



Fee Date: 01/08/2021
Check #: 210073
Cash: 0

ZONING REVIEW

ID: 553856334

Date: 01/21/2021

Fee: \$ 35.00

PROPOSED WORK

- | | | |
|---|---|--|
| <input type="checkbox"/> Adding a New Use to a Property | <input type="checkbox"/> Home Occupation | <input checked="" 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 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.

- Location of property for which zoning permit is desired:**
Street Address: 126 ARNOLD PL **Block:** 5410 **Lot:** 12 **Zone:** R-2
- Applicant Name:** ROCON CONSTRUCTION GROUP INC **Phone No.** (732)528-4710 **Fax No.**
Applicant's Address: 705 RT 71 BRIELLE NJ 08730
Email: tara@rocon.com
- Property Owner Name:** AYLES, JONATHAN & ELIZABETH **Phone No.** [REDACTED] **Fax No.**
Property Owner's Address: 126 ARNOLD PLACE NEPTUNE, NJ 07753
Email: [REDACTED]
- 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.**
"Construction of detached garage. (10 x 20)"
- 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)
- For all exterior work pertaining to additions and accessory structures, excluding fences, please provide:**

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:

01/21/2021 This Zoning Permit Application submission, received on 08-19-2020, consists of:

- One (1) copy of the Zoning Permit Application;
- One (1) copy of the Rocon Contracting Letter Of Transmittal, dated 01-07-2021;
- Two (2) copies of the Survey of Property by Morgan Engineering & Surveying, dated 09-12-2019;
- Two (2) copies of the Plot Diagram with Construction Plans by Minkler Architecture & Design, dated 01-04-2020.

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-2 Zoning District. **The present zoning use of the property is a Detached Single Family Residence.**

The applicant describes the proposed work in detail:

"Construction of detached garage. (10 x 20')"

The applicant does not describe all proposed work and structures as defined by the Land Development Ordinance in the detailed description and in the submitted plans.

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

- Definitions;

- Nonconforming Uses Structures And Lots;

- Private Garage;

- Land Use Restrictions and Easements;

- Zoning Schedule B – Zoning District Bulk Regulations: R-2.

DEFINITIONS:

accessory structure – A structure or building detached from a principal building located on the same lot and customarily incidental and subordinate to the principal building or use. Where a structure is attached to a principal building by a breezeway, roof, common wall, or the like, such a structure shall be considered part of the principal building.

as-built survey – A property survey prepared and certified by a licensed land surveyor to reflect the actual location of structures and other improvements constructed on a property.

conservation easement – The grant of a property right stipulating that the described land will remain in its natural state and precluding future or additional development.

disturb - to dig, dredge, excavate, remove, deposit, grade, clear, level, fill or otherwise alter or change the location or contour of land or otherwise cause land to be exposed to the dangers of erosion.

easement – A grant of one (1) or more of the property rights by the property owner to another person or entity, and/or for the use by the public or a corporation.

garage, private – A fully enclosed detached accessory building, or a portion of a principal building, used primarily for the storage of vehicles owned or used by the occupant of the principal building, or used for the storage of incidental items to which the garage is an accessory.

non-conforming lot - A lot, the area, dimension or location of which was lawful prior to the adoption, revision or amendment of a zoning ordinance, but which fails to conform to the requirements of the zoning district in which it is located by reason of such adoption, revision or amendment.

non-conforming structure - A structure the size, dimension or location of which was lawful prior to the adoption, revision or amendment of a zoning ordinance, but which fails to conform to the requirements of the zoning district in which it is located by reason of such adoption, revision or amendment.

non-conforming use - A use or activity which was lawful prior to the adoption, revision or amendment of a zoning ordinance, but which fails to conform to the requirements of the zoning district in which it is located by reasons of such adoption, revision or amendment.

ordinary maintenance and repair - A repair or exact replacement of any part of a structure for which a construction permit is not required by the Township and where the purpose and effect of such work or replacement is to correct deterioration, restore a damaged part and prevent the spread of deterioration and is without change in the exterior of the structure or in the color of the paint. The following are some of the activities which are permitted as ordinary maintenance and repairs: (A) identical replacement of existing windows and doors; (B) repairs of existing windows and doors and the installation of storm doors and windows that do not change their design, scale or appearance; (C) maintenance and repair of existing roofing materials involving no change in the design, scale or appearance of the structure; (D) replacement of existing clapboards, shingles or other siding with identical materials and in an identical configuration. Maintenance and repair of existing clapboards, shingles, or other siding including masonry involving no change in the design, scale or appearance of the structure.

Yard – An open space that lies between the principal building or buildings and the nearest lot line. The minimum required yard as set forth herein is to be unoccupied and unobstructed from the ground upward except as may be provided in this Chapter.

Yard, Front – An open, unoccupied space (unless occupied by a structure hereinafter specifically permitted) extending across the full width of the lot and lying between the street line and the building line. All yards abutting a street shall be considered a front yard. In the Historic District-Oceanfront District the yard, front shall be the yard between the building line and leasehold line abutting the Historic Flared Avenue Open Space.

Yard, Rear - An open, unoccupied space (unless occupied by an accessory structure) extending across the full width of the lot between the rear lot line and the building line.

Yard, Side - An open, unoccupied space (unless occupied by an accessory structure) extending along the side lot line from the front yard to the rear yard and lying between the side lot line and the building line.

ZONING NOTES:

- Please review Land Development Ordinance section 201 to aid in the identification and definition of additional structures and terms as defined by the Neptune Township Land Development Ordinance.

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 walkway around the perimeter of the inground swimming pool is nonconforming as it encroaches into the indicated drainage easement.**
- The existing Storage Shed is nonconforming as it encroaches into the indicated drainage easement.**
- 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.**

PRIVATE GARAGES;

Land Development Ordinance section 411.08 states:

Private garages, where permitted on single-family residential lots shall comply with the following provisions:

A The garage must be a fully enclosed detached accessory structure, or a portion of a principal building, used primarily for the storage of no more than two (2) motor vehicles owned or used by the occupant of the principal structure.

ZONING NOTES:

- The applicant indicates the proposed construction of a one (1) car Private Garage on the property.

B A one car parking garage, not to exceed 14' x 28', or 392 sq. ft., for a single-family unit, or a two car garage not to exceed 28' by 28', or 784 sq. ft., for a two- family dwelling unit, shall be provided for all new residential dwellings. A two car garage may be constructed on a single family dwelling lot provided it does not exceed the above maximum garage size (784 sq. ft.).

ZONING NOTES:

- The applicant indicates the One (1) car Private Garage to be 10'X19.75' or 197.5 square feet.

C A detached garage may be placed at least five (5) feet from a side property line and at least five (5) feet from a rear property line, except in historic zone districts. Attached garages must conform to principle building setback requirements. Any private, detached garage or accessory building is specifically prohibited in a required front yard area.

ZONING NOTES:

- The applicant indicates the proposed Private Garage to be setback 10' from the rear yard property line and 5' from the side yard property line.

D Height. The maximum building height of a private garage shall not exceed sixteen (16) feet.

ZONING NOTES:

- The applicant indicates the proposed mean Private Garage building height to be 10.25'.

Land Use Restrictions and Easements;

Land Development Ordinance section 510 states:

Land use restrictions shall be required as applicable when a proposed development includes one or more of the restrictions contained herein. Land use restrictions shall be recorded with the Monmouth County Recording Officer as deeds of easements or shall be placed on final plats for such recording, as appropriate.

A Drainage easements. Within required drainage easements, no regrading or the installation of structures, fences, trees and shrubs shall be permitted unless otherwise elsewhere modified by this Ordinance.

ZONING NOTES:

- The applicant indicates the proposed removal of an existing nonconforming Storage Shed from the indicated drainage easement area.

- The applicant indicates the proposed construction of a Private Garage on the property. The applicant indicates the proposed projections (overhangs and gutters) of the proposed Private Garage to encroach into the indicated drainage easement. The applicant does not display compliance with the Land Development Ordinance. Zoning Board of Adjustment approval is required.

B Conservation easements. Conservation easements for wetlands, wetlands transition buffer, flood plain or flood plain buffer shall remain in their natural, undisturbed state within which no regrading or clearing shall be permitted, excepting the removal of minor underbrush or dead trees that are hazardous to people or buildings.

C Clear sight easements. Areas designated as clear sight triangles shall remain free of visual obstructions between 2-1/2 and 10 feet in height with the exception of street and traffic control signs, traffic control boxes, fire hydrants, lighting poles as approved by the Township Engineer. Field sited street trees may be located within a sight triangle in accordance with §520 Sight Triangle.

D Utility easements. Easements for public and local utilities shall conform to any requirements of the appropriate company or authority. Structures within utility easements shall be regulated by the appropriate authority.

E Cross-access easements. Cross-access easements shall permit pedestrians and motorists to travel from adjacent lots to the lot in question without the necessity for traveling on the public right-of-way.

F Other land use restrictions. Restrictions or easements of other governmental agencies with jurisdiction of the application for development shall conform to any requirements of the appropriate agency or authority.

ZONING SCHEDULE B – ZONING DISTRICT BULK REGULATIONS: R-2.

Land Development Ordinance Zoning Schedule B states:

Maximum Percent Building Cover 30%.

ZONING NOTES:

- The applicant indicates the building coverage to be 14.2%.

Maximum Percent Total Lot Cover 40%.

ZONING NOTES:

- The applicant indicates the lot coverage to be 44.23%.
- The applicant indicates the proposed Total Lot Coverage to exceed the maximum permitted coverage. The applicant does not display compliance with the Land Development Ordinance. Zoning Board of Adjustment approval is required.

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

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

* Returned to the applicant:

- One (1) copy of the Zoning Determination.
- One (1) copy of the Rocon Contracting Letter Of Transmittal, dated 01-07-2021;
- One (1) copy of the Survey of Property by Morgan Engineering & Surveying, dated 09-12-2019;
- One (1) copy of the Plot Diagram with Construction Plans by Minkler Architecture & Design, dated 01-04-2020.

Status

Approved ☐ Denied ☒

Referrals

Construction ☒ HPC ☐ Engineering ☒ Planning Board ☐ Zoning Board ☒ Mercantile ☐ Code Enforcement ☐