

RESOLUTION NO. 97- 22
PLANNING BOARD MEETING DATE
APPLICATION NO. 97-2

RESOLUTION ON THE APPLICATION OF ROBERT JOHNSON
PROPERTY LOCATED AT 163 SOUTH MAIN STREET,
NEPTUNE, NEW JERSEY

WHEREAS, the Planning Board of the Township of Neptune, County of Monmouth and State of New Jersey, has before it an application for site plan approval for Robert W. Johnson for the property known as 163 South Main Street, Neptune, New Jersey, said property also being known as Lots 3, 5, 6, Block 150 as shown on the Tax Map of the Township of Neptune, and Richard Hogan, Esq. having appeared for the applicant; and

WHEREAS, it appearing that the applicant owns and runs a business known as Johnson Restaurant Supply which business is located on the subject property; and

WHEREAS, the applicant owns the property known as Lot 6 and has leased a portion of a masonry building on Lot 3 and has added a masonry addition

on Lot 5, with the permission and consent of the owner of Lot 5 which addition connects the building S on Lot 6 and Lot 3 and said addition being constructed without approval or permits as required by the township ordinances; and

WHEREAS, the applicant having submitted a partial site plan and having asked for a waiver of the strict requirements of the site plan ordinance along with the necessary bulk variances of side yard and rear yard conditions; and

WHEREAS, the Board having made the following findings of fact:

(1) The site is located on the west side of south Main Street, north of the intersection of Inskip Avenue and the site abutts the New York and Long Branch railroad right of way.

(2) The site is in the CS commercial service zone.

(3) The applicant owns and has used lot 6 for his restaurant supply business, said lot

is fully developed with the building on it and there is no room for expansion of applicant's building on said lot.

(4) There is a masonry building on lot 3 which applicant has leased and uses for storage of his inventory and supplies.

(5) Lot 5 is adjacent to both Lots 6 & 3 and is between said lot.

(6) Applicant has constructed a masonry addition between the two buildings, the addition crosses lot 5 and connects the two buildings. The purpose of the addition is to allow applicant to conduct his work and business between the two buildings in all weather conditions.

(7) The addition will bring the work in doors which the Board finds to be a benefit to the community in that the moving of inventory and supplies will be removed from public view.

(8) There is no way to construct the addition without violating the side yard setbacks

set forth by the township ordinances.

(9) Lot 5 tapers to less than nine (9) feet in it's rear and the board finds that the best place to add the addition is in the rear of the property which violates the rear yard setback.

(10) The Board finds that there is no detriment to the community by adding the addition as the rear of the property abutts the aforementioned railroad right of way and is screened from public view by it. The Board finds that because of the developement of the property in the area including Lots 3, 5 and 6, that the addition connecting the buildings will have no negative impact on the surrounding properties and the Board also finds that the granting of the application will not be repugnant to the master plan or intent of the zoning ordinances.

(11) The Board finds that the shape and configuration of Lot 5 is unique.

(12) The Board finds that there is a benefit to the community by the addition of landscaping

and fencing in the rear of Lot 5.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Board of the Township of Neptune, County of Monmouth and State of New Jersey, does hereby resolve to grant the application for site plan approval along with required bulk variances required for rear yard and side yard violations along with waiver of the requirements of the sit plan ordinance.

Said approvals shall be subject to the following conditions:

(1) The applicant shall revise the map in accordance with the boards recommendation and that of it's professionals.

(2) The payment of taxes and other applicable assessments and fees and costs and escrows to date.

(3) Monmouth County Planning Board approval or receipt of letter of communication from it indicating no interest in the subject application or passage of the appropriate time period pursuant to the law provided notice has been given to the Monmouth County Planning Board.

(4) The applicant shall provide either a chain link fence or shrubbery in the rear of the addition on Lot 5.

BE IT FURTHER RESOLVED, that prior to the signature of the site plan, the Boro Engineer and the Boro Planner shall have indicated approval in writing as to form and content of any revisions submitted by the applicant; and

BE IT FURTHER RESOLVED, that in the event that the conditions as set forth herein are not met by January 1, 1998, with the Plans not being executed by that date, this matter shall be listed for dismissal without prejudice on the Board's Agenda of the following month. It should be understood that this time limit is not a representation or guarantee with respect to same and it will continue to be Applicants obligation to comply with the applicable laws respect to time limitations.

AYES: Mrs. Benjamin, Mr. Mowczan, Mrs. Nealon, Chairman Hoffman

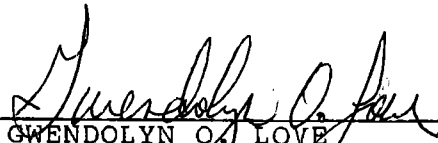
NAYS: None

ABSTAIN: None

ABSENT: Mr. Giotta, Mayor Monroe, Mr. Lee

DISQUALIFIED: None

I hereby certify that the within is a true copy of the Resolution adopted by the Neptune Township Planning Board at its meeting on the 25th day of June and Memorialized on the 23rd day of July, 1997.


GWENDOLYN O. LOVE
ADMINISTRATIVE OFFICER
NEPTUNE TOWNSHIP PLANNING

Dated: July 23, 1997