



**RESOLUTION HPD2020-001**  
**TOWNSHIP OF NEPTUNE**  
**HISTORIC PRESERVATION COMMISSION**  
**RESOLUTION OF MEMORIALIZATION**  
**MONMOUTH COUNTY, NEW JERSEY**  
**PARTIAL DEMOLITION**

**Approved: January 14, 2020**  
**Memorialized: April 14, 2020**

**IN THE MATTER OF: STEVEN & SUSAN HARRIS (28 Sea View Avenue)**  
**APPLICATION NO.: HPD2019-003**

**WHEREAS**, Steven & Susan Harris (the “Applicant”) have applied to the Township of Neptune Historic Preservation Commission (the “Commission”) seeking to demolish a second story covered porch structure pursuant to Sections 900-914 of the Township of Neptune Land Development Ordinance and Township Ordinance 07-46 for lands known and designated as Block 105, Lot 7 on the official Tax Map of the Township of Neptune, and more commonly known as 28 Sea View Avenue, Ocean Grove, New Jersey 07756 (the “Property”); and

**WHEREAS**, a complete application has been filed, the fees as required by Township Ordinance have been paid, proof of service and publication of notice as required by law has been furnished and determined to be in proper order, and it otherwise appears that the jurisdiction and powers of the Commission have been properly invoked and exercised; and

**WHEREAS**, a public hearing was held on January 14, 2020 in the Township Municipal Building, at which time testimony and the exhibits attached hereto were presented on behalf of the Applicant and all interested parties having an opportunity to be heard; and

**WHEREAS**, the following Exhibits were marked into evidence:

- A-1 Application and documents submitted on or about November 21, 2019;
- A-2 Executed Notice of Hearing mailed to all property owners within 200 feet of the subject property and all governmental or public entities as required under Neptune Township Ordinance;
- A-3 Certification or Affidavit of Mailing of such Notice of Hearing to all property owners within 200 feet of the subject property and all governmental or public entities as required under Neptune Township Ordinance;
- A-4 Affidavit of Publication for the initial Notice of Hearing;
- A-5 List of property owners located within 200 feet of the subject property and the Assessor’s Certification dated December 16, 2019; and
- A-6 Certified Mailed Receipts dated December 30, 2019 and January 2, 2020;
- A-7 Finding of Fact dated January 2, 2020.

**NOW THEREFORE, BE IT RESOLVED** the Commission makes the following findings of fact based on evidence presented at its public hearing at which a record was made:

1. **The Applicant is seeking approval to demolish an attached two story covered porch structure on the Property.**

2. The subject Property is situated within the HD-O (Historic District Oceanfront) Zone and is improved with a two-story framed dwelling, which records indicate the house existing in 1879 as the Douglass Residence, which is designated as a “Key Structure” as defined in the Historic District’s Design Guidelines for Residential Structures (“Design Guidelines”).

3. The 1890 Sanborn Map (see Drawing A-2) shows the house along with a one-story covered frame porch on the rear. The 1910 Sanborn Map records the porch as a two-story covered porch with the rear wall now indicated as closed in. In 1930 the Map no longer indicates the nature of the porch footprint.

4. The principal house has a U-shaped two-story covered porch in the front with clapboard siding and is characteristic of the Ocean Grove seaside vernacular designs of the town/period. This home is simpler in detail than examples of similar period homes.

5. The current Owners, Steve and Susan Harris, purchased the home in 2019. Historically, this was a one-family dwelling but at some point, it has been converted into a non-conforming two-family dwelling. The Harris family intends to restore the use back to a single-family home. The Applicant has learned that the previous owner (Kendall F. Kelly) inherited the property from his parents who purchased the property circa 1979. The Applicant estimates that the 2-family use modifications occurred in the 1980s.

6. Gary R. O’Connor, AIA, the Applicant’s Architect summarized the Applicant’s proposed Findings of Fact (Exhibit A-7) that the two story enclosed porch is not only dilapidated and possessing no particularly unique design features, but the porch structure itself is threatening the structural stability of the two-story framed dwelling. A “newer” frame stair from the 2<sup>nd</sup> level to grade on the East Side is also scheduled for removal.

7. The supporting structure of the rear porch appendage was likely never designed to be a two-story enclosed structure as its original construction was only a one-story porch. This portion of the building is sinking into the ground and is damaging the principal structure. The proposed roof opening is part of a renovation plan to add shed dormer for added natural light in a proposed art studio for Susan Harris.

8. The elements being removed have no architectural significance and in fact is clad with a non-approved material (Texture 1-11 vertically oriented siding which runs down to grade).

9. The integrity of the enclosed porch appendage is causing damage to the principal structure. The enclosed porch is also non-conforming to the rear zoning setback as it is built within inches of the property line. Structural repairs to the principal structure are anticipated once the dilapidated appendage can be removed.

10. The rear porch enclosure and/or the proposed roof opening will not have a negative impact as they are not visible from the public right of way. The Applicant further contends that, from a rear yard neighborhood perspective, removal of this rear addition offers the removal of an eyesore visible primarily to adjacent rear and side yard neighbors.

11. This partial demolition will have no negative impact upon the surrounding economic base of the surrounding neighborhood and Historic District. If anything, the course of improvements that will follow will provide jobs for local tradesman and material suppliers and ultimately a rejuvenation of this key structure under the stewardship of new caring homeowners.

12. This key structure is being rehabilitated. The principal structure and the most important part of this building is being rejuvenated with plans to be filed under a separate certificate of appropriateness application. The portion of the structure scheduled for partial demolition is in the rear and will not be a detriment to the public interest. The portion being removed holds little significance and there are no special details or millwork associated with this part of the building.

13. There were no members of the public who expressed an interest in the application.

**NOW, THEREFORE, THE COMMISSION** makes the following conclusions of law based upon the foregoing findings of fact:

1. The Applicant proposes to demolish the two story enclosed porch structure that is appended to the rear of the two story frame on the Property.

2. Under Sections 900-916 of The Township of Neptune Lane Use Ordinance and Township Ordinance 07-46, when considering an application for Partial Demolition, the Commission may examine whether the design of the porch is appropriate to the architecture, the historic period of the District and indigenous to the subject property. It is the Commission's responsibility, acting in a quasi-judicial manner, to weigh all the evidence presented before by both the Applicant and all objectors, and reach a decision which is based upon findings of fact and conclusions of law that is not arbitrary, unreasonable or capricious.

3. The Commission concludes that the existing residential home is a Key Structure which is of significant historic architectural and aesthetic significance, as it was built around 1890 and has a prominent location in the Historic District.

4. The Commission further finds that the two story enclosed porch structure that is proposed for demolition, which appears to have been added in 1910 and modified substantially since then for purposes of unlawfully converting the dwelling into a non-conforming two family dwelling, is of little or no historical, architectural or aesthetic significance.

5. The Commission further concludes that the removal of the existing covered porch will both enhance the existing aesthetics of not just the subject site, but the entire neighborhood, and facilitate the anticipated rejuvenation of the dwelling itself which will be subject to a forthcoming Certificate of Appropriateness application.

6. The Commission therefore finds that partial demolition of the existing covered porch on the subject property is appropriate pursuant to Sections 900-914 of The Township of Neptune Land Use Ordinance and Township Ordinance 07-46.

**NOW, THEREFORE, BE IT RESOLVED**, by the Historic Preservation Commission of the Township of Neptune on this 14<sup>th</sup> day of April, 2020 that the action of the Commission taken on January 10, 2020 granting Application No. HPD2019-003 approval of a Certificate of Appropriateness for the partial demolition of the structure listed in this Resolution for the property located at Block 105, Lot 7, 28 Sea View Avenue, Ocean Grove, New Jersey, pursuant to Sections 900-914 of the Township of Neptune Land Development Ordinance, is hereby memorialized as follows:

**Application is granted subject to the following conditions:**

1. The partial demolition of the site proposed by the Applicant herein shall take place in strict conformance with the testimony, Plans and drawings which have been submitted to the Commission with this application.
2. Payment of all fees, costs, escrows due or to become due (if applicable). Any monies are to be paid within twenty (20) days of said request by the Commission Secretary.
3. The Applicant shall provide a certification that taxes are paid to date of approval.
4. Subject to all other applicable rules, regulations, ordinances and statutes of the Township of Neptune, County of Monmouth, State of New Jersey or any other jurisdiction.

**BE IT FURTHER RESOLVED** that the Commission Secretary is hereby authorized and directed to cause a notice of this decision to be published in the official newspaper at the Applicant's expense and to send a certified copy of this Resolution to the Applicant and to the Township Clerk, Engineer, Attorney and Tax Assessor, and shall make same available to all other interested parties.

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Deborah Osepchuk, Chairwoman  
 Township of Neptune Historic  
 Preservation Commission

**ON MOTION OF:**

**SECONDED BY:**

**ROLL CALL:**

**YES:**

**NO:**

**ABSTAINED:**

**ABSENT:**

**DATED:**

I hereby certify this to be a true and accurate copy of the Resolution adopted by the Township of Neptune Historic Preservation Commission, Monmouth County, New Jersey at a public meeting held on April 14, 2020.

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Kristie Dickert, Secretary  
 Township of Neptune Historic Preservation Commission