

APPLICATION for USE and/or BULK VARIANCES

TYPE OF VARIANCE REQUESTED:

- Bulk Variance (front, side/rear setback, other) – Specify: Rear Setback for shed
3' required; 1.5' provided
- Bulk Variance (lot coverage): _____
- Use Variance (proposal not permitted in zone): _____
- Appeal/Interpretation of Decision: _____
- Other - Specify: Rear set-back for shed

1. Property Address: 112 Embassy Ave. Ocean Grove
2. Block: 223 Lot: 2
3. Property is located in AD-R-1 Zoning District, according to Neptune Township Land Development Ordinance.
4. Name of Applicant: James & Erin Sweeney
Mailing Address: 112 Embassy Ave. Ocean Grove NJ 07756
Phone #: _____ Fax #: _____ Cell #: _____
E-mail Address: _____
5. Name of Owner: Same
Mailing Address: _____
Phone #: _____ Fax #: _____ Cell #: _____
E-mail Address: _____
6. Interest of Applicant, if other than Owner: _____
7. Name of Contact Person: James Sweeney
Mailing Address: 112 Embassy Avenue Ocean Grove NJ 07756
Phone #: _____ Fax #: _____ Cell #: _____
E-mail Address: _____
8. Applicant's Attorney: GARYS GOODMAN Company: _____
Mailing Address: 23 North Ave E. Cranford NJ 07016
Phone #: 908-272-6400 Fax #: 908-272-0794 Cell #: _____
E-mail Address: _____
9. Applicant's Engineer: _____ Company: _____
Mailing Address: _____
Phone #: _____ Fax #: _____ Cell #: _____
E-mail Address: _____
10. Applicant's Architect: _____ Company: _____
Mailing Address: _____
Phone #: _____ Fax #: _____ Cell #: _____
E-mail Address: _____
11. Applicant's Surveyor: _____ Company: _____
Mailing Address: _____
Phone #: _____ Fax #: _____ Cell #: _____
E-mail Address: _____
12. Applicant's Planner: Robert Hudak Company: Vanguard Planning LLC
Mailing Address: 1208 Third Ave Toms River NJ 08757
Phone #: _____ Fax #: _____ Cell #: 732-546-6131
E-mail Address: Vanguardplanning@gmail.com

DESCRIPTION OF PROPERTY (e.g., Single Family Dwelling, Commercial/Retail):

Existing use of property: Single family
Proposed use of property: Single family
Special Flood Hazard Area: NO

PRINCIPAL USE:

HD-R-1 zone	REQUIRED and/or PERMITTED	EXISTING	PROPOSED
LOT SIZE	1,800 S.F.	1,900 S.F.	NC - No Change
LOT COVERAGE	90%	797 S.F., 42%	NC
BUILDING COVERAGE	85%	786 S.F., 41.4%	NC
BUILDING HEIGHT	2 1/2 sty. / 35'	2 sty. / < 35'	NC
FRONT SETBACK	4' (Porch), 10' (Bldg.)	4, 8' / 11'	NC
REAR SETBACK	0	14'	NC
SIDE SETBACK	2'	8.4' / 0.2'	NC
COMBINED SIDE SETBACK	4'	8.6'	NC

(If multiple lots and/or buildings, please attach additional detailed listing for each.)

ACCESSORY (if applicable):

	REQUIRED and/or PERMITTED	EXISTING	PROPOSED
LOT SIZE	1,800 S.F.	1,900 S.F.	NC
LOT COVERAGE	90%	69 S.F., 3.6%	1,367 S.F., 72%
BUILDING COVERAGE	85%, 175 S.F. (shed)	N/A	64 S.F., 3.4%
BUILDING HEIGHT	15' (shed)	N/A	< 15'
FRONT SETBACK	N/A	N/A	N/A
REAR SETBACK	2'	N/A	2'
SIDE SETBACK	2'	N/A	2'
COMBINED SIDE SETBACK	4'	N/A	23, 5'

(If multiple lots and/or buildings, please attach additional detailed listing for each.)

8. Have there been any previous applications to the Planning Board or Board of Adjustment involving these premises?

YES NO

If YES, please give date(s): _____
Result of decision: _____

9. Justification/reason(s) for variance(s) requested. (Be as specific as possible; attach additional sheets if necessary.):

Need Access to backyard

Applicant also seeks relief either by variance permit or waiver to correct the following outstanding violations:

- Construction of fences without first acquiring zoning approval.
- Construction of patio without first acquiring zoning approval.
- Construction of walkways/impervious coverage on the property without acquiring zoning approval.
- Construction of light posts both on Applicant's property and encroaching onto Ocean Grove Camp Meeting Association property without first acquiring zoning approval.
- Producing strong dazzling light or a reflection or glare beyond its lot lines.
- Construction of storage shed on the property without first acquiring zoning approval.
- Disturbance of land without first acquiring Department of Engineering approval.

All of the above require a Certificate of Appropriateness from the Historic Preservation Commission.

As to the violations:

- When Applicant purchased the home, a dilapidated fence was present. When the oil tank was removed, contractor damaged part of the fence beyond repair. Applicant replaced the fence without knowing he needed permission.
- The light post encroaching on Ocean Grove Camp Meeting Association has been removed.
- The lot line "dazzling light" has been removed.
- Applicant has been to the Municipal Court and has paid fines for not receiving approvals but was told not to remove anything until going before Board.
- Since Applicant's attorney's conversation with Board attorney, applicant has taken the above-mentioned corrective measures.
- The shed placed on the property is the same shed in size and color as the one initially shown to the Zoning Officer. There was no switch.

10. If a Zoning denial has been received as part of this application, please attach.

The required submission for all applications to be complete is:

- Twenty-five (25) copies of a completed application form, inclusive of any supporting information.
- Twenty-five (25) copies and one (1) CD* of survey and/or plan(s) with one (1) additional copy of survey and/or plan(s) on 11' x 17' sheet(s).

*See §802B - Completeness Checklist for Use Variance and Bulk Variance Request for details on submission requirements.

AFFIDAVIT OF APPLICATION

State of New Jersey
County of Monmouth

James Sweeney
(INSERT APPLICANT'S NAME)

, being of full age, being duly sworn according to Law, on oath
deposes and says that all the above statements are true.

James J. Sweeney
(ORIGINAL SIGNATURE OF APPLICANT TO BE NOTARIZED)

James Sweeney
(PRINT NAME OF APPLICANT)

Sworn and subscribed before me this

28 day of February, 2022

[Signature]
(SIGNATURE OF NOTARY PUBLIC)

[NOTARY SEAL]

Gary S. Goodman, Esq.
Attorney at Law
The State of New Jersey

Not Applicable

OWNER'S AFFIDAVIT OF AUTHORIZATION AND CONSENT STATEMENT OF LANDOWNER
WHERE APPLICANT IS NOT LANDOWNER

(Original signatures only – copies will not be accepted)

In the matter before the _____ in the Township of Neptune,
(INSERT PLANNING BOARD or BOARD OF ADJUSTMENT)
State of New Jersey, County of Monmouth, I/We, _____,
(INSERT PROPERTY OWNER'S NAME(S))
with mailing address of _____,
(INSERT PROPERTY OWNER'S MAILING ADDRESS)
of full age being duly sworn according to oath depose(s) and say(s):

"I/We am/are the Owner(s) of the subject property in connection with this application
designated as Block(s) _____ Lot(s) _____,
also known as _____
(INSERT PHYSICAL ADDRESS OF SUBJECT PROPERTY)

I/We authorize _____
(INSERT NAME OF OWNER(S)' REPRESENTATIVE APPEARING BEFORE THE BOARD)
to appeal to the Planning Board/Board of Adjustment of the Township of Neptune for such
relief as may be required relating to the property listed above, consent to such appeal and
application, and agree that the decision of the Planning Board/Board of Adjustment on such
appeal shall be binding upon me/us as if said appeal has been brought and prosecuted directly
by me/us as the Owner(s).

(ORIGINAL SIGNATURE OF APPLICANT TO BE NOTARIZED)

(ORIGINAL SIGNATURE OF APPLICANT TO BE NOTARIZED)

Sworn and subscribed before me this

_____ day of _____, 20_____

[NOTARY SEAL]

(SIGNATURE OF NOTARY PUBLIC)

SITE VISIT AUTHORIZATION OF PROPERTY OWNER

I hereby authorize any member of the Township of Neptune Planning Board or Board of Adjustment, any of said Board's professionals or any reviewing agencies of the Board to enter upon the property which is the subject matter of this application, during daylight hours, for the limited purpose of viewing same to report and comment to the Board as to the pending application.

Date: 2-28-22


(SIGNATURE OF PROPERTY OWNER)

STATEMENT FROM TAX COLLECTOR

Block: 223 Lot: 2

Property location: 112 Embury Avenue

Status of municipal taxes: PAID thru 1st Qtr 2022

Status of assessments for local improvements: _____

Date: 3-4-22

See Attached

(AUTHORIZED SIGNATURE OF TAX COLLECTOR)

112 Embury Avenue (Block 223 Lot 2) : TAX HISTORY

Lilian Bedrosian <lbedrosian@neptunetownship.org>

Fri 3/4/2022 12:08 PM

To: goodmanlaw23@outlook.com <goodmanlaw23@outlook.com>

 1 attachments (218 KB)

112EmburyAveTAXES.pdf;

Good afternoon,

I hope this helps.

Thank you for your patience.

Lilian Bedrosian

Property Information

Block : 223	Lot: 2	Qualification :	Deductions:
Tax Account Number : 15046			Senior: 0
Dimension : 31X60			Vet : 0
Property location : 112 EMBURY AVE			Widow : 0
Property Class : 2			Survivor: 0
Bank code : 00672	WELLS FARGO		Disabled: 0
Additional Lots :			Deduction amount: 0.00

Owner Information

SWEENEY, JAMES & ERIN
 112 EMBURY AVENUE
 OCEAN GROVE, NJ 07756

Property Information

2021 Net Tax : 10,648.78	Land value: 424,900
2022 Net Tax : 0.00	Improvement value: 194,700
2022 Total Tax: 0.00	Net taxable value: 619,600

Special Tax codes : F02 Special Tax Amount : 0.00

Tax Quarter History: 2022

	Due Feb. 1st 1st Quarter	Due May 1st 2nd Quarter	Due Aug. 1st 3rd Quarter	Due Nov. 1st 4th Quarter	1/2 next yr
Tax Due:	2,662.20	2,662.19	0.00	0.00	0.00
Tax Paid:	2,662.20	0.00	0.00	0.00	0.00
Balance:	0.00	2,662.19	0.00	0.00	0.00

NOTE: 4-28-20 H/O AUTH FORM RCVD. NC

2022 Balance Summary

Totals Due: 5,324.39 Paid : 2,662.20 Adjust: 0.00 Bal: 2,662.19

Transaction History

Tax Year	Tax Due	Tax Paid	Interest	Date Paid	Total Paid	Dep#
2022 Tax Year						
Bal Forward	0.00					
1st Quarter	2,662.20	2,662.20	0.00	2/04/22	2,662.20	97
2nd Quarter	2,662.19					
3rd Quarter	0.00					
4th Quarter	0.00					
Ending Bal	2,662.19					



Summary of Transactions for All Years Listed Above By Dates:

mode	paid	tax	int	date
	2,662.20	2,662.20		2/04/22

ESCROW AGREEMENT

I/We fully understand an "Escrow Account" will be established to cover the costs of professional services which may include engineering, planning, and/or architectural services, and any other expenses incurred in connection with the review of this application before the Planning Board/Board of Adjustment.

The amount of the Escrow deposit will be determined by the Neptune Township Land Development Ordinance §1000 - Application and Escrow Fees, Table 10.02 - Escrow Fees.

It is the policy of Neptune Township that once an Escrow Account falls below 24% of the original deposit amount, the account must be replenished to its original amount. The only exception would be when the application is nearing completion; in such cases, the Applicant will be notified of any anticipated charges and the amount of the additional deposit required.

Payments shall be due within fifteen (15) days of receipt of the request for additional Escrow Funds. If payment is not received within that time, the Applicant will be considered to be in default, and such default may jeopardize further appearance before the Board, and delay any and all pending approvals and the issuance of building permits. Continued failure to submit requested funds will result in legal action against the property.

In accordance with N.J.S.A. 40:55D-53.1, all unused portion of the Escrow Account will be refunded upon written request from the Applicant, and verification by the Board's professionals who reviewed the application.

By signature below, I/We acknowledge receipt of Neptune Township's \$1000 - Application and Escrow Fees, and agree to all conditions listed.

Name of Applicant: JAMES Sweeney (PLEASE PRINT)
Property Address: 112 Embury Ave
Block: 223 Lot: 2

Applicant: JAMES Sweeney (PRINT NAME) James J. Sweeney (SIGNATURE OF APPLICANT) Date: 2-28-12
Owner: James Sweeney (PRINT NAME) James J. Sweeney (SIGNATURE OF OWNER) Date: 2-28-12