Side Yard Setback: 4 Feet

ZONING NOTES:

- The applicant indicates the proposed Combined Side Yard Setback to be 7 Feet.

Rear Yard Setback: 3.1 Feet

ZONING NOTES:

- The applicant indicates the proposed Rear Yard Setback to be 4.5 Feet.

Maximum Percent Building Cover: 85%

ZONING NOTES:

- The applicant indicates the proposed Building Cover to be 54.7%.

Maximum Percent Total Lot Cover: 90%

ZONING NOTES:

- The applicant indicates the proposed Total Lot Cover to be 89.9%.

Maximum Number of Stories: 2.5

ZONING NOTES:

- The applicant indicates the proposed Number of Stories to be 2.5.

Maximum Building Height: 35 Feet

ZONING NOTES:

- The applicant indicates the proposed Building Height to be 29.5 Feet.

Yard Requirements;

Land Development Ordinance section 413.06-B states:

B For lots east of Central Avenue, except those fronting Olin and McClintock Streets, the front building line shall have a minimum front yard setback that is created by a line running directly from a point ten (10) feet back from the property line at the corner of Central Avenue to a point two (2) feet back from the property line at the corner of Ocean Avenue, except as modified by Paragraph D hereunder.

ZONING NOTES:

- The applicants professionals identify the average alignment of the Principal Structure to be 8.7'. The applicant indicates the proposed Principal Structure setback to be 10.4'.
- The applicants professionals identify the average alignment of the Porch to be 1.4' over the leasehold line, into the Flared Avenue Open Space Area on Ocean Grove Camp Meeting Property. The applicant indicates the proposed front Porch setback to be zero (0) feet.

Land Development Ordinance section 413.06-D states:

D No building line or front porch line need be set back farther than the average alignment of those front building and front porch lines of existing buildings within 200 feet on each side of the lot and within the same block front and within the same Zone District. This provision does not permit the encroachment of buildings or porches into the flared open space area.

ZONING NOTES:

- The applicants professionals identify the average alignment of the Principal Structure to be 8.7'. The applicant indicates the proposed Principal Structure setback to be 10.4'.
- The applicants professionals identify the average alignment of the Porch to be 1.4' over the leasehold line, into the Flared Avenue Open Space Area on Ocean Grove Camp Meeting Property. The applicant indicates the proposed front Porch setback to be zero (0) feet.

Land Development Ordinance section 413.06-E states:

E For lots east of Central Avenue, except those fronting Olin and McClintock Streets, the lot area and lot depth requirement shall be measured from the curb line rather than the property line. A calculation of building and lot coverage requirements shall be based on the resultant lot area. These provisions shall not affect any of the required yard setbacks.

ZONING NOTES:

- The applicant indicates the Lot Area to be 2,557 Square Feet.
- The applicant indicates the Minimum Lot Depth to be 84.9 Feet.
- The applicant indicates the proposed Building Cover to be 54.7%.
- The applicant indicates the proposed Total Lot Cover to be 89.9%.

Porches, Decks, And Balcony Requirements: Porch;

Land Development Ordinance section 411.07B-C states:

C Porch setbacks. For residential structures, a porch may not encroach into any setback/yard areas. No porch associated with any multi-family residential use may extend into any setback/yard areas.

ZONING NOTES:

- The applicants professionals identify the average alignment of the Porch to be 1.4' over the leasehold line, into the Flared Avenue Open Space Area on Ocean Grove Camp Meeting Property. The applicant indicates the proposed construction of a 2 story Porch attached to the front of the proposed Principal Structure. The applicant indicates the proposed front Porch setback to be zero (0) feet.
- The applicant indicates the proposed construction of a rear Porch.

Definitions;

Balcony - An open air structure attached to a building in some cases in a cantilevered manner, without a roof, and located above the first floor level (in a split level house, this would be above the second, or middle level). The edges of the balcony shall have a railing and the structure shall meet the setback requirements for the building to which it is attached. Balconies shall not project more than eight (8) feet from the building and shall not exceed more than one hundred fifty (150) square feet in area per 30 foot of lot frontage. For purposes of this Chapter, an open air structure supported from the ground is considered a "deck" when not situated directly above an open air covered porch.

ZONING NOTES:

- The applicant identifies the proposed construction of a Balcony, located above the proposed second story front Porch. The indicated balcony presents with railings. The applicant indicates the proposed projects 5.71 feet from the building and is 100.38 square feet in area.

Height Exemptions and Permitted Projections;

Land Development Ordinance section 418-B-2 states:

B Permitted projections. The following shall not be considered to be obstructions and shall be permitted when located in a required yard and/or setback area:

3 Cornices, eave, cantilevered roofs, gutter, bay windows, and chimneys, provided they do not project more than twenty-four (24) inches from an exterior building wall into any required yard setback, and provided they remain two (2) feet from all yard lines;

ZONING NOTES:

- The applicant indicates the proposed construction of projections attached to the proposed Principal Structure, and Porch. The applicant identifies the proposed projections to be setback 2.5' from the rear leasehold line, 2' from the side yard leasehold lines and 0.4' from the front leasehold line. The applicant does not demonstrate compliance with the Projection setback requirement. A variance is required from the Zoning Board of Adjustment. This zoning permit application is denied.

Neptune Township Land Development Ordinance section 412.07 states:

Fences and walls shall be permitted in all districts, but shall be considered structures requiring an approved zoning permit prior to construction. Adequate surveys, plans and details are to be submitted to the Zoning Officer in accordance with Article X in order for a determination to be made as to the proposed fence zoning conformance.

A Fences and walls in historic zone districts. Fences and walls in historic zone districts shall be permitted accessory structures subject to the following provisions (see also Appendix B):

1 Design guidelines. All fences and walls are subject to the review and approval of the Historic Preservation Commission for conformity to its Guidelines and for compatibility with the particular design

and style of the structure on the lot.

ZONING NOTES:

- A COA is required from the HPC after zoning approval is acquired. Application to the HPC may be made after acquiring zoning approval.

2 Prohibited locations. No fence or wall shall be erected in any required flared setback area, as described elsewhere herein, east of Central Avenue. For all properties east of Central Avenue, no fence or wall shall be erected in a front yard area or on front yard lot lines.

ZONING NOTES:

- N/A

3 Front yard fence height. Fences located in a front yard area or on lot lines abutting a front yard area, where permitted, shall not exceed a height of two and one-half (2 ½) feet. The height of any decorative elements, articulated corners, gateways and posts shall be included in the fence height measurement.

ZONING NOTES:

- N/A

4 Front yard fence type. Fences located in a front yard area or on lot lines abutting a front yard area, where permitted, shall be constructed so that at least fifty (50) percent thereof is non-solid and open. Fence types such as stockade and board-on-board shall be considered solid fences and are prohibited in or along front yards.

ZONING NOTES:

- N/A

5 Side yard fence height. Fences located in or along a side yard area shall not exceed a height of four (4) feet. The height of any decorative elements, articulated corners, gateways and posts shall be included in the fence height measurement.

ZONING NOTES:

- The applicant indicates the proposed construction of a 4' high solid fence in the side yard area.

6 Rear yard fence height. Fences located in a rear yard area or on lot lines abutting a rear yard area shall not exceed a height of five (5) feet. The height of any decorative elements, articulated corners, gateways and posts shall be included in the fence height measurement.

ZONING NOTES:

- The applicant indicates the proposed construction of a 5' high solid fence in the rear yard area.

7 Wall height. Walls located in or along any front, side or rear yard, where permitted, shall not exceed thirty (30) inches in height. The height of decorative elements, articulated corners, gateways and wall piers shall be included in the wall height measurement.

ZONING NOTES:

- N/A

8 Finished exterior side. All fences or walls shall be constructed so that a finished side, with no fully exposed structurally supporting members, is located on the exterior facing outward away from the property upon which it is located.

ZONING NOTES:

- **CONDITION OF APPROVAL:** The proposed fence shall be constructed in accordance with this Neptune Township Land Development Ordinance requirement.

9 Prohibited materials. Chain link type fences shall be prohibited in any historic zone district. In addition, no fence or wall shall be constructed or installed with barbed wire, metal spikes or topped with concertina or razor wire, broken bottles or similar materials so as to be dangerous to humans or animals.

ZONING NOTES:

- **CONDITION OF APPROVAL:** The proposed fence shall be constructed in accordance with this Neptune Township Land Development Ordinance requirement.

10 Drainage. Fences and walls shall be constructed in a manner so as to permit the continued flow of natural drainage and shall not cause surface water to be blocked or dammed to create ponding, either on the property upon which such is located or on any adjacent lot. Those applying for a zoning permit to erect a fence or decorative wall may consult with the Township Engineer to ensure compliance with this provision.

ZONING NOTES:

- **CONDITION OF APPROVAL:** The proposed fence shall be constructed in accordance with this Neptune Township Land Development Ordinance requirement.

11 Retaining walls. Any permitted wall proposed to be used as a retaining wall shall be required to be reviewed by the Township Engineer prior to the issuance of a zoning permit.

ZONING NOTES:

- N/A

12 Use of vegetation. Except where specifically prohibited under the terms of this chapter or any other applicable ordinance or regulations of the Township, nothing herein shall be construed to prohibit the use of hedges, trees or other planting anywhere on the lot.

ZONING NOTES:

- N/A

13 Utility easement. Prior to installing a fence in a utility easement area, a property owner shall secure written approval from the appropriate utility company or appropriate public body. Evidence of approval shall be submitted as a prerequisite to issuance of a zoning permit.

ZONING NOTES:

- The applicant does not identify any utility easements on the submitted survey.

14 Fence height sketch. Appendix B represents the maximum permitted height for fences relative to their location on the property.

Performance Standards for All Uses;

Land Development Ordinance section 402-G states:

G Ventilation. No use shall obstruct the natural ventilation of adjacent uses nor contaminate the air with excessive heat or odor. Further, no air conditioners or exhaust fans shall be permitted to discharge

exhausted air unless set back from all property lines 10 feet or equipped with baffles to deflect the discharged air away from the adjacent use.

ZONING NOTES:

- The applicant indicates the proposed installation of two (2), upward ventilating TRANE model 4TTR4036 condenser unit on the property.

The applicant does not demonstrate compliance with the Neptune Township Land Development Ordinance requirements.

-

A variance is required from the Zoning Board of Adjustment.

-

This zoning permit application is denied.

Status

Approved Denied

Referrals

Construction HPC Engineering Planning Board Zoning Board Mercantile Code Enforcement