



Fee Date:
Check #:
Cash: 0

ZONING REVIEW

ID: 556954964

Date: 01/26/2022

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 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 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: 1329 06TH AVE **Block:** 416 **Lot:** 26 **Zone:** R-4
2. **Applicant Name:** MOLINOFF, JOSHUA K **Phone No.** (908)415-6723 **Fax No.**
Applicant's Address: 1329 06TH AVE NEPTUNE, NJ 07753
Email: njjosh89@gmail.com
3. **Property Owner Name:** MOLINOFF, JOSHUA K **Phone No.** (908)415-6723 **Fax No.**
Property Owner's Address: 1329 06TH AVE NEPTUNE, NJ 07753
Email: njjosh89@gmail.com
4. **Present Approved Zoning Use of the Property:** Detached Single Family Residence
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.**
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: 0

Lot Coverage: 0 (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:

01/26/2022

ZONING VIOLATION REMEDIATION:

The applicant has submitted this Zoning Permit Application to remediate zoning violations issued on the property.

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ZONING VIOLATIONS NOTED:

- Construction of a Fence without First Acquiring Zoning Approval.

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Remediation action taken by the property owner:

- It is the intent of the property owner to make application to the Zoning Board of Adjustment and receive Board approval to construct a new fence obstructing the Driveway Clear Sight Triangle.

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 R-4 Zoning District.

The Zoning use of the property is a Detached Single Family Residence.

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

- Nonconforming Uses, Structures, And Lots;
- Fence And Wall Requirements;
- Driveway Design Standards;
- ZONING VIOLATION NOTED:

Nonconforming Uses, Structures, And Lots;

Land Development Ordinance section 422 states:

The following provisions shall apply to valid non-conforming use, structures and lots at the time of adoption of this Ordinance:

A A use, building or structure which is lawfully in existence at the effective date of this Ordinance and shall be made non-conforming at the passage of this Ordinance or any applicable amendment thereto, may be continued as otherwise provided in this section.

ZONING NOTES:

- **The existing Lot is nonconforming as it does not comply with the current Land Development Ordinance Requirements.**
- **The existing Principal Structure is nonconforming as it does not comply with the current Land Development Ordinance Requirements.**
- **The existing Private Garage (IMPROPERLY IDENTIFIED AS A SHED ON THE SUBMITTED SURVEY) is nonconforming as it does not comply with the current Land Development Ordinance Requirements.**
- **The existing Fence is nonconforming as it encroaches into the State Right-Of-Way, and obstructs the Driveway Clear Sight Triangle.**

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.

Fence And Wall Requirements;

Per Land Development Ordinance section 412.07-B:

B Fences and walls in non-historic zone districts. Fences and walls in non-historic zone districts shall be permitted accessory structures subject to the following provisions:

1 Front Yards.

(a) For residential uses, fences shall be permitted to be located in front yards, provided such fences shall not exceed four (4) feet in height, as measured from ground level and shall be constructed so that at least fifty (50) percent thereof is non-solid and open. Fence types such as board-on-board and stockade shall be considered solid fences. Decorative walls are permitted to be located in front yards for residential uses, provided such shall not exceed two and one half (2 1/2) feet in height, as measured from ground level. Fence posts, corners, gateways, and wall piers and entryways may not exceed five (5) feet in height. For corner lots the second front yard now considered a side yard may have a solid fence, six (6) feet in height extending to the front buildings line of the dwelling unit and shall not interfere in the site triangle.

ZONING NOTES:

- N/A

(b) For non-residential uses, fences and decorative walls may be erected in the front yard extending to the rear or side lot lines, provided:

(i) When such fences and walls are located within fifteen (15) feet of a street line they shall not exceed four (4) feet in height, as measured from the ground level. Fence posts, corners, gateways, and wall piers and entryways shall not exceed five (5) feet in height.

(ii) When such fences and walls are located more than fifteen (15) feet from a street line they shall not exceed six (6) feet in height, as measured from the ground level. Fence posts, corners, gateways, and wall piers and entryways shall not exceed seven (7) feet in height.

ZONING NOTES:

- N/A

(c) Chain link fences shall be prohibited in front yards in all zone districts.

ZONING NOTES:

- N/A

2 Side and Rear Yards.

(a) For residential uses, both solid and non-solid fences shall be permitted to be located in side or rear yards, provided such shall not exceed six (6) feet in height, as measured from the ground level. Decorative walls for residential uses are permitted to be located in side or rear yards, provided such shall not exceed four (4) feet in height, as measured from the ground level. Fence posts, corners, gateways, and wall piers and entryways may not exceed seven (7) feet in height.

ZONING NOTES:

- **The applicant indicates the proposed removal of the Nonconforming Fence.**

- **The applicant indicates the proposed construct of a 6' high solid fence in the side and rear yard area.**

(b) For non-residential uses, both decorative walls and solid or non-solid fences shall be permitted to be located in side or rear yards, provided such shall not exceed six (6) feet in height, as measured from the ground level. Fence posts, corners, gateways, and wall piers and entryways may not exceed seven (7) feet in height.

ZONING NOTES:

- N/A

3 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 applicant shall comply with this LDO requirement.**

4 Materials. 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. In addition, chain link fences are specifically prohibited in front yard in all zones.

ZONING NOTES:

- **CONDITION OF APPROVAL = The applicant shall comply with this LDO requirement.**

5 Drainage. Fences and decorative 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 applicant shall comply with this LDO requirement.**

6 Obstruction. No fence shall be constructed within any sight triangle as defined in this article, or installed so as to constitute a hazard to traffic or public safety.

ZONING NOTES:

- The applicant indicates a proposed obstruction of the Driveway Clear Site Triangle. The applicant does not demonstrate compliance with the Land Development Ordinance requirement. Zoning Board of Adjustment approval is required.

7 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.**

8 Retaining Walls. Any permitted wall proposed to be used as a retaining wall may be required to be reviewed by the Township Engineer prior to the issuance of a zoning permit.

ZONING NOTES:

- **N/A**

9 Exceptions. Fences or walls that constitute a permitted buffer area screen approved as part of a site plan application shall be excepted from the above height and location provisions. In addition, fencing required to enclose a tennis court shall be excepted from the above maximum height provisions. Said fence shall not exceed twelve (12) feet in height, as measured from ground level, and may not be located within a required setback area.

ZONING NOTES:

- **N/A**

Driveway Design Standards;

Land Development Ordinance section 505 states:

B Design standards. The following standards shall be used to prepare and review any development plan that involves the construction of a new driveway or the expansion or repair of an existing driveway.

8 Clear sight triangles. At locations where driveways approach sidewalks and streets in the public right-of-way, clear sight triangles shall be provided on both sides of such driveways. No vision-obstructing object with a height greater than 2 1/2 feet, as measured from the elevation of the driveway, shall be located in such areas formed by outward facing isosceles triangles, with equal sides of ten (10) feet in length consisting of the curb line of the driveway and the property line along the right-of-way.

ZONING NOTES:

- The applicant indicates a proposed obstruction of the Driveway Clear Site Triangle. The applicant does not demonstrate compliance with the Land Development Ordinance requirement. Zoning Board of Adjustment approval is required.

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

Zoning Board of Adjustment approval is required.

Status

Approved Denied

Referrals

Construction HPC Engineering Planning Board Zoning Board Mercantile Code Enforcement

