



Fee Date: 12/10/2020

Check #: 1367

Cash: 0

ZONING REVIEW

ID: 553753356

Date: 12/28/2020

Fee: \$ 35.00

PROPOSED WORK

- | | | |
|---|---|--|
| <input type="checkbox"/> Adding a New Use to a Property | <input type="checkbox"/> Home Occupation | <input type="checkbox"/> Private Garage |
| <input checked="" type="checkbox"/> Air Condensor Unit(s) | <input type="checkbox"/> Interior Remodel - Comm / Res | <input type="checkbox"/> Residential Addition |
| <input type="checkbox"/> Commercial Addition | <input type="checkbox"/> New Accessory Structure | <input type="checkbox"/> Signs |
| <input type="checkbox"/> Continuing/Changing Use | <input type="checkbox"/> New Commercial Business | <input type="checkbox"/> Solar |
| <input checked="" type="checkbox"/> Deck/Balcony | <input type="checkbox"/> New Ownership of Property/Business | <input type="checkbox"/> Storage Shed |
| <input type="checkbox"/> Driveway / Sidewalk / Apron | <input checked="" type="checkbox"/> New Residence | <input type="checkbox"/> Swimming Pool/Hot Tub |
| <input checked="" type="checkbox"/> Fence/Retaining Wall | <input checked="" type="checkbox"/> Porch | <input type="checkbox"/> Zoning Determination |
| <input type="checkbox"/> Other: _____ | | |

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

ALL APPLICATIONS WITHIN THE HISTORIC DISTRICT REQUIRE HPC APPROVAL.

IF ANY OF THE REQUESTED INFORMATION IS SUBMITTED INCOMPLETE, THEN THIS APPLICATION SHALL BE RETURNED UNPROCESSED.

1. **Location of property for which zoning permit is desired:**

Street Address: 51 BEACH AVE **Block:** 210 **Lot:** 10 **Zone:** HD-O

2. **Applicant Name:** SHORE POINT ARCHITECTURE (Andrea Fitzpatrick) **Phone No.** (732)774-6900 **Fax No.** (732)774-7250

Applicant's Address: 108 SO MAIN STREET OCEAN GROVE NJ 07756

Email: abf@shorepointarch.com

3. **Property Owner Name:** VICTORIAN WAY REALTY, LLC **Phone No.** **Fax No.**

Property Owner's Address: 65 WEBB AVENUE OCEAN GROVE, NJ 07756

Email:

4. **Present Approved Zoning Use of the Property:** Vacant Lot

5. **Proposed Zoning Use of the Property:** Detached Single Family Residence

6. **Describe in detail the activity or activities you are proposing. If you are proposing construction, then describe in detail the dimension and setbacks. If you are proposing a use, then describe the proposed use.**

"Existing lot is vacant and is located on the north-west corner of Beach Avenue and Heck Avenue. Application is for a new 2-1/2 story single family house. The proposed house is 34.9' tall (to the midpoint), measured at the turret. The house contains a full basement and a half-story with 30" knee-walls at the perimeter and dormers tat total less than 25% of the roof area. The overall building dimensions are 49'-8" x 28'-8". The required porch setback along Beach Avenue is 0.5' OVER the property line (based on the average alignment) where 1.47' CLEAR is proposed. The required porch

setback along Heck Avenue is 0.65' OVER the property line (based on average alignment) where 0.45' CLEAR is proposed. The required building setback along Beach Avenue is 3.50' (based on the average alignment) where 7.55' is proposed. The required building setback along Heck Avenue is 4.19' (based on the average alignment) where 4.19' is proposed. The required side yard setback (north) is 2.0' where 2.83' is proposed. The required rear yard setback (west) is 3.1' where 3.24' is proposed. The proposed building coverage is 38.2% and the proposed impervious coverage is 66.2%. Calculations have been provided on cover sheet."

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 # (if any): (submit a copy of the Resolution)

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

Building Coverage: 38.20 %

Lot Coverage: 66.20 % (Please include calculations)

40:55D-68.3.Penalty for false filing.Any person who knowingly files false information under this act shall be liable to a civil penalty not to exceed \$1,000 for each filing. any penalty imposed under this section may be recovered with costs in a summary proceeding pursuant to "the penalty enforcement law," N.J.S.2A:58-1 et seq.

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

Zoning Review Notes:

12/28/2020 This zoning permit application consists of:

- One (1) copy of the Zoning Permit Application;
- One (1) copy of the detailed description;
- Three (3) copies of the Construction Plans (Specifications Sheet) for a Trane Series XV18 Condenser Unit;
- One (1) copy of an email correspondence;
- Three (3) copies of the Site Plan with Construction Plans by Shore Point Architecture, dated 12-04-2020.

The applicant/property owner certifies that the premises has not been the subject of any prior application to the Zoning Board of Adjustment or Planning Board.

The property is located within the HD-O Zoning District. The applicant indicates the present zoning use of the property to be a Vacant Lot. The applicant indicates the proposed zoning use of the property to be a Detached Single Family Residence.

The applicant describes the proposed work in detail:

"Existing lot is vacant and is located on the north-west corner of Beach Avenue and Heck Avenue. Application is for a new 2-1/2 story single family house. The proposed house is 34.9' tall (to the midpoint), measured at the turret. The house contains a full basement and a half-story with 30" knee-walls at the perimeter and dormers tat total less than 25% of the roof area. The overall building dimensions are 49'-8" x 28'-8".

The required porch setback along Beach Avenue is 0.5' OVER the property line (based on the average alignment) where 1.47' CLEAR is proposed. The required porch setback along Heck Avenue is 0.65' OVER the property line (based on average alignment) where 0.45' CLEAR is proposed. The required building setback along Beach Avenue is 3.50' (based on the average alignment) where 7.55' is proposed. The required building setback along Heck Avenue is 4.19' (based on the average alignment) where 4.19' is proposed. The required side yard setback (north) is 2.0' where 2.83' is proposed. The required rear yard setback (west) is 3.1' where 3.24' is proposed.

The proposed building coverage is 38.2% and the proposed impervious coverage is 66.2%. Calculations have been provided on cover sheet."

The applicant does not describe all proposed work and structures as identified and defined by the Neptune Township Land Development Ordinance in the detailed description.

In reviewing the submitted documents, it appears the applicant is proposing work in reference to:

- Definitions;**
- Zoning Schedule B: HD-O;**
- Yard Requirements;**
- Porches, Decks, And Balcony Requirements: Porch;**
- Porches, Decks, And Balcony Requirements: Deck;**
- Porches, Decks, And Balcony Requirements: Entry Platforms;**
- Definitions; Balcony;**
- Height Exemptions And Permitted Projections;**
- Dormers;**
- Flared Avenue Open Space Area;**
- Performance Standards For All Uses: Ventilation;**
- Application Procedure in Historic Zone District and for Designated Historic Sites;**
- Plot Plans and As-Built Survey.**

Definitons;

Land Development Ordinance section 201 contains the following definitions;

abandonment - The relinquishment of property, or cessation of the use of the property, by the owner or lessee without any intention of transferring property rights to another owner or of resuming the use of the property.

accessory use – A use of land or of a structure or portion thereof customarily incidental and subordinate to the principal use of the land or building and located on the same lot with the principal use.

applicant - person, partnership, corporation or public agency requesting permission to engage in land development/soil removal/tree removal activity.

approving authority – The Planning Board, Zoning Board of Adjustment or Historic Preservation Commission of the Township of Neptune.

as-built survey – A property survey prepared and certified by a licensed land surveyor to reflect the actual location of structures and other improvements constructed on a property.

awning - Any structure made of cloth, canvas or vinyl, with a frame attached to a building or other structure which may be raised to a position against the building or structure when not in use.

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.

basement - Any area of a building having its floor located at or below a grade level on all sides.

board of jurisdiction – The Planning Board of the Zoning Board of Adjustment, as the case may be.

building – Any structure having a roof supported by columns or walls and intended for the shelter, housing or enclosure of any individual, animal, process, equipment, goods or materials of any kind.

building coverage – The percentage of the lot area that is covered by building area, which includes the total horizontal area when viewed in plan.

building envelope – An area, generally described by building setback lines, depicting the area within which the building(s) can be constructed.

building footprint – The horizontal area contained within the outer dimensions of the foundation walls of a building.

building height – The vertical distance from finished grade to the top of the highest roof beams on a flat or shed roof, the deck level on a mansard roof, and the average height between the eaves and the ridge level for gable, hip, and gambrel roofs.

building line – A line formed by the intersection of an exterior wall of a building with the ground.

building line, front – A line parallel to the front yard line touching that part of a principal building closest to the front yard line, not including the dimensions of a porch structure.

certificate of appropriateness – a document issued by the Historic Preservation Commission approving any preservation, restoration, rehabilitation or alteration of property dealing with construction, demolition, additions, removals, repairs or any feature for any existing or new construction.

deck – An above grade, unroofed structure without walls that is attached to a residential dwelling unit, twelve (12") inches or more above grade.

demolition - the partial or total razing, dismantling or destruction of any building or of any improvement within the Township and/or the Historic Districts.

design criteria and guidelines - the Historic Preservation Guidelines of the Township.

disturb - to dig, dredge, excavate, remove, deposit, grade, clear, level, fill or otherwise alter or change the location or contour of land or otherwise cause land to be exposed to the dangers of erosion.

dwelling unit – A building or entirely self-contained portion thereof intended or designed for non-transient residential use of a single housekeeping unit, (A) separated from all other spaces by lockable doors, (B) having access to the outside without crossing another dwelling, (C) having any cooking facilities, fixed or portable, or food refrigeration facilities, and (D) having any sanitary facilities. A house trailer, a boarding or rooming house, convalescent home, fraternity or sorority house, hotel, inn, lodging, nursing, or other similar home, or other similar structure shall not be deemed to constitute a dwelling unit.

dwelling unit, single-family detached - A structure containing a single housekeeping unit that is not attached to any other dwelling unit by any means.

easement – A grant of one (1) or more of the property rights by the property owner to another person or entity, and/or for the use by the public or a corporation.

exterior architectural feature - Any element of the architectural style, design or general arrangement of a structure that is visible from the outside including, but not limited to, the style and placement of all windows, doors, gutters, driveways, porches, railings, steps, lighting, the roof, type, color and texture of the building material, signs and decorative elements including landscaping, fences, curbs and sidewalks.

fence – A barrier of any material or combination of materials erected to enclose, screen or separate areas.

final approval – The official action of the Planning Board or Zoning Board of Adjustment taken on a preliminary approved major subdivision or site plan after all conditions, engineering plans and other requirements have been completed or fulfilled and the required improvements have been installed or guarantees properly posted for their completion, or approval conditioned upon the posting of such guarantees.

front porch line – A line formed by the intersection of a porch foundation wall with the ground, or when viewed in plan, the outermost extremity of the roof, whichever is closer to the front lot line.

historic flared avenue open space – An unobstructed area located between the curbline and the front leasehold line at particular properties within historic zone district. This area is also known as the “flared setback area.”

historic integrity - the authenticity of a property's historic identity, evidenced by the survival of physical characteristics that existed during the property's historic or prehistoric period.

historic landmark - may substitute in this Chapter and in any other official document or action of the Township for “historic” and “historic site”.

historic site - any real property, man-made structure, natural object or configuration or any portion or group of the foregoing which have been formally designated as being of historic, archaeological, cultural, scenic or architectural significance.

historic sites inventory - A list of historic properties determined to meet criteria of formal designation specified herein.

Impervious Coverage - Any structure, surface or improvement that reduces and or prevents infiltration into the surface shall be considered impervious; Driveways or other similar areas that experience loading that are constructed of open cell pavers or stone shall be considered impervious. Patios that are constructed at grade are impervious. Decks that are twelve (12) inches or more above average grade shall be considered pervious. Porous paving, gravel, crushed stone, crushed shells and similar surfaces not utilized in driveways or other areas that experience heavy loading shall be considered pervious. Open cell pavers shall be considered fifty percent (50%) pervious if filled with vegetation. Grass, lawns or other similar vegetation

shall be considered pervious. Water area of pools shall not be counted as impervious.

improvement - any structure or any part thereof installed upon real property by human endeavor and intended to be kept at the location of such construction or installation.

leasehold area – A designated area bound by leasehold lines.

leasehold line – A line of record bounding a leasehold area that divides a leasehold area from another leasehold area, lot, or from a public or private street or any other public space.

lot – A designated parcel, tract, or area of land established by a plat or otherwise as permitted by law and to be used, developed, or build upon as a unit.

lot coverage - The percentage of lot area that is covered by impervious cover.

lot depth – The mean distance between the front and rear property lines of any lot, measured along a line either parallel to or making equal angles with the side lines.

lot frontage – The length of the street line of a lot.

lot line – A line of record bounding a lot that divides one lot from another lot or from a public or private street or any other public space.

lot line, front - The lot line separating a lot from a street right-of-way. In the Historic District-Oceanfront District the lot line, front shall be the lot line between the leasehold lot in question and the Historic Flared Avenue Open Space. This line is also considered the inner sidewalk line.

lot line, rear - The lot line opposite and most distant from the front lot line. In the case of a corner lot, the lot line opposite the shorter front street line shall be considered the rear lot line.

lot line, side - Any lot line other than a front lot line or rear lot line.

lot width – A distance measured at the front yard setback line along a line perpendicular to parallel side lines or making equal angles with both converging side lines. Where a front yard is not required, the lot width shall be measured along the street line.

Lot, Corner – A lot at the junction of and abutting on two (2) or more intersecting streets where the interior angle of intersection does not exceed one hundred thirty-five (135) degrees. A lot abutting a curved street shall be deemed a corner lot if the tangents to the curve at the points of intersection of the side lot lines with the street lines intersect at an interior angle of less than one hundred thirty-five (135) degrees. The front yard area of a corner lot will be established by the location of the front door. The lot line opposite the front lot line will be considered the rear lot line and the other two lot lines will be considered side lot lines.

non-conforming lot - A lot, the area, dimension or location of which was lawful prior to the adoption, revision or amendment of a zoning ordinance, but which fails to conform to the requirements of the zoning district in which it is located by reason of such adoption, revision or amendment.

non-conforming structure - A structure the size, dimension or location of which was lawful prior to the adoption, revision or amendment of a zoning ordinance, but which fails to conform to the requirements of the zoning district in which it is located by reason of such adoption, revision or amendment.

non-conforming use - A use or activity which was lawful prior to the adoption, revision or amendment of a zoning ordinance, but which fails to conform to the requirements of the zoning district in which it is located by reasons of such adoption, revision or amendment.

patio or terrace – A level, landscaped, and/or surfaced area on a lot with a principal building and not covered by a permanent roof, less than twelve (12") inches above grade.

permit - Any required Township approval for exterior work to any structure or property in a historic district or on a historic site, which exterior work is subject to public view. Permit shall include, but is not limited to a zoning permit, construction permit, a demolition permit, a permit to move, convert, relocate or remodel or to change the use or type of occupancy of any structure or property in a historic district which involves exterior changes to the structure or the property on which it is located.

setback – The distance between a building and any lot line.

setback line – That line that is established at the required minimum distance from any lot line and that establishes the area within which the principal structure must be erected or placed.

site plan - A development plan of one or more lots on which is shown the existing and proposed conditions of the lot, including but not necessarily limited to topography, vegetation, drainage, flood plains, marshes and waterways; the location of all existing and proposed buildings, drives, parking spaces, walkways, means of ingress and egress, drainage facilities, utility services, landscaping, structures and signs, lighting, and screening devices; and any other information that may be reasonably required in order to make an informed determination pursuant to this Ordinance.

story – That portion of a building consisting of at least seven (7) feet of vertical height, included between the surface of any floor and the surface of the floor next above it, or if there is no floor above it, then the space between the floor and the ceiling next above it. If the ceiling or underside of supporting members is less than four (4) feet above average grade of any space, then that space shall not be considered a story nor counted as floor area.

story, one-half – That portion at the top of a building under a sloping or pitched roof, the perimeter knee wall of at least two (2) opposite exterior walls, upon which the roof rafters rest, is not greater than three (3) feet above the floor deck of such half story. Nothing in this definition shall preclude the use of architectural embellishments, as permitted in this Chapter.

structure – A combination of materials constructed for use, occupancy, or ornamentation whether installed on, above, or below the surface of land.

use – The purpose or activity for which land or buildings are designed, arranged, or intended or for which land or buildings are occupied or maintained.

yard – An open space that lies between the principal building or buildings and the nearest lot line. The minimum required yard as set forth herein is to be unoccupied and unobstructed from the ground upward except as may be provided in this Chapter.

yard, front – An open, unoccupied space (unless occupied by a structure hereinafter specifically permitted) extending across the full width of the lot and lying between the street line and the building line. All yards abutting a street shall be considered a front yard. In the Historic District-Oceanfront District the yard, front shall be the yard between the building line and leasehold line abutting the Historic Flared Avenue Open Space.

yard, rear - An open, unoccupied space (unless occupied by an accessory structure) extending across the full width of the lot between the rear lot line and the building line.

yard, side - An open, unoccupied space (unless occupied by an accessory structure) extending along the side lot line from the front yard to the rear yard and lying between the side lot line and the building line.

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 4,134 Square Feet.

Minimum Lot Width: 30 Feet

ZONING NOTES:

- The applicant indicates the Minimum Lot Width to be 34.46 Feet.

Minimum Lot Frontage: 30 Feet

ZONING NOTES:

- The applicant indicates the Minimum Lot Frontage to be 34.46 Feet.

Minimum Lot Depth: 60 Feet

ZONING NOTES:

- The applicant indicates the Minimum Lot Depth to be 68.5 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 7.55 Feet.

Side Yard Setback: 2 Feet

ZONING NOTES:

- The applicant indicates the proposed Side Yard Setback to be 2.83 Feet.

Combined Side Yard Setback: 4 Feet

ZONING NOTES:

- The applicant indicates the proposed Combined Side Yard Setback to be 7.02 Feet.

Rear Yard Setback: 3.1 Feet

ZONING NOTES:

- The applicant indicates the proposed Rear Yard Setback to be 3.24 Feet.

Maximum Percent Building Cover: 85%

ZONING NOTES:

- The applicant indicates the proposed Maximum Percent Building Cover to be 38.2 %.

Maximum Percent Total Lot Cover: 90%

ZONING NOTES:

- The applicant indicates the proposed construction of walkways and a Patio on the property.
- The applicant indicates the proposed Maximum Percent Total Lot Cover to be 66.2 %.

Maximum Number of Stories: 2.5

ZONING NOTES:

- The Land Development Ordinance defines “story” – That portion of a building consisting of at least seven (7) feet of vertical height, included between the surface of any floor and the surface of the floor next above it, or if there is no floor above it, then the space between the floor and the ceiling next above it. If the ceiling or underside of supporting members is less than four (4) feet above average grade of any space, then that space shall not be considered a story nor counted as floor area.

- The Land Development Ordinance defines “story, one-half” – That portion at the top of a building under a sloping or pitched roof, the perimeter knee wall of at least two (2) opposite exterior walls, upon which the roof rafters rest, is not greater than three (3) feet above the floor deck of such half story. Nothing in this definition shall preclude the use of architectural embellishments, as permitted in this Chapter.

- The applicant indicates the proposed Number of Stories to be 2.5. This is false. Per the above indicated definitions the applicant is proposing to construct 3 Stories. The applicant does not display compliance with the Land Development Ordinance. Zoning Board of Adjustment approval is required.

Maximum Building Height: 35 Feet

ZONING NOTES:

- The Land Development Ordinance defines “building height” – The vertical distance from finished grade to the top of the highest roof beams on a flat or shed roof, the deck level on a mansard roof, and the average height between the eaves and the ridge level for gable, hip, and gambrel roofs.

- The applicant indicates the proposed Building Height to be 34.9 Feet. This is False. Per the above indicated definitions the applicant is proposing a Building Height of 35.25 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 applicant did not provide plans indicating this setback line as identified in the Land Development Ordinance.

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 applicant certifies the average alignment of the front building line to be 3.5 Feet. The applicant indicates the proposed Front Yard Setback to be 7.55 Feet.

- The applicant certifies the average alignment of the front porch line to be 0.05 Feet Over, onto Ocean Grove Camp Meeting Property.

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 proposed Maximum Percent Building Cover to be 38.2 %.

- The applicant indicates the proposed Maximum Percent Total Lot Cover to be 66.2 %.

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 applicant indicates the proposed construction of an “L”-shaped Porch in the front and side yard areas. The applicant indicates the proposed Porch does not encroach into any setback/yard areas.

- The applicant indicates the proposed construction of a second story Porch in the side yard area, above the proposed Entry Platform (Improperly identified as a Porch). The applicant indicates the proposed second story Porch to encroach into the side setback/yard area. The applicant does not display compliance with the Land Development Ordinance. Zoning Board of Adjustment approval is required.

Porches, Decks, And Balcony Requirements: Deck;

Land Development Ordinance section 411.07B-B states:

B Deck setbacks. For residential structures a deck may not encroach into any setback/yard areas. No deck associated with a multi-family residential use may extend into any required setback/yard areas.

ZONING NOTES:

- The applicant indicates the proposed construction of a second story “L”-shaped Deck in the front and side yard areas. The applicant indicates the proposed Deck does not encroach into any setback/yard areas.

Porches, Decks, And Balcony Requirements: Entry Platforms;

Land Development Ordinance section 411.07B-E states:

E Entry platforms. An entry platform not more than six (6) feet in height above the average finish grade, nor greater than fifty (50) square feet in area, may not project into any required yard/setback area.

ZONING NOTES:

- The applicant indicates the proposed construction of an Entry Platform (Improperly identified as a Porch) in the side yard area. The applicant indicates the proposed Entry Platform to encroach into the side setback/yard area. The applicant does not display compliance with the Land Development Ordinance. Zoning Board of Adjustment approval is required.

- The applicant indicates the proposed construction of an Entry Platform (Improperly identified as a “WD. Stair and Landing) in the side yard area

(toward the rear of the proposed residence). The applicant indicates the proposed Entry Platform does not encroach into any setback/yard areas.

Definitions; Balcony;

Land Development Ordinance section 201 states:

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 indicates the proposed construction of two (2) Balconies on the side of the proposed residence (South Elevation - Heck Avenue), and one (1) Balcony on the front of the proposed residence (East Elevation – Beach Avenue).**
- The applicant indicates the proposed balconies shall have a railings.**
- The applicant indicates the proposed balconies shall meet the setback requirements for the building to which they are attached.**
- The applicant indicates the Balconies shall not project more than eight (8) feet from the building.**
- The applicant indicates the proposed balconies shall not exceed more than one hundred fifty (150) square feet in area per 30 foot of lot frontage.**

Height Exemptions And Permitted Projections;

Land Development Ordinance section 418 states:

A Height exemptions. The maximum height requirements for each zone district shall apply to all structures in all zone districts, except as follows:

1 Chimneys, flues, ventilators, skylights, towers, water tanks, cooling towers, church spires, cupolas, belfries, clock towers, flagpoles and all other decorative features and necessary mechanical appurtenances and similar features usually carried above the roof level, shall be exempt from the height provisions of this Ordinance provided:

- (a) The aggregate area covered by all such features shall not exceed 20% of the area of the roof of the building of which they are a part.
- (b) The height of each such feature shall not exceed fifteen (15) feet above the level of such roof, except for church spires which may exceed the required height by thirty-five (35') feet.
- (c) All such features shall be constructed, or enclosed within walls, of a material and design in harmony with that of the main walls of the building of which they are a part.

2 Where the height of a building conforms to the requirements of this Chapter on that side or sides thereof which face(s) the street, but where, due to the topography of the lot, the said height is in excess of said requirements along one or more sides of such building other than the side or sides which face(s) the street, the Zoning Officer may issue a zoning permit provided that at no point along the periphery of the building does the height thereof exceed by ten (10) feet, and/or by one (1) story, the maximum height prescribed by this Chapter for the zone district in which such building is located.

3 Parapet walls not extending more than four (4) feet above the maximum height limitation shall be exempt from height requirements set forth in this Chapter.

ZONING NOTES:

- The applicant indicates the proposed construction of a Chimney. The applicant indicates the proposed Chimney does not exceed 20% of the area of the roof of the building of which it is a part. The applicant indicates the proposed Chimney does not exceed fifteen (15) feet above the level of such roof. The applicant indicates the proposed Chimney shall be constructed of a material and design in harmony with that of the main walls of the building of which they are a part.

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:

1 Fire escapes, provided they do not project more than four (4) feet into a required yard and they are no closer than two (2) feet to a property line; Fire escapes are not permitted in a front yard. Existing fire escapes may be replaced in their location and to their exact size.

2 Weather protecting and energy efficiency enhancing front door enclosures that project no more than five feet into a required front setback area, and are no larger than forty (40) square feet in total area, provided the principal structure complies with the required front yard setback;

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;

[NOTE: Amended per Ordinance No. 07-54]

ZONING NOTES:

- The applicant is proposing to construct cornices, eaves, and a chimney.

- The proposed do not project more than twenty-four (24) inches from an exterior building wall into any required yard setback, and they remain more than two (2) feet from all yard lines.

- The applicant is not proposing any gutters with this Zoning Permit Application submission.

Dormers;

Land Development Ordinance section 411.14 states:

1. Area. Dormers shall not occupy more than 25% of the roof area on which it is situated.
2. Height. No part of the dormer shall extend beyond the projection of the roofline.

ZONING NOTES:

- The applicant indicates the proposed construction of three (3) dormers.
- The applicant indicates that the proposed dormers occupy less than 25% of the roof area on which they are situated.
- The applicant indicates that no part of the proposed Dormers extend beyond the projection of the roofline.

Fence and Wall Requirements;

Land Development Ordinance section 412.07-A states

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:

- Historic Preservation Commission review and approval is required.

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.

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.

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.

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 4' 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.

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 comply with this 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 comply with this 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 comply with this 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:

- There are no proposed Retaining Walls with the submission of this Zoning Permit Application.

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.

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 display any Easements on the property.

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

Flared Avenue Open Space Area;

Land Development Ordinance section 413.02 states:

A Purpose. The HD-O Zone District is subject to special setback provisions dating to the late 1870's, providing for a flared setback that widens toward the ocean from Central Avenue to Ocean Avenue. This flared setback is a unique and invaluable resource that is recognized within planning, urban design and historic preservation circles as one of the first evidences of this type of streetscape treatment in the country.

B Ornamentation. Aside from an access walkway and sidewalk no greater than six feet (6') in width, shrubbery, flowers and other similar ornamentation installed and maintained at a height of less than thirty (30) inches, no structures may be placed within, or may project into, the area defined as the Historic Flared Avenue Open Space area. The area between the curb and the sidewalk shall be maintained as a planted grass strip.

C Vehicles. No vehicles of any type may be parked within a flared avenue open space area. This shall not preclude the parking of vehicles within the established public right-of-way.

ZONING NOTES:

- The applicant indicates the proposed construction of access walkways no greater than six feet (6') in width within the Flared Avenue Open Space Area.

Performance Standards For All Uses: Ventilation;

Land Development Ordinance section 402-G states:

An application for a permit shall provide documentation that the intended use will comply with the performance standards enumerated below. In the case of a structure being built where the future use is not known, a zoning permit may be issued with the condition that no certificate of occupancy will be issued until such time as this documentation is submitted with respect to the particular occupant. A new application and a new certificate of occupancy shall be required in the event of a change of any user of any structure.

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) Trane Series XV18 Condenser Units on the property.

- The applicant indicates the proposed condenser units present with upward ventilation.

Application Procedure in Historic Zone District and for Designated Historic Sites;

Land Development Ordinance section 900 states:

A This Section establishes the circumstances, conditions and procedures to obtain a Certificate of Appropriateness from the Historic Preservation Commission as it pertains to exterior architectural features, applications for a permit from the Zoning Officer and/or Construction Official or for applications for development for properties in any Historic District Zone District or for designated historic sites situated elsewhere in the Township. No zoning permit where such is required shall be issued unless a Certificate of Appropriateness has been issued previously by the Historic Preservation Commission and when additionally required an approval has been granted by the appropriate Neptune Township Planning Board or Zoning Board.

B It shall be the duty of the Zoning Officer or his designee of the Township to review and submit to the Historic Preservation Commission all plans for the construction, alteration, repair, restoration or demolition of structures located in any Historic District Zone including any changes in the existing exterior elements of the building and other improvements on the site that can be seen from the outside, except for landscaping outside of the Historic Flared Avenue Open Space and walls less than eighteen (18") inches in height. All applications for site plan, subdivision, variance, conditional use, appeal or interpretation as is specified herein shall additionally be reviewed in accordance with the requirements of this Ordinance. [NOTE: This Section 900.B has been amended per Ordinance No. 02-41]

C No building or structure shall be erected, reconstructed, altered, restored or demolished until the Historic Preservation Commission shall approve an application for a building or demolition permit in relation to those exterior architectural features which are subject to public view from a public street or place.

ZONING NOTES:

- Historic Preservation Commission review and approval is required.

Plot Plans and As-Built Survey.

Land Development Ordinance section 1010 states:

A Two signed and sealed copies of individual plot plans in accordance with NJAC 3:40-

7.3 shall be submitted to the Township Engineer to accompany any permit application for any new construction and for any building addition or land disturbance greater than 150sf or 50sf in Ocean Grove section. The individual plot plan shall be utilized to review the project for adequate drainage and grading and compliance to all applicable Township standards.

B The Township Engineer will review the submitted documents and either disapprove or approve the submitted plot plan. The applicant will be notified if any revisions are required.

C The Construction Official shall not issue any construction permit until the Township Engineer approves the proposed individual plot plan.

D Each individual plot plan shall be drawn to scale of not less than one inch equaling 50 feet, signed and sealed in accordance with N.J.A.C. 13:40-7.3 by a professional licensed to practice in the State of New Jersey, and shall be no smaller than 8 ½ inches by 14 inches.

E Individual plot plans shall include the following information:

- (1) Bearing and distances.
- (2) North arrow, written and graphic scale.
- (3) Existing/proposed easement and dedications.
- (4) Existing/proposed building, pool, decks, patios, porches, sheds and accessory structures dimensions.
- (5) Existing/proposed sidewalks, driveways and retaining walls.

- (6) Building envelope graphically depicting and dimensioning zoning setback requirements and/or setbacks approved by the Board if (applicable).
- (7) Street name, right-of-way width, pavement width and composition of the street(s) fronting the lot.
- (8) The title block on the plot plan must include the property address, the block and lot number of the property in question and the name of the applicant.
- (9) Limits of clearing and soil disturbance. Show number of trees over four (4) inches diameter to be removed.
- (10) Existing trees to be protected and remain. Include tree replacement plan, if applicable as per 525 of the Land Development Ordinance (LDO).
- (11) Location of wetlands, floodplains, stream encroachment lines and/or any other environmental constraints to the property. If there are no wetlands, then a note should be added to the plan stating that no wetlands exists on the subject property.
- (12) Sufficient street elevations including center line, gutter and top of curb (if applicable); existing and proposed lot elevations to include, at a minimum, property corners, midpoints of property lines, building corners and center of lot; the finished floor, basement and garage floor elevations of the proposed adjacent dwellings, corner elevations and topography within 10 feet of property lines or as far as necessary to determine adequate drainage characteristics. All elevations shall be according to the NGVD (National Geodetic Vertical Datum) and the source of datum so noted. Any specific circumstances for which elevation requirements cannot be met will be subject to review by the Township Engineer and Construction Official on a case-by-case basis. Under no circumstances shall individual lots be graded in such a manner as to redirect stormwater runoff onto an adjacent and/or downstream property or disturb or change the existing drainage patterns of an adjacent lot. Drainage flow arrows shall be provided to clearly depict the directions of stormwater runoff. No grading or the creation of sump conditions shall be permitted on adjacent lot(s) unless permission has been specifically granted, in writing, by the owner of said adjacent lot(s).
- (13) Location of any storm drainage pipes within 25 feet of the property including pipe size, grade and invert.
- (14) Lot grading shall be designed to provide positive runoff with grades at a minimum slope of 1.5%.
- (15) Swales designed to convey surface runoff shall be designed with suitable subgrade material containing well draining sand or gravel, stone, sand mix topsoil or other material acceptable to the Township Engineer. A construction detail shall be included on the plan.
- (16) Utility connections, including, but not limited to, water, sanitary sewer, gas, electric, telephone and cable.
- (17) Elevations, cross sections, details, and dimensions of driveways and retaining walls.
- (18) The plan shall show new or existing utilities to be utilized in accordance with applicable standards.
- (19) Location and direction of all existing and proposed downspouts.
- (20) If sidewalk and/or curbing is proposed details to be provided and sufficient proposed grades to ensure positive drainage.
- (21) A separate road opening permit is required for any disturbance in the Township Right of Way
- (22) Prior Board approval or waiver granted for construction in easements.
- (23) Other items that may be required by the Township Engineer for proper construction of the site

F Plot plans of Planning Board approved projects still required individual grading plans and shall match the intent of approved subdivision/site plans.

G If a basement is proposed, a subsurface soil investigation certified by a licensed engineer shall be submitted with the plot plan.

H The applicant shall submit a foundation survey to the Zoning Officer prior to an inspection of the foundation for approval and backfilling. This survey shall include the location of the foundation and the actual floor elevations. If the as-built survey establishes locations or elevations different from those submitted in the plot plan, changes in the proposed grading shall be noted. A revised grading plan shall be submitted to the Engineering and Planning Department and a revised building plan to the Construction Official.

I The applicant shall submit one (1) copy of a final as-built survey for new construction, building addition or land disturbance over 150sf or 50 sf for Ocean Grove. Building additions signed and sealed by a

professional engineer or land surveyor licensed in the state of New Jersey prior to requesting a final certificate of occupancy (CO) inspection from the Municipal Engineer.

J The as-built plan shall address constructed conditions and/or location of:

- (1) Final grading elevations;
- (2) Roads including curbing and sidewalks;
- (3) Utilities, new or existing;
- (4) Building location (s);
- (5) Driveways and parking lots;
- (6) Location and direction of downspouts;
- (7) Stormwater management facilities, including as-built topographic contours and volume calculations;
- (8) Walls and fences, and
- (9) Lighting
- (10) Planting(s)
- (11) Signage
- (12) Refuse Area
- (13) Other structures or conditions deemed pertinent by the Municipal Engineer.

K Exemption from the requirements of this section for new construction, building addition or land disturbance under 150sf or 50sf for Ocean Grove requires the approval of the Township Engineer, said exemption to be contingent upon:

- (1) Proof that the subject addition is not in a flood hazard zone
- (2) A survey locating the existing dwelling and showing the proposed improvements
- (3) A site inspection by a Township engineering inspector to verify that the proposed addition will not create drainage problems.
- (4) A notarized letter from the property owner stating there will be no adverse drainage impacts.
- (5) Submission of a \$75.00 review fee;

In the event that the review of the application does not prove acceptable for an exemption, a full grading plan/plot plan shall be submitted along with required application and fees for review.

ZONING NOTES:

- Department of Engineering review and approval is required.

The applicant does not display compliance with all of the Land Development Ordinance requirements.

Zoning Board of Adjustment, HPC, Department of Engineering and Construction Department approvals are required.

* Returned to the applicant:

- One (1) copy of the Zoning Determination;
- Two (2) copies of the Construction Plans (Specifications Sheet) for a Trane Series XV18 Condenser Unit;

- Two (2) copies of the Site Plan with Construction Plans by Shore Point Architecture, dated 12-04-2020.

Status

Approved ☐

Denied ☒

Referrals

Construction ☒

HPC ☒

Engineering ☒

Planning Board ☐

Zoning Board ☒

Mercantile ☐

Code Enforcement ☐