



Fee Date: 12/31/2019
Check #: 358
Cash: 0

ZONING PERMIT

ID: 551994412

Date: 01/07/2020

Fee: \$ 35.00

PROPOSED WORK

- | | | |
|---|------------------------------------|-----------------------|
| <input type="checkbox"/> Adding a New Use to a Property | Home Occupation | Private Garage |
| <input type="checkbox"/> Air Condensor Unit(s) | Interior Remodel - Comm / Res | Residential Addition |
| <input type="checkbox"/> Commercial Addition | New Accessory Structure | Signs |
| <input type="checkbox"/> Continuing/Changing Use | New Commercial Business | Solar |
| <input type="checkbox"/> Deck/Balcony | New Ownership of Property/Business | Storage Shed |
| <input checked="" type="checkbox"/> Driveway / Sidewalk / Apron | New Residence | Swimming Pool/Hot Tub |
| <input type="checkbox"/> Fence/Retaining Wall | Porch | 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.

- Location of property for which zoning permit is desired:
Street Address: 9 HECK AVE Block: 211 Lot: 10 Zone: HD-O
- Applicant Name: SUSAN ANTES Phone No. [REDACTED] Fax No.
Applicant's Address: 9 HECK AVENUE OCEAN GROVE, NJ 07756
Email: [REDACTED]
- Property Owner Name: ANTES, RUTH M Phone No. Fax No.
Property Owner's Address: 9 HECK AVENUE OCEAN GROVE, NJ 07756
Email:
- Present Approved Zoning Use of the Property: Detached Single Family Residence
- Proposed Zoning Use of the Property: Detached Single Family Residence
- 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.
"Rebuilding driveway with existing plan on current driveway."
- 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:

01/07/2020 ZONING VIOLATION REMEDIATION

The applicant has submitted this zoning permit application to remediate zoning violations issued on the property.

VIOLATIONS NOTED:

- Construction on the property without first acquiring zoning approval. (1102)
- Failure to acquire a Certificate of Appropriateness from the Historic Preservation Commission. (900)
- Disturbance of land without first acquiring Department of Engineering approval. (1010)

The property is located within the HD-O Zoning District. The applicant indicates the present and proposed zoning use of the property to be "Residential". More accurately the present approved zoning use of the property is a Detached Single Family Residence (Land Development Ordinance section 407.02-B-2)

The principal structures is nonconforming as the setbacks do not meet the current requirements, and the front porch encroaches onto the Flared Avenue Open Space Area, Ocean Grove Camp Meeting Association Property.

The existing driveway is nonconforming.

The applicant describes the proposed work in detail:

"Rebuilding driveway with existing plan on current driveway."

The applicant indicates the premises has not been the subject of any prior application to the Zoning Board of Adjustment or Planning Board.

FLARED AVENUE OPEN SPACE AREA:

Per Land Development Ordinance section 413.02

1. Purpose. The HD-O Zone District is subject to special setback provisions dating to the late 1870's, providing for a flared setback that widens toward the ocean from Central Avenue to Ocean Avenue. This flared setback is a unique and invaluable resource that is recognized within planning, urban design and historic preservation circles as one of the first evidences of this type of streetscape treatment in the country.
2. Ornamentation. Aside from an access walkway and sidewalk no greater than six feet (6') in width, shrubbery, flowers and other similar ornamentation installed and maintained at a height of less than thirty (30) inches, no structures may be placed within, or may project into, the area defined as the Historic Flared Avenue Open Space area. The area between the curb and the sidewalk shall be maintained as a planted grass strip.

ZONING NOTES:

- The front walkway perpendicular with the street has been replaced in the same dimensions.
- The applicant indicates the walkways adjacent to the front walkway perpendicular with the street to have been replaced in the same size same location. Per the submitted survey dated 02/25/2015, the westernmost walkway presents with a width of 2.25'. A site visit to the property reveals the current walkway width to be 3'.
- The applicant indicates the walkways adjacent to the front walkway perpendicular with the street to have been replaced in the same size same location. Per the submitted survey dated 02/25/2015, the easternmost walkway does not exist. Per the applicant there was an existing paver walkway. A site visit to the property reveals the current walkway width to be 3'.

1. Vehicles. No vehicles of any type may be parked within a flared avenue open space area. This shall not preclude the parking of vehicles within the established public right-of-way.

ZONING NOTES:

- The property contains and existing nonconforming driveway.

FRONT ENTRY PLATFORM:

Per Land Development Ordinance section 411.07B-E:

1. Entry platforms. An entry platform not more than six (6) feet in height above the average finish grade, nor greater than fifty (50) square feet in area, may not project into any required yard/setback area.

ZONING NOTES:

- The applicant has reconstructed the front entry platform. The applicant did not submit the required surveys or site plans displaying the structure to have been reconstructed in the same location, as it encroaches into the Flared Avenue Open Space area. The applicant did not submit construction plans displaying the prior and existing condition, indicating that the new structure is the same dimensions. The applicant does not display compliance with the Land Development Ordinance. Zoning Board of Adjustment review and approval is required.

NONCONFORMING USES, STRUCTURES, AND LOTS:

Per Land Development Ordinance section 422-B:

1. No existing use, structure or premises devoted to a non-conforming use shall be enlarged, extended, reconstructed, substituted or structurally altered, unless it is changed to a conforming use or structure as follows:
2. Any non-conforming structure or use damaged to less than fifty per cent (50%) of its previous existing area or value by fire or other natural calamity, may be restored, reconstructed or used as before, provided the area of such use or structure shall not exceed the area which existed prior to such damage nor increase the intensity of use. All repairs shall be completed within one (1) year after damages occur, or within such time extensions granted by the Zoning Officer, which can only be granted upon good cause being shown by the applicant, or such use shall not be rebuilt except as a conforming use.

ZONING NOTES:

-N/A

2. Normal maintenance and repair of a structure containing a non-conforming use is permitted, provided that it does not extend the area or volume of space occupied by the non-conforming use or structure and does not increase the intensity of use. Nothing in this section shall prevent the restoring to a safe or lawful condition any part of any structure declared unsafe by the Construction Official.

ZONING NOTES:

- The applicant indicates the existing walkways and driveway were replaced in the same size same location. Per the submitted survey dated 02/25/2015, the driveway presents with a width of 7.5'. A site visit to the property reveals the current driveway width to be 9' in width. The applicant has expanded the nonconforming driveway, in the Flared Avenue Open Space Area. Zoning Board of Adjustment approval is required.

- The front walkway perpendicular with the street has been replaced in the same dimensions.

- The applicant indicates the walkways adjacent to the front walkway perpendicular with the street to have been replaced in the same size same location. Per the submitted survey dated 02/25/2015, the westernmost walkway presents with a width of 2.25'. A site visit to the property reveals the current walkway width to be 3'.

- The applicant indicates the walkways adjacent to the front walkway perpendicular with the street to have been replaced in the same size same location. Per the submitted survey dated 02/25/2015, the easternmost walkway does not exist. Per the applicant there was an existing paver walkway. A site visit to the property reveals the current walkway width to be 3'.

- The applicant has reconstructed the front entry platform. The applicant did not submit the required surveys or site plans displaying the structure to have been reconstructed in the same location, as it encroaches into the Flared Avenue Open Space area. The applicant did not submit construction plans displaying the prior and existing condition, indicating that the new structure is the same dimensions. The applicant does not display compliance with the Land Development Ordinance. Zoning Board of Adjustment review and approval is required.

3. A building containing residential non-conforming use may be altered in any way to improve interior livability. No structural alterations shall be made which would increase the number of bedrooms or dwelling unit.

ZONING NOTES:

-N/A

IMPERVIOUS COVERAGE:

- For question number 8, pertaining to building and lot coverage, the applicant indicates "No addition + accessory structures. Rebuilding existing driveway"

- The applicant does not indicate the impervious coverage.

- The applicant did not submit a copy of their coverage calculations.

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

Zoning Board of Adjustment, HPC, and Department of Engineering approvals are required.

The property remains in zoning violation and subject to the continued enforcement of Land Development Ordinance section 1105.

Status

Approved Denied

Referrals

Construction HPC Engineering Planning Board Zoning Board Mercantile Code Enforcement