



# 245 Myrtle Avenue

12-01-2021 ZONING OFFICERS REPORT TO THE ZONING BOARD OF ADJUSTMENT

# 245 Myrtle Avenue

- The property is located within the R-4 (Medium Density Residential) Zoning District.
- The zoning permit records identify the use of the property to be a Nonconforming Two Family Residence.



# 245 Myrtle Avenue

50'	45'	50'	27'	23'	50'	50'	50'	50'	50'	5'
2	3	4	5	6	7	8	9	10	11	1
11'(S)	56.17'	134(S)	134.33'	134.42'	133'(S)	134.50'	134.54'	134.64'	133'(S)	133'(S)
33.19'	44.87'	45'	50'	27'	23'	50'	20'	50'	50'	50'
25'	25'	25'	50'	25'	25'	25'	25'	25'	25'	25'
178.33'	148.41'	148.32'	148.28'	148.05'	148.02'	86.05'	50'	147.42'	147.23'	147.14'
42	41	40	39	38	37	36	35	34	33	32
25'	25'	25'	50'	25'	25'	25'	25'	50'	25'	50'
61.90'	81.90'	81.90'	81.90'	81.90'	81.90'	81.90'	81.90'	81.90'	81.90'	81.90'
147.84'	147.84'	147.84'	147.84'	147.84'	147.84'	147.84'	147.84'	147.84'	147.84'	147.84'
100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'
47.81'	47.81'	47.81'	47.81'	47.81'	47.81'	47.81'	47.81'	47.81'	47.81'	47.81'
25'	25'	25'	25'	25'	25'	25'	25'	25'	25'	25'
146.96'	146.88'	146.80'	146.80'	146.80'	146.80'	146.80'	146.80'	146.80'	146.80'	146.80'
29	28	27	26	25	24	23	22	21	20	19
25'	25'	25'	25'	25'	25'	25'	25'	25'	25'	25'



# 245 Myrtle Avenue





# Timeline of Events



08-26-2002

- 
- A CORRESPONDENCE LETTER WAS FAXED FROM MS. RINETTA MCGHEE TO THEN ZONING OFFICER, TODD GANGHAMER.

Letter of  
correspondence  
faxed to Officer  
Ganghammer  
from Ms. Rinnetta  
McGhee

AUG-28-02 10:23 From: PM JTT/CIBS MONMOUTH

#7324279525

T-414 P.02 Job-083

RsBE Incorporation  
1502 Springwood Avenue  
Asbury Park, New Jersey 07712  
(732) 774-0667

26 August 2002

*Block 195 Lot 8*

To: Neptune Administrative Code Enforcer  
ATTN: Tod Ganghammer

Subject: Zoning of Property at 245 Myrtle Ave for Three Units

Dear Mr. Ganghammer,

I recently purchased property at 245 Myrtle Avenue, Neptune, New Jersey. I thought I was purchasing a three unit building and was in the process of getting a Certificate of Occupation (CO) for all three units when I was informed the building was only zoned for two units. During the CO process the third unit in question almost received a CO until the inspector looked closer and discovered it was zoned for only two units.

I would like to have this property zoned for three units. Can you please inform me on what I must do? Your assistance in this matter would be greatly appreciated. I can be reached at the following telephone number, (732) 861-4393 and the address below.

Sincerely yours,



Rinnetta McGhee  
1502 Springwood Ave  
Asbury Park, NJ 07712  
(732) 861-4393

*Please put house file*



RsBE Incorporation  
1502 Springwood Avenue  
Asbury Park, New Jersey 07712  
(732) 774-0667

*Please pull house file*

26 August 2002

*Block 195 Lot 8*

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Sincerely yours,



Rinnetta McGhee  
1502 Springwood Ave  
Asbury Park, NJ 07712  
(732) 861-4393



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08-27-2002

- OFFICER GANGHAMER  
RESPONDED TO MS.  
MCGHEE, VIA LETTER.

Letter of  
correspondence  
faxed to Officer  
Ganghammer  
from Ms. Rinnetta  
McGhee



TOWNSHIP OF NEPTUNE

25 Neptune Bld  
P.O. BOX 1125, NEPTUNE, NJ 07754-1125  
732-988-5200 x 217  
FAX: 732-988-0062

Code Enforcement  
Todd A. Ganghamer, Director

FILE COPY

August 27, 2002

RsBE Incorporated  
1502 Springwood Avenue  
Asbury Park, New Jersey 07712

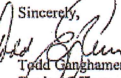
Re: 245 Myrtle Avenue

Att: Rinnetta McGhee

Dear Ms. McGhee;

Please be advised that the above referenced property is located within the R-4 Single Family zoning district. The existing two family structure is an existing nonconforming use within that zone. The conversion to a three family dwelling would constitute an expansion of the nonconforming use and would require a use variance to do so.

If you have any further questions, please do not hesitate to call.

Sincerely,  
  
Todd A. Ganghamer  
Zoning Officer

# TOWNSHIP OF NEPTUNE



25 Neptune Bld  
P.O. BOX 1125, NEPTUNE, NJ 07754-1125  
732-988-5200 x 217  
FAX: 732-988-0062

Code Enforcement  
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**FILE COPY**

August 27, 2002

RsBE Incorporated  
1502 Springwood Avenue  
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Re: 245 Myrtle Avenue

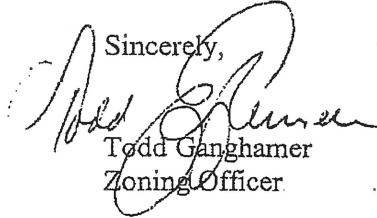
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If you have any further questions, please do not hesitate to call.

Sincerely,

  
Todd Ganghamer  
Zoning Officer



10-19-2020

@09:31am:

- It was brought to the Zoning Officers attention that the Code Enforcement Department was faced with a dispute with the property owner of 245 Myrtle Avenue, Ms. Rinetta McGhee regarding the number of residential units on the property.
- The Code Enforcement Department records identify the property as containing three residential units.
- The Code Enforcement Departments inspection identified the property as containing four residential units.
- The Ms. McGhee disputed, stating that there has always been four residential units at 245 Myrtle Avenue.
- The Code Enforcement Department queried zoning because the Mercantile Registration Ms. McGhee applied for identified there to be four residential units.



10-19-2020

@ 09:57 am:

- The Zoning Officer responded to the Code Enforcement Department identifying the use of the property to be a Nonconforming Two Family Residence, referencing the correspondence between Rinnetta McGhee and then Zoning Officer Todd Ganghamer.



10-19-2020 thru 10-21-2020

- Over the next few days Rinnetta McGhee engaged in a plethora of email communications with the Director of Code Enforcement and the Zoning Officer. In the communications Ms. McGhee was incessant that she acquired all of the necessary zoning approvals for a four family residence.
- When asked to provide zoning proof, Ms. McGhee was unable to.
- Ms. McGhee later indicated that she mistook her zoning approvals for her 2007-2008 tax assessment documentation, which she indicated identifies a 4 unit residence.



10-19-2020 thru 10-21-2020

- Ms. McGhee then identified that she was attempting to help a disabled woman and her disabled daughter move into the fourth residential unit. Ms. McGhee attempted to bargain with the Zoning Officer by requesting that the tenant be allowed to move in and then she would go through the zoning process to acquire the necessary approvals.
- The Zoning Officer denied the request, and referenced her past correspondence with the prior Zoning Officer.



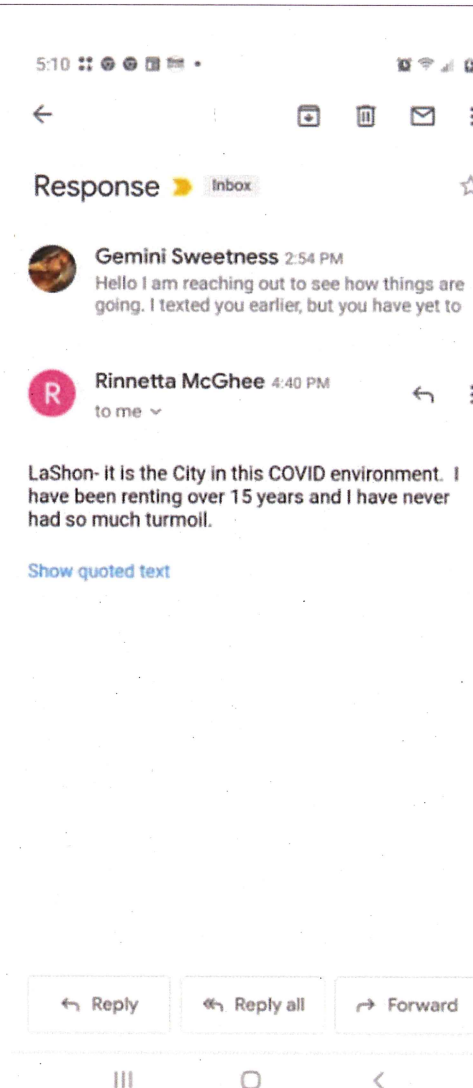


10-19-2020 thru 10-21-2020

- The Zoning Officer was contacted by the tenant in question (Gemini Sweetness, aka LaShon).
- In speaking with Ms. Sweetness it was discovered that Ms. McGhee initiated the process of moving Ms. Sweetness into the residence, a month prior.

## 10-19-2020 thru 10-21-2020

- Ms. Sweetness, indicated that Ms. McGhee provided her with different information, placing blame and fault on the Township.
- Ms. Sweetness forwarded a communication that occurred on 10-21-2020, with Ms. McGhee:





**Gemini Sweetness** 2:54 PM

Hello I am reaching out to see how things are going. I texted you earlier, but you have yet to

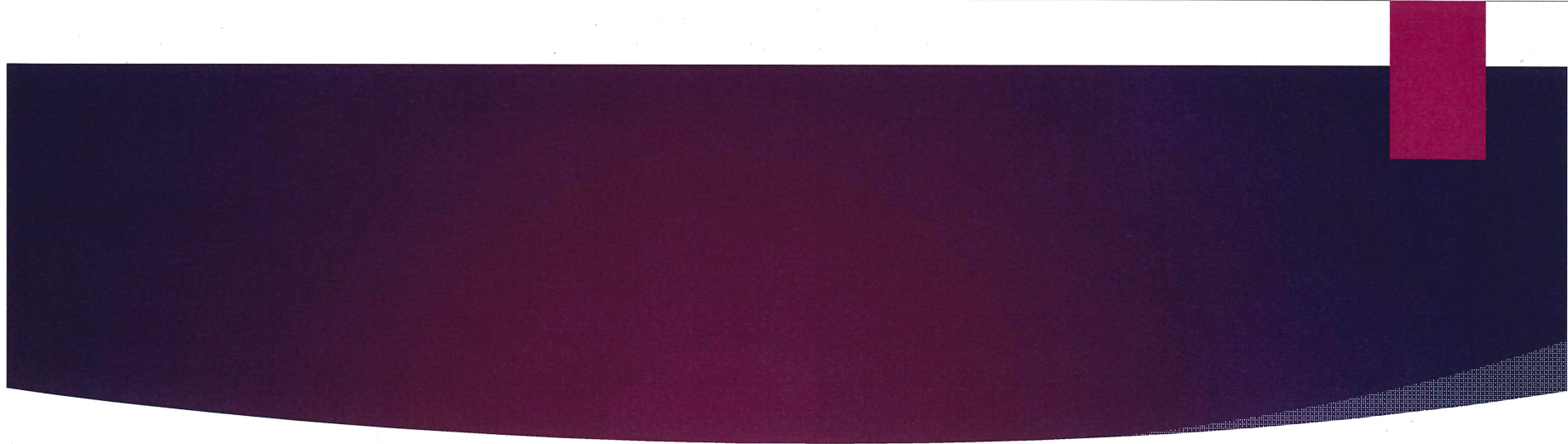


**Rinnetta McGhee** 4:40 PM


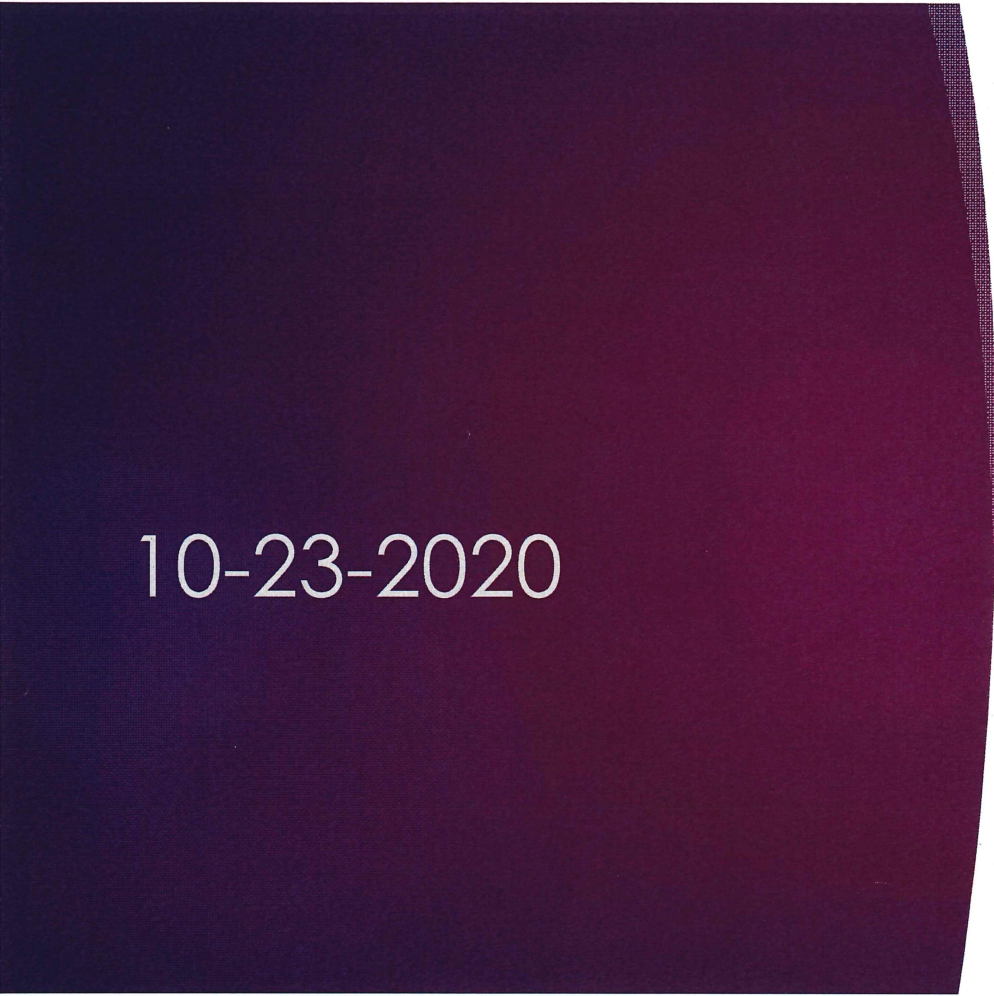
to me ▾



LaShon- it is the City in this COVID environment. I have been renting over 15 years and I have never had so much turmoil.



- The Zoning Officer explained the zoning issues with the property to Ms. Sweetness, and indicated the necessary steps required by Ms. McGhee.
- Ms. Sweetness was not receptive to the Zoning Officers response or the zoning process.
- Over time Ms. Sweetness continually called the Township, sent multiple email communications to the Zoning Officer, sent multiple email communications to the Neptune Township Governing Body, forwarded pictures of complaints sent to Senator Cory Bookers office, forwarded pictures of complaints sent to Governor Phil Murphy's office, and indicated she had contacted a lawyer and the DCA Office of Regulatory Affairs.




10-23-2020

- A ZONING PERMIT APPLICATION SUBMISSION WAS RECEIVED FROM MS. RINNETTA MCGHEE AND ENTERED INTO THE SYSTEM.

# Zoning Permit Application - Received

## 10-23-2020

10/23/20



**Neptune**  
Township - NJ  
*Where Community, Business & Tourism Prosper*

Fee \$35.00  
ZONING DEPARTMENT  
PHONE 732-888-5200 or 217  
FAX 732-888-4258

Control Number: 2a10 - 07a Date: OCT 23 2020

### Zoning Permit Application

ADDING A NEW USE TO A PROPERTY     HOME OCCUPATION     PRIVATE GARAGE  
 AIR CONDENSER UNIT(S)     INTERIOR REMODEL - COMM / RES     RESIDENTIAL ADDITION  
 COMMERCIAL ADDITION     NEW ACCESSORY STRUCTURE     SIGNS  
 CONTINUING / CHANGING USE     NEW COMMERCIAL BUSINESS     SOLAR  
 DECK / BALCONY     NEW OWNERSHIP OF PROPERTY/BUSINESS     STORAGE SHED  
 DRIVEWAY / SIDEWALK / APRON     NEW RESIDENCE     SWIMMING POOL / HOT TUB\*\*  
 FENCE / RETAINING WALL\*     PORCH     ZONING DETERMINATION

OTHER: \_\_\_\_\_

\*Include location, height, and type of fence or wall on survey / plot plan. \*\*Pools require a permit. Please indicate type, height, and area of fence, and location of lot.

**PLEASE READ THE ZONING PERMIT INFORMATION SHEET PRIOR TO COMPLETING THIS APPLICATION**

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.

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

**ALL APPLICATIONS FOR PROPERTY WITHIN THE HISTORIC DISTRICT REQUIRE LPC APPROVAL**

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

Please print clearly:

1. BLOCK: 605 LOT: 8 ZONE: \_\_\_\_\_

2. ADDRESS: 245 Myrtle Ave, Neptune, NJ 07753

3. OWNER INFORMATION (required):    APPLICANT INFORMATION (required):

Name: Rinnetta McGhee    Name: \_\_\_\_\_

Address: 1502 Springwood Ave    Address: \_\_\_\_\_

Asbury Park, NJ 07712

Phone: (732) 861-4393    Phone: \_\_\_\_\_

Email: hoggwolf@gmail.com    Email: \_\_\_\_\_

4. PRESENT APPROVED ZONING USE OF THE PROPERTY: residential

5. PROPOSED ZONING USE OF THE PROPERTY: residential OR  UNCHANGED

ZONING APPLICATION (Revised August 2017) Page 1 of 2

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

The current property is zoned for 2 units. I am requesting it be zoned for 4 units. When the property was purchase back in 2001-- the previous property owner rented 2 of the units and remodeled a detached garage for a office which included a kitchen, bathroom, and bedroom. He essentially was using it as an apartment. There was also a basement unit. The previous property owner fixed the apartment up for his sister to utilize as a residence. I am not requesting to reconstruct the detached garage or the basement unit. I am basically requesting to remodel the unit. I am not looking to construct any additional structures on the property. I am not looking to change any of the existing buildings.

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: Date: 2002 Board:  ZONING Resolution # (if any): \_\_\_\_\_  
 PLANNING (Please supply a copy of the resolution)

8. For all exterior work pertaining to additions and accessory structures, excluding fences, provide: BUILDING COVERAGE: \_\_\_\_\_ % LOT COVERAGE: \_\_\_\_\_ %  
 (Please include calculations.)

40:63D-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.

Adopted: L. 1989, c. 67, §1, effective April 14, 1989. The applicant certifies that all statements and information made and provided as part of this application are true to the best of his/her knowledge, information and belief. Applicant further states that all pertinent municipal ordinances, and all conditions, regulations and requirements of the plan approval, variances and other permits granted with respect to said property, shall be compliant with. All zoning permits will be granted or denied within ten (10) business days from the date of complete application.

**Rinnetta McGhee**  
 OWNER NAME - Please PRINT  
 OWNER SIGNATURE Rinnetta McGhee  
 DATE 22 Oct 2020

APPLICANT NAME - Please PRINT  
 APPLICANT SIGNATURE \_\_\_\_\_  
 DATE \_\_\_\_\_

ZONING APPLICATION (Revised August 2017) Page 2 of 2

N 10/23/20



Fee \$35.00

ZONING DEPARTMENT  
PHONE 732-988-5200 .x. 217  
FAX 732-988-4259

Control Number: 2020 - 0700

Date: OCT 23 2020  
*(Stamp with signature and initials)*

### Zoning Permit Application

- ADDING A NEW USE TO A PROPERTY
- AIR CONDENSER UNIT(S)
- COMMERCIAL ADDITION
- CONTINUING / CHANGING USE
- DECK / BALCONY
- DRIVEWAY / SIDEWALK / APRON
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Address: <u>1502 Springwood Ave</u>	Address: _____
<u>Asbury Park, NJ 07712</u>	_____
Phone: <u>(732) 861-4393</u>	Phone: _____
Email: <u>hoggywolf@gmail.com</u>	Email: _____

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Rinnetta McGhee

OWNER NAME - Please PRINT

*Rinnetta McGhee*

OWNER SIGNATURE

22 Oct 2020

DATE

APPLICANT NAME - Please PRINT

APPLICANT SIGNATURE

DATE





10-23-2020

- THE ZONING PERMIT APPLICATION SUBMITTED ON 10-23-2020 WAS REVIEWED, DENIED AND REFERRED TO THE ZONING BOARD OF ADJUSTMENT.