



Fee Date: 03/15/2019

Check #:

Cash: 0

ZONING REVIEW

ID: 550244941

Date: 03/21/2019

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 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 type="checkbox"/> Deck/Balcony | <input type="checkbox"/> New Ownership of Property/Business | <input type="checkbox"/> Storage Shed |
| <input checked="" type="checkbox"/> Driveway / Sidewalk / Apron | <input type="checkbox"/> New Residence | <input type="checkbox"/> Swimming Pool/Hot Tub |
| <input checked="" type="checkbox"/> Fence/Retaining Wall | <input type="checkbox"/> Porch | <input type="checkbox"/> Zoning Determination |
| <input checked="" 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: 44 RIDGE AVE **Block:** 510 **Lot:** 23 **Zone:** R-5

2. **Applicant Name:** TORRES, VICTORINO **Phone No.** [REDACTED] **Fax No.**

Applicant's Address: 44 RIDGE AVENUE NEPTUNE, NJ 07753

Email:

3. **Property Owner Name:** TORRES, VICTORINO **Phone No.** [REDACTED] **Fax No.**

Property Owner's Address: 44 RIDGE AVENUE NEPTUNE, NJ 07753

Email:

4. **Present Approved Zoning Use of the Property:** 2 FAMILY RESIDENTIAL

5. **Proposed Zoning Use of the Property:** 2 FAMILY RESIDENTIAL

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 portion of driveway to be removed where it encroaches on the neighbor's property. Existing porch & low wall to remain."

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: 21.00 %

Lot Coverage: 70.00 % (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:

03/21/2019 ZONING VIOLATION REMEDIATION

The applicant has submitted this zoning permit application to remediate zoning violations.

Violations noted:

- Construction of a structural retaining wall without first acquiring zoning approval.
- Construction of Porch stairs without first acquiring zoning approval.
- Construction to the front porch without first acquiring zoning approval.

The present approved zoning use of the property is a Multifamily Residence. The property consists of one building containing two units residential.

The applicant describes the proposed work in detail:

"There was a wooden retaining wall in front of my home which was severely deteriorated. I asked the Township if I needed a permit to repair same. I was told I did not. Now that I repaired/replaced the retaining wall, I have been told I need a permit.

I have attached a copy of a survey and an architectural rendering showing that the new wall is placed exactly on the same footing as the old wall."

STRUCTURAL RETAINING WALL:

- The applicant has removed and reconstructed a nonconforming structural retaining wall. The wall constructed does not comply with the current setback requirements.
- The applicant did not submit the required construction plans displaying elevations of the constructed structural retaining wall.
- The applicant does not display compliance with Land Development Ordinance section 421.
- The applicant did not submit the required documentation complying with Land Development Ordinance section 527.
- Zoning Board of Adjustment approval is required.

PORCH, DECK, AND BALCONY REQUIREMENTS:

- The applicant has reconstructed the nonconforming front porch. It does not comply with the current setback requirements. Zoning Board of Adjustment approval is required.

ADDITIONAL ZONING VIOLATIONS:

In 2012 and 2014 zoning violations were issued for operating a home occupation and storage of commercial vehicles on the property. A zoning permit application was submitted. On 09/11/2012 the applicant Victor Torres, was referred to the Zoning Board of Adjustment for noncompliance with Land Development Ordinance section 411.04. The vehicles and home occupation have returned to the property. Zoning Board of Adjustment approval is required for the expansion of the nonconforming use.

IMPERVIOUS COVERAGE:

- The existing nonconforming driveway has been expanded. On previous surveys the driveway encroached onto the neighboring property. The applicant indicates the proposed removal of the portions encroaching onto the neighboring property. The applicant expanded the nonconforming driveway. The applicant does not comply with the setback requirement. There is a zero foot setback where 3 is required. The maximum permitted driveway width is 22'. The applicant has constructed a 40'X60' parking lot in the rear yard area that houses vehicles for a business and tenants.

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

The property remains in Zoning Violation and shall result in the continued enforcement of the Land Development Ordinance. Please submit a complete application to the Zoning Board of Adjustment.

Status

Approved ☐ Denied ☒

Referrals

Construction ☒ HPC ☐ Engineering ☒ Planning Board ☐ Zoning Board ☐ Mercantile ☐ Code Enforcement ☐