



Fee Date:  
Check #:  
Cash: 0

**ZONING REVIEW**

ID: 560143321

Date: 02/13/2023

Fee: \$ 35.00

**PROPOSED WORK**

- Adding a New Use to a Property
- Air Condensor Unit(s)
- Commercial Addition
- Continuing/Changing Use
- Deck/Balcony
- Driveway / Sidewalk / Apron
- Fence/Retaining Wall
- Other: \_\_\_\_\_
- Home Occupation
- Interior Remodel - Comm / Res
- New Accessory Structure
- New Commercial Business
- New Ownership of Property/Business
- New Residence
- Porch
- Private Garage
- Residential Addition
- Signs
- Solar
- Storage Shed
- Swimming Pool/Hot Tub
- Zoning Determination

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 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:** 2200-2250 ROUTE 66 **Block:** 802 **Lot:** 1 **Zone:** C-1
2. **Applicant Name:** Travis Godbeer **Phone No.** (405)518-6050 **Fax No.**  
**Applicant's Address:** 7707 SW 44th Street Oklahoma City, OK 73179  
**Email:** preconstruction@hobbylobby.com
3. **Property Owner Name:** NEPTUNE PLAZA SHOPPING CENTER, LLC **Phone No.** (201)444-7111 **Fax No.**  
**Property Owner's Address:** 6 PROSPECT ST, STE 2A MIDLAND PARK, NJ 07432  
**Email:** kpelio@azariangroup.com
4. **Present Approved Zoning Use of the Property:**
5. **Proposed Zoning Use of the Property:**
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:

02/13/2023

**THE APPLICANT DID NOT SUBMIT THE ZONING PERMIT APPLICATION FEE WITH THIS ZONING PERMIT APPLICATION SUBMISSION.**

The property is located within the C-1 Zone (Zoning District).

The applicant indicates the zoning use of the property to be "C1 Commercial Planned Development". This is inaccurate. Indicating the correct zoning use of the property is pertinent to the zoning review process. The correct zoning use of the property is a **Retail Shopping Plaza for Permitted Uses within the Zoning District, a Hospital Support Zone, and Conditional Wireless Telecommunications Facility.**

**The zoning uses presently approved to occupy the property are:**

- 1 Ambulatory Health Care Services 621 (Neptune Dental Care)
- 2 Personal Care Services 8121 (Rainbow Cleaners)
- 3 Restaurants and Other Eating Places 7225 (MAURIZIOS PIZZERIA & ITALIAN GRILLE)
- 4 Restaurants and Other Eating Places 7225 (IHOP)
- 5 Personal Care Services 8121 (NEPTUNE LAUNDRY)
- 6 Beer, Wine and Liquor Stores 4453 (SHOP RITE WINES & SPIRITS OF NEPTUNE)
- 7 Clothing and Clothing Accessory Stores 448 (NEPTUNE JEWELERS)
- 8 Nonconforming Other Activities Related to Credit Intermediation 522390 (Rt 66 Check Cashing)
- 9 Depository Credit Intermediation (Banks) 5221 (TD BANK)
- 10 Restaurants and Other Eating Places 7225 (PANDA CHINESE RESTAURANT)
- 11 VACANT
- 12 Ambulatory Health Care Services 621 (Visionworks Doctors of Optometry)
- 13 Personal Care Services 8121 (HI TECH NAILS)
- 14 Personal Care Services 8121 (Super Cuts)
- 15 Nonconforming Wireless Telecommunications Carriers (except Satellite) 517911 (Cricket Wireless)
- 16 Personal Care Services 8121 (SALLY'S BEAUTY SUPPLY)

- 17 Other General Merchandise Stores 4529 (\$1 POWER)
- 18 VACANT
- 19 Grocery Stores 4529 (ShopRite of Neptune)
- 20 Furniture and Home Furnishing Stores 442, and Miscellaneous Store Retailers 453 (Renewal by Andersen)
- 21 Depository Credit Intermediation (Banks) 5221 (Shop Rite Credit Union)

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

- Zoning Permit Application Information Sheet;
- Zoning Permits;
- C-1 – Planned Commercial Development;
- Definitions: Exempt Development
- Parking Requirements;
- Parking Lot and Loading Area Design Standards;
- Refuse and Recycle Areas;
- Signs: General Provisions: Change of Use, Occupancy or Vacancy;
- Signs: General Provisions: Permit Required;

### **Zoning Permit Application Information Sheet;**

With each Zoning Permit Application you are required to submit: (for all projects within the Historic Zoning Districts) three (3) copies of a current survey/site plan and three (3) sets of construction plans; (for all projects outside of the Historic Zoning District) two (2) copies of a current survey/site plan and two (2) set of construction plans. Survey's must show the existing conditions and exact location of physical features including metes and bounds, drainage, waterways, specific utility locations and easements, all drawn to scale. All surveys must be prepared by a land surveyor. Survey information may be transposed to a site plan if the date of the survey and by whom and for whom it was prepared is noted on the site plan. Vegetation, general flood plain determinations or general location of existing utilities, buildings or structures may be shown by an architect, planner, engineer, land surveyor, certified landscape architect or other person acceptable to the reviewing governmental body. On all plans you are responsible for showing the actual shape and dimensions of the lot to be built upon, the exact location, size and height of all existing and proposed structures and substructures (drawn to scale), the number of dwelling units the structure is designed to accommodate, the number and location of off-street parking spaces and off-street loading areas and such other information with regard to the lot and neighboring lots as may be necessary to determine and provide for the enforcement of this Ordinance.

### **ZONING NOTES:**

**- The applicant did not submit surveys/site plans with this zoning permit application submission. The applicant submitted plans focusing on the proposed store location only, omitting information pertaining to the rest of the property. The applicant did not provide all pertinent information with regards to the entire property.**

**- The applicant did not submit construction plans with this zoning permit application submission. The applicant submitted plans focusing on the proposed store location only, omitting information pertaining to the rest of the property. The applicant did not provide all pertinent information with regards to the entire property.**

## **Zoning Permits;**

Land Development Ordinance section 1102-A states:

- A When required. A zoning permit shall be issued prior to:
- 1 The commencement or change of use of a property, building or structure;
  - 2 The occupancy of any building or structure;
  - 3 The construction, erection, reconstruction, alteration, conversion, or installation of any building or structure;
  - 4 Issuance of a Certificate of Appropriateness, where applicable.

### **ZONING NOTES:**

- The applicant indicates the proposed occupancy of the premises, adding a new use to the property. The applicant did not identify a use from the permitted use list as identified in Land Development Ordinance section 404.04-B.
- The applicant indicates the proposed construction of a commercial addition.
- The applicant indicates the proposed interior remodeling of the building.
- The applicant indicates the proposed construction of a new additional Refuse and Recycling Center.
- The applicant indicates the proposed alterations to the parking lot area.
- The applicant is proposing to the construction of a new wall mounted sign.
- The applicant did not provide a detailed description of all pertinent zoning related work with the submission of this zoning permit application.
- The proposed business name: Hobby Lobby
- The proposed business contact: Travis Godbeer

## **C-1 – Town Commercial;**

Land Development Ordinance section 404.04-B:

- B Permitted Use.
- 1 New Car Dealers (NAICS 44111)

- 2 Other Motor Vehicle Dealers (NAICS 4412)
- 3 Automotive Parts, Accessories and Tire Stores (NAICS 4413)
- 4 Furniture and Home Furnishing Stores (NAICS 442)
- 5 Electronics and Appliance Stores (NAICS 4431)
- 6 Building Material and Garden Equipment and Supplies Dealers (NAICS 444)
- 7 Grocery Stores (NAICS 4451)
- 8 Specialty Food Stores (NAICS 4452)
- 9 Beer, Wine, and Liquor Stores (NAICS 4453)
- 10 Health and Personal Care Stores (NAICS 446)
- 11 Gasoline Stations with Convenience Stores (NAICS 44711)
- 12 Clothing and Clothing Accessory Stores (NAICS 448)
- 13 Sporting Goods, Hobby, Musical Instrument, and Book Stores (NAICS 451)
- 14 Department Stores (NAICS 4521)
- 15 Other General Merchandise Stores (NAICS 4529)
- 16 Miscellaneous Store Retailers (NAICS 453)
- 17 Publishing Industries (NAICS 511)
- 18 Depository Credit Intermediation (Banks) (NAICS 5221)
- 19 Real Estate (NAICS 531)
- 20 Automotive Equipment Rental and Leasing (NAICS 5321)
- 21 Consumer Goods Rental (NAICS 5322)
- 22 Professional, Scientific, and Technical Services (NAICS 541)
- 23 Management of Companies and Enterprises (NAICS 5511)
- 24 Administrative and Support Services (NAIC 561)
- 25 Technical and Trade Schools (NAIC 6115)
- 26 Other Schools and Instruction (NAIC 6116)
- 27 Ambulatory Health Care Services (Includes physician's and dentist's offices, outpatient care, etc.) (NAIC 621)
- 28 Community Food and Housing, Emergency and Other Relief Services (NAICS 6242)
- 29 Performing Arts, Spectator Sports, and Related Industries (NAIC 711)
- 30 Museums (NAICS 71211)
- 31 Fitness and Recreational Sports Centers (NAIC 71394)
- 32 Bowling Centers (NAICS 71395)
- 33 All Other Amusement and Recreation Industries (Includes miniature golf courses) (NAICS 71399)
- 34 Hotels (except Casino Hotels) and Motels (NAICS 72111)
- 35 Restaurants and Other Eating Places (NAICS 7225)
- 36 Personal and Household Goods Repair and Maintenance (NAICS 8114)
- 37 Personal Care Services (NAICS 8121)
- 38 Other Personal Services (includes pet care services such as grooming, boarding, and training) (NAICS 8129)

39 Religious, Grantmaking, Civic, Professional, and Similar Organizations (NAICS 813)

40 Public Administration (NAICS 92)

#### ZONING NOTES:

- The applicant indicates the proposed occupancy of the premises, adding a new use to the property. The applicant did not identify a use from the permitted use list as identified in Land Development Ordinance section 404.04-B.

- It appears the applicant is proposing an Other General Merchandise Stores use. The Other General Merchandise Stores use comprises establishments primarily engaged in retailing new goods in general merchandise stores (except department stores, discount department stores, warehouse clubs, superstores, and supercenters). These establishments retail a general line of new merchandise, such as apparel, automotive parts, dry goods, hardware, groceries, housewares or home furnishings, and other lines in limited amounts, with none of the lines predominating.

## Definitions;

Land Development Ordinance section 201 states:

**Exempt Development** - Site plan and/or subdivision approval shall not be required prior to issuance of a Development Permit for the following:

1. Construction, additions, or alterations related to single-family or two-family dwellings or their accessory structures on individual lots. These types of applications will require board approval when a variance is required. In addition, these applications will still require construction permits and may require grading plan approvals depending on size and type of development;
2. Interior Alterations to an existing structure (that are not additions as stipulated within paragraph k of Exempt Development) which do not cause an increase in the existing square footage or change the existing footprint, do not increase the required number of off-street parking spaces, are in compliance with all the applicable bulk and yard standards for the zone and all other development regulations, and which conform to the performance standards of this Chapter.
3. Any change in occupancy which is not a "Change in Use" (as herein defined).
4. Sign(s) which installation is on a site already occupied by a principal use for which site plan approval is not otherwise required and provided such sign(s) conform to the applicable design and zoning district regulations of this Chapter.
5. Construction of a parking lot or an addition to an existing parking lot provided that the new lot or the proposed addition contains three (3) spaces or less and the location and design of which conforms to the standards and zoning district regulations of the Neptune Township Land Development Ordinance;
6. Construction or installation of underground facilities which do not alter the general use, appearance or grade of the site.
7. Division of property and conveyances so as to combine existing lots, which are not considered to be subdivisions in accordance with the definition of "Subdivision" contained within this Article.
8. Farms and accessory farm buildings and structures provided such buildings and structures are located on, operated in conjunction with, and necessary to the operation of a farm as defined by the Neptune Township Land Development Ordinance. This shall not include accessory structures which contain dwelling units.
9. Gasoline pump canopies subject to compliance in all respects to the regulations governing such canopies, contained elsewhere in the Neptune Township Land Development Ordinance;
10. Individual applications for accessory mechanical or electrical equipment up to one hundred (100) square feet in area, whose operation and location conforms to the design and location standards conform to the design standards of the Neptune Township Land Development Ordinance and where such installation will be accessory to an already established principal use of the property. In no case shall such equipment be located in a street setback area.
11. Additions to existing, conforming structures containing non-residential uses in the, and zones; provided such additions to existing structures do not exceed 8,500 square feet or 10% of the total gross floor area, whichever is the lesser. Notwithstanding the aforementioned, an addition consisting of an area of 1,000 square feet or less shall be considered an exempt development. Such development must occur within the existing limit of disturbance and must not increase the impervious cover, be in compliance with all the applicable bulk and yard standards for the zone and all other development regulations, does not result in an expansion or increase of any preexisting violation of the provisions of the Neptune Township Land Development Ordinance, or the zoning ordinance, and there must be sufficient parking on site to support the additional floor area. The Zoning Officer and the Township Planner will be responsible for determining compliance with this chapter.

12. Construction of storage sheds, no larger than 200 square feet, for permitted nonresidential uses, provided they comply with the accessory structure setback requirements and all other applicable bulk and yard standards for the zone in which they are located as per the Neptune Township Land Development Ordinance.

## **ZONING NOTES:**

**- The applicant is proposing interior alterations to the building for a tenant fit out.**

**- The applicant is proposing an addition to the existing, conforming structure containing non-residential uses. The applicant indicates a 1,117.5 square foot commercial addition to the building. Unable to ascertain the percentage of the total gross floor area, as the applicant submitted plans focusing on the proposed store location only, omitting information pertaining to the rest of the property. The applicant did not provide all pertinent information with regards to displaying compliance with the definition of exempt development for the proposed addition.**

**- The applicant is proposing the construction of a nonconforming sign on the building. The applicant does not demonstrate compliance with the definition of exempt development.**

**- The applicant is proposing changes to the parking lot area. The applicant did not submit surveys/site plans with this zoning permit application submission. The provided resolution identifies variances granted to IHOP for expanding the parking requirement of the entire property. The applicant did not provide the appropriate surveys/site plans displaying the existing conditions of the property, and the proposed conditions of the property. The applicant submitted plans focusing on the proposed store location only, omitting information**

**pertaining to the rest of the property. The applicant did not provide all pertinent information with regards to the entire property. The applicant does not demonstrate compliance with the definition of exempt development.**

## **Parking Requirements;**

Land Development Ordinance section 412.17 states:

A The total number of off-street parking spaces and loading spaces required for all uses or combination of uses shall be provided as specified in this Section. Any building or site containing more than one use shall meet the combined parking space and loading requirements for all uses, based on the area utilized for each separate use. The parking space schedule and loading space schedule in this Section represents general parking and loading requirements acceptable to the Township. Since a specific use may generate parking usage and/or loading/unloading activities that deviates from the requirements enumerated in this Section, documentation and testimony shall be presented to the Board as to the anticipated parking usage and loading activities. The parking requirements for any use not specifically indicated shall be determined by the Board based on evidence presented at the time of the application and based on requirements for similar type uses. Based upon the above, the Board may take action as follows:

1 Grant a variance from parking requirements to permit a lesser number of spaces, provided, however, that spaces shall be shared by two or more separate uses with non-conflicting parking usage schedules;

2 Grant a variance from parking space requirements contingent upon the applicant obtaining a specified number of reserved off-street parking spaces from another source, including, but not exclusively, the Township of Neptune;

3 Require construction of a greater number of spaces.

B Parking space dimensions. Standard parking spaces shall measure nine (9) feet wide by eighteen (18) feet long. Handicapped parking spaces shall measure twelve (12) feet wide by eighteen (18) feet long.

C Multi-level parking structure.

1 Building coverage and floor area ratio. That portion of a multi-level parking structure specifically designed to accommodate parking and driveway areas shall not be included in determining the maximum permitted building coverage and/or maximum floor area ratio (F.A.R.) on a particular tract.

2 Standards. Where allowed as an accessory structure for a permitted principal use in the C-1, LI, PUD and C Zones, a multi-level parking structure shall conform to the following requirements:

(a) The structure shall not exceed six (6) levels and fifty-five (65) feet. In no instance shall a multi-level parking structure exceed the height of the principal structure.

(b) The required setbacks for multi-level parking structures shall be the same as those set forth for principal permitted structures. No multi-level parking structure may be located closer to a residential property line than a distance equal to the height of the structure.

(c) A security office and/or attendant area not to exceed five-hundred (500) square feet in area may be located within the multi-level parking structure.

(d) The architectural design for the facades of parking structures shall incorporate features such as articulated parapet walls, ornamental projections, varied planter widths and similar items to add visual interest and improve the overall appearance of the structure as viewed from the street.

(e) Adequate lighting shall be provided at all levels of a multi-level parking structure to ensure motorist and pedestrian safety and security. Bollardstyle light fixtures are encouraged at the uppermost level of the structure to mitigate off-site light spillage. The maximum mounting height of a light fixture as measure from the uppermost level of the structure shall be twelve (12) feet.



D Number of parking spaces. In all zone districts, except for uses in designated historic zone districts, there shall be provided, at the time that any building or structure is erected, enlarged, increased in capacity or has a change of use, parking spaces in accordance with the requirements in Table 4.2.

E Design standards. Standards for the design of parking lot areas are located at §514.

F For uses not specifically described herein, parking requirements shall be determined by the approving authority during a public hearing. These requirements are considered minimum standards, and parking may be provided in excess of these requirements, but in no case shall the provided parking for non-residential uses exceed these minimum requirements by more than twenty (20%) percent. This restriction shall not apply to single-family dwelling units.

G All permitted and required accessory off street parking spaces shall be located on the same lot as the use to which the spaces are accessory, or upon an adjacent lot in common ownership.

## **ZONING NOTES:**

**- The applicant is proposing changes to the parking lot area. The applicant did not submit surveys/site plans with this zoning permit application submission. The provided resolution identifies variances granted to IHOP for expanding the parking requirement of the entire property. The applicant did not provide the appropriate surveys/site plans displaying the existing conditions of the property, and the proposed conditions of the property. The applicant submitted plans focusing on the proposed store location only, omitting information pertaining to the rest of the property. The applicant did not provide all pertinent information with regards to the entire property. The applicant does not demonstrate compliance with the definition of exempt development.**

## **Parking Lot and Loading Area Design Standards;**

Land Development Ordinance section 514 states:

A Applicability. This article shall apply to all site plan applications.

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

1 Layout. All parking lots and loading areas shall be designed for the safety, control, efficient movement and convenience of motor vehicle circulation within a site. Traffic circulation shall be designed to minimize the use of aisles serving parking areas as access drives. For all uses except single-family

dwelling, parking lots or individual spaces shall be prohibited within front yard areas. For nonresidential uses, parking areas with more than twenty-five (25) spaces shall have separate entrances and exits, where possible.

2 Parking lot location. A parking lot shall be located to the rear of a building and/or the interior of the site where its visual impact to adjacent properties and the public right-of-way can be minimized. No parking lot shall be located in a required front yard.

3 Building setbacks. The minimum setbacks for buildings from driveways, parking spaces and private streets within the site shall be ten (10) feet for nonresidential developments. Standards relative to building setbacks from parking areas and streets in residential development are at Section 516. The provisions of this subsection are in addition to the yard setback requirements of Article IV, which shall additionally be complied with.

4 Construction and repair specifications. All parking lots and loading areas shall be constructed or repaired to specifications as approved by the Township Engineer.

5 Striping and signage. Surface painted aisle, stall and directional striping and directional and traffic safety signs shall be provided throughout the parking, loading and circulation areas, pursuant to Article IV of this Chapter and in accordance with the Manual of Uniform Traffic Control Devices (MUTCD).

6 Location. See Article IV.

7 Landscaping. See Section §509.

8 Parking space dimensions. The following parking space sizes shall apply to all parking areas:

(a) Residential uses: 9' x 18'

(b) Office and industrial uses: 9' x 18'

(c) Government and institutional uses: 9' x 18'

(d) Retail uses utilizing shopping carts: 9.5' x 18'

(e) Other retail uses: 9' x 18'

(f) Handicapped van accessible: 18' x 18' (Van accessible spaces shall be striped with an 8' wide loading area. Other handicapped spaces with a 5' wide loading area. Paired handicapped spaces may share a loading area.)

(g) Other handicapped spaces: 13' x 18'

(h) Parallel spaces: 9' x 23'

(i) Bus spaces: 10' x 40'

(j) Tractor trailer: 12' x 60'

9 Aisle dimensions. Parking lot aisles shall measure as follows:

(REFER TO TABLE 5.5)

10 Handicapped parking spaces. The number, location, size and marking of handicapped parking spaces shall be pursuant to the requirements specified in N.J.S.A. 55 32-12. However, where handicapped accessible or adaptable dwelling units are provided in accordance with Multifamily Development pursuant to this Article, a minimum of one handicapped parking space shall be provided in a location within closest proximity to such dwelling unit.

(REFER TO TABLE 4.2)

## **ZONING NOTES:**

**- The applicant is proposing changes to the parking lot area. The applicant did not submit surveys/site plans with this zoning permit application submission. The provided resolution identifies variances granted to IHOP for**

**expanding the parking requirement of the entire property. The applicant did not provide the appropriate surveys/site plans displaying the existing conditions of the property, and the proposed conditions of the property. The applicant submitted plans focusing on the proposed store location only, omitting information pertaining to the rest of the property. The applicant did not provide all pertinent information with regards to the entire property. The applicant does not demonstrate compliance with the definition of exempt development.**

## **Refuse and Recycle Area;**

Land Development Ordinance section 515-A states:

All uses must provide an area used for refuse and recyclable disposal collection. All containers, bins, dumpsters and/or storage facilities shall be designed to reduce discernible odors and contain such within the storage facility area. Refuse and recycling areas shall comply with the following provisions:

### 1. Non-residential uses.

1 All non-residential refuse and recyclable disposal collection areas shall be suitably buffered and screened to minimize the impacts of noise, odors, disposal and collection activities and views of collection bins and dumpsters. Buffering and screening shall minimize such impacts both from within the site itself, as well as from adjacent and nearby properties and public rights-of-way. Buffering shall consist of a minimum four (4) foot wide area surrounding all sides of such facility exposed to view. If such facility is located on a site adjacent to a residential use or zone, such buffering shall consist of a minimum ten (10) foot area surrounding all sides of such facility exposed to view. Screening shall consist of a minimum six (6) foot-high masonry wall, solid wooden fence or accessory building with gates or doors and ramped access to facilitate the movement of bins or dumpsters. The base of such screen shall be planted with a minimum four (4) foot high evergreen hedge along the sides and rear of same.

2 All storage facilities shall be located in proximity to one another or may be combined in a single common facility. Such facilities shall be centrally located and convenient for the users of the site. Designated recyclable storage facilities may be located inside a building. Such facilities shall not be located as to be visual focal points in courtyards or parking lots. Where located in a parking lot, such facilities shall not be permitted to be placed on the paved surface of the parking lot and shall be placed on a curbed area set back a minimum of two (2) feet from the curb edge of such parking lot. No refuse and recycling area may be located within a required principal building setback area.

3 Adequate pedestrian and service vehicle access shall be provided to all storage facilities. Such vehicular access shall accommodate the type of service vehicles used for the collection of solid waste and designated recyclable materials.

4 The size and capacity of all storage facilities shall be based on the size and capacity of containers, bins and/or dumpsters utilized, frequency of pickup and projected generation rates of users of the site.

5 All non-residential uses shall be designed to have a temporary designated refuse and recyclable storage area located within the building occupied by such use. Such storage area may be located anywhere within the interior of a building, including basements, storage closets or attached garages, but shall not be situated in a hallway or corridor necessary for internal circulation or emergency access. Such area shall be

designed to accommodate the average accumulated volume of designated recyclables and refuse per occupant per period of collection and any necessary storage equipment.

## **ZONING NOTES:**

**- The existing refuse and recycle area(s) on the property have been expanded without zoning approval and maintained in poor condition.**

**- The applicant is proposing the construction of a new refuse and recycle area that does not comply with the current requirements.**

**- The applicant does not demonstrate compliance with this Land Development Ordinance requirement. Planning Board approval is required.**

## **Signs;**

### **General Provisions**

Land Development Ordinance section 416.02 states:

#### General Provisions

A Permit Required.

1 An application shall be made to the Zoning Officer for the issuance of a zoning permit by any person wishing to erect, alter, modify, or expand any sign, except exempt signs as described in this Article. This shall apply to all site plans that do not acquire approval at the board level.

2 A zoning permit and any other permits that may be required for the erection or modification of a sign may only be issued subsequent to the issuance of a zoning permit by the Zoning Officer.

3 If the Zoning Officer determines that the proposed sign does not conform to the requirements contained herein, the Officer shall instruct the applicant that Planning Board or Zoning Board of Adjustment approval of an application for development is required, and the Officer shall further advise the applicant which Board has jurisdiction.

B Measurement. For the purposes of this section, the size of any sign shall be computed by determining the total area of any sign board, sign face or sign background at its largest horizontal and vertical dimensions, including framing, trim or molding. Where there is no framing, the sign area shall be deemed to be the area of the smallest rectangular figure that can encompass all of the figures and their supporting logos or elements, if any. For double-faced signs, only one (1) display face shall be measured in computing the total sign area where the sign faces are parallel, or where the interior angles formed by the faces are forty five (45) degrees or less. Maximum permitted size does not include the supporting structure, as long as the supporting structure is not designed to convey a message. The supporting structure shall not in itself convey any type of message, except for the property address and for permitted appurtenances specified in this section.

### **ZONING NOTES:**

**- The applicant identifies the proposed wall mounted sign to measure 5'X52.75'.**

C Content. The content or advertising which may be displayed on signs shall be limited to the identification and location of the premises, identification of its owners or occupants and information concerning the activities conducted on the premises or the goods and services offered in connection therewith, unless specified otherwise herein.

**ZONING NOTES:**

- The applicant indicates the proposed wall mounted sign to read "HOBBY LOBBY".

D Maintenance. Signs shall be constructed of durable materials, maintained in good condition and not allowed to become dilapidated. All signs, together with all supports, braces, anchors and other parts, shall be kept in continual repair, including cleaning, painting, replacing of defective parts and otherwise maintaining a presentable condition. The owner of any painted sign shall be required to repaint the same when necessary to maintain the sign in good condition and give it a neat appearance. Lack of proper maintenance shall be considered abandonment, and the sign shall be repaired, painted, cleaned or otherwise returned to a presentable condition or removed within ten (10) days upon notification by the Zoning Officer or Construction Code Official.

E Appurtenances. Notwithstanding the restrictions found elsewhere in this article concerning sign face shape and area, sign appurtenances shall be permitted only when designed as an integral part of the sign, constructed of similar materials, and graphically compatible in color, shape, position, and scale with the permitted sign face. Sign appurtenances cannot increase the proposed sign area by greater than fifteen (15%) percent. Sign appurtenances cannot extend above or to the side of the sign face by a distance greater than forty (40%) percent of the sign face height. Sign appurtenances cannot project outward beyond the face of the proposed sign. Sign appurtenances for Type B freestanding signs only may identify the name of a retail or office development in accordance with the foregoing standards.

**ZONING NOTES:**

- The applicant indicates there to be no appurtenances.

F Setback. The sign setback shall be measured from the property line to the nearest part of the sign, including any base, frame or decorative elements. No freestanding type A or B sign may be located within fifteen (15) feet of adjacent residential use.

G Height. Sign height shall be measured between average grade immediately below the sign and the highest point of the highest element of the sign. Wall signs shall not project more than 2' above the top or beyond the ends of the wall surface upon which they are placed, nor shall wall signs be placed on a parapet or similar architectural device such that the sign would project above the elevation of the roof behind such parapet or other device.

**ZONING NOTES:**

- The applicant indicates the proposed wall mounted sign height to be 17.75', with the sign projecting 2' above the roof of the building.

H Projection. No wall sign may project more than nine (9) (12) inches from the outer face of a wall and shall not extend over any public right-of-way, unless otherwise provided for in this article. An awning shall not be construed in any way to be a wall sign.

**ZONING NOTES:**

**- The applicant did not provide the appropriate plans displaying the parameters of the proposed wall mounted signs projection.**

I Change of use, occupancy or vacancy. Whenever any change of use, occupancy or vacancy occurs, all existing signs no longer relating to the current use and occupancy of the premises shall be immediately removed. In addition, any signs not conforming to any requirement of this Section and removed in accordance to this requirement shall not be replaced unless it conforms to all requirements of this article.

## ZONING NOTES:

**- All signage pertaining to the prior use that vacated the premises must be removed in accordance with section I.**

J Nonconforming signs. Any lawfully nonconforming sign may be altered as follows:

1 Minor and nonstructural maintenance and/or repairs to the sign support structure and/or frame may be completed.

2 Re-lettering of an existing sign face containing the same specific message or letters may be completed.

3 An existing sign face may be replaced, provided there is no expansion in sign area, and provided the general provisions of this Subsection are satisfied.

[NOTE: Added per Ordinance No. 15-28]

Land Development Ordinance section 416.03 states:

### Design Requirements

A Illumination. Except for signs in historic zone districts regulated by municipality's regulations, signs may be floodlighted, spotlighted or internally illuminated from the rear with a diffused light source, unless such illumination is specifically prohibited elsewhere in this Ordinance. All illumination shall be subject to the following:

1 All lighting sources shall be completely shielded from the view of vehicular traffic.

2 Such illumination shall not project light above the highest elevation of the front wall of the building for wall-mounted signs or more than five feet above ground level for freestanding signs.

3 Where a sign is located on a lot adjacent to a lot used primarily for residential purposes, such shall not be illuminated in a manner that permits any light to shine or cause a nuisance to the adjacent residential use.

4 No illuminated sign located on a lot adjacent to or across the street from any residential district and visible from such residential district shall be illuminated between the hours of 11:00 p.m. and 7:00 a.m., unless the use to which the sign pertains is open for business during those hours.

5 No sign shall contain exposed neon, blinking, flashing, flickering, tracer or sequential lighting. All signs shall remain stationary and constant in intensity and color at all times.

6 All wiring for permanent illuminated signs shall be installed and maintained so that it is not within public view. The running of wiring or conduit along the exterior wall of a building to access a sign is specifically prohibited unless in the judgment of the Construction Official there is no practical way to run the conduit so that it is not within public view.

7 No illuminated sign shall be of such a color or located in such a manner as to be confused with, or to diminish or detract in any way from, the effectiveness of any traffic signal or similar official safety or warning device.

8 Light Emitting Diode (L.E.D) signs may be permitted when authorized as a conditional use by the Planning Board in the B-1, C1, C-4, C-5, C-6, and C-7 Zoning Districts, in accordance with the following conditions:

(1) On properties which contain professional office complexes, and retail shopping plazas.

(2) One (1) sign shall be permitted and shall not exceed twentyfour (24) square feet in area.

(3) The LED portion of the sign shall be subject to the following conditions:

(i) The digital message portion of the sign may not exceed 75% of the total sign area.

(ii) The LED portion of a sign shall change messages at intervals of no less than three changes per minute.

(iii) The LED portion of the sign shall only be in operation during the hours of operation of the business, organization or facility which operates the sign.

(iv) The LED sign may advertise only the products and services offered by the business, organization or facility operating the sign and may not advertise specials or sales offered by any business, organization or facility.

(v) Permitted messages may be displayed no more than twenty (20) minutes in any one (1) hour. The balance of the LED messages shall include community messages supplied by the Township of Neptune and informational messages about public safety.

(4) Each business which has a liquor license may have an LED sign subject to the following restrictions:

(i) No more than one (1) sign of this type shall be permitted.

B Landscaping. The base of a freestanding sign shall be liberally landscaped with a combination of shrubs, ground cover, flowers or other plant material.

[NOTE: Added per Ordinance No. 15-28]

## **ZONING NOTES:**

**- The applicant did not provide the appropriate plans displaying the parameters of the Design Requirements.**

Land Development Ordinance section 416.07-B-2 states:

### **Permitted Signs**

#### **Multi-tenant retail structures.**

(a) Size: 48 square feet, or one-and-five tenths (1.5) square feet for each lineal foot of wall face that the sign is mounted on, whichever is less.

## **ZONING NOTES:**

**- The applicant indicates the proposed construction of a 263.75 square foot wall mounted sign. The maximum permitted sign size is 48 square feet. The applicant does not demonstrate compliance with this Neptune Township Land Development Ordinance requirement. A variance is required from the Planning Board.**

(b) Mounting Height: 8' minimum (including hardware) and not to extend more than 2' above the roof line.

### **ZONING NOTES:**

**- The applicant indicates the proposed wall mounted sign mounting height to be 17.75', with the sign projecting 2' above the roof of the building.**

(c) Quantity: 1 per tenant

### **ZONING NOTES:**

**- The applicant indicates the proposed construction of one (1) wall mounted sign.**

(d) Maximum Permitted horizontal sign dimension: 75% of the wall face

**ZONING NOTES:**

- The applicant indicates the proposed construction of a wall mounted sign that occupies 70.33% of the horizontal wall face.

(e) Projection: 1' maximum

**ZONING NOTES:**

**- The applicant did not provide the appropriate plans displaying the parameters of proposed wall mounted signs projection.**

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

**This zoning permit application is denied.**

**Planning Board approval is required.**

**Status**

Approved

Denied

**Referrals**

Construction

HPC

Engineering

Planning Board

Zoning Board

Mercantile

Code Enforcement