

Kristie Dickert

From: George Waterman
Sent: Tuesday, September 21, 2021 9:59 AM
To: Kristie Dickert
Subject: 245 Myrtle Avenue - Zoning Officer Incident Report to the Zoning Board of Adjustment
Attachments: 20201019093316028.pdf

Importance: High

This matter involves the expansion of a Nonconforming Two Family Residence into a Nonconforming Four Family Residence, without first acquiring zoning approval.

BACKGROUND:

08-26-2002: Rinetta McGhee submitted a letter to then Zoning Officer, Todd Ganghamer claiming that she recently purchased 245 Myrtle Avenue as a three (3) unit residence. In applying for a CO the Code Enforcement Officer investigated the property and discovered it to be a "...zoned..." for two residential units. Ms. McGhee asked Mr. Ganghamer what steps were necessary to have the property "...zoned..." for three units.

08-27-2002: Todd Ganghamer responded to Rinetta McGhee's letter identifying the use of the property to be a Nonconforming Two Family Residence. Mr. Ganghamer went on to identify that conversion into a Three Family Residence would be an expansion of the Nonconforming Use and that a variance would be required.

10-19-2020:

- @09:31 am it was brought to the Zoning Officers attention that the Code Enforcement Department was faced with a dispute with the property owner (Rinetta McGhee) regarding the number of residential units on the property. The Code Enforcement Department records identify the property as containing three residential units. Their inspection identified the property as containing four residential units. The property owner (Rinetta McGhee) disputed, stating that there has always been four residential units at 245 Myrtle Avenue. The Code Enforcement Department queried zoning because the Mercantile Registration Ms. McGhee applied for identified there to be four residential units.

- @ 09:57 am the Zoning Officer responded to the Code Enforcement Department identifying the use of the property to be a Nonconforming Two Family Residence per the correspondence between Rinetta McGhee and then Zoning Officer Todd Ganghamer.

Over the next few days Rinetta McGhee engaged in a plethora of email communications with the Director of Code Enforcement and the Zoning Officer that she acquired all of the necessary zoning approvals for a four family residence. When asked to provide proof, she was unable to. Ms. McGhee stated that she mistook her zoning approvals for her 2007-2008 tax assessment documentation, which she indicated identifies a 4 unit residence.

Ms. McGhee then identified that she was attempting to help a disabled woman and her disabled daughter move into the fourth residential unit. Rinetta McGhee attempted to bargain with the Zoning Officer by requesting that the tenant be allowed to move in and then she would go through the zoning process. The Zoning Officer denied the request, referring to her past correspondence with the prior Zoning Officer.

It was discovered that Rinetta McGhee initiated the process to move the tenant in a month prior, when the tenant (Gemini Sweetness, aka LaShon) began contacting the Township (directed to the Zoning Department). Rinetta McGhee provided different information to her tenant, placing blame and fault on the Township. The tenant forwarded the following communication that occurred on 10-21-2020:

Response [dropdown] Inbox [star]



Gemini Sweetness 2:51 PM

Hello I am reaching out to see how things are going. I texted you earlier, but you have yet to



Rinnetta McGhee 4:49 PM

to me [dropdown]



LaShon- it is the City in this COVID environment. I have been renting over 15 years and I have never had so much turmoil.

Show quoted text

[reply icon] Reply [reply all icon] Reply all [forward icon] Forward



- Gemini Sweetness (LaShon): Hello I am reaching out to see how things are going. I texted you earlier, but you have yet to respond. Ms. Long as well has reached out to me and she is very concerned about all of these inspections and it's

almost a month that this process has been going on and I can be facing eviction due to utilities and all the money I have had to put out due to the numerous move in dates. I believe she will be reaching out to you.

- Rinnetta McGhee: LaShon- it is the City in this COVID environment. I have been renting over 15 years and I have never had so much turmoil.

The Zoning Officer explained the zoning issues with the property and indicated the necessary steps required by Rinnetta McGhee. The tenant was not receptive to the Zoning Officers response or the zoning process.

10-23-2020: Rinnetta McGhee submitted a zoning permit application for review and determination. The application was reviewed and denied with referral to the Zoning Board of Adjustment on the same day.

The tenant continually called the Township, sent multiple email communications to the Zoning Officer, sent multiple email communications to the Neptune Township Governing Body, forwarded pictures of complaints to Senator Cory Bookers office, forwarded pictures of complaints to Governor Phil Murphy's office, and indicated she had contacted a lawyer and the DCA Office of Regulatory Affairs.

Regards,

George Waterman
Assistant Land Use Administrator
Township of Neptune
25 Neptune Boulevard
Neptune, NJ 07753
Phone: 732.988.5200 ext. 217
Fax: 732-988-4259
gwaterman@neptunetownship.org

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RsBE Incorporation
1502 Springwood Avenue
Asbury Park, New Jersey 07712
(732) 774-0667

Please pull house file

26 August 2002

Block 195 Lot 8

To: Neptune Administrative Code Enforcer
ATTN: Tod Ganghamer

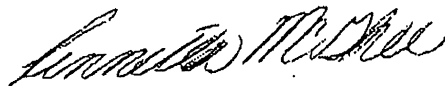
Subject: Zoning of Property at 245 Myrtle Ave for Three Units

Dear Mr. Ganghamer,

I recently purchased property at 245 Myrtle Avenue, Neptune, New Jersey. I thought I was purchasing a three unit building and was in the process of getting a Certificate of Occupation (CO) for all three units when I was informed the building was only zoned for two units. During the CO process the third unit in question almost received a CO until the inspector looked closer and discovered it was zoned for only two units.

I would like to have this property zoned for three units. Can you please inform me on what I must do? Your assistance in this matter would be greatly appreciated. I can be reached at the following telephone number, (732) 861-4393 and the address below.

Sincerely yours,



Rinnetta McGhee
1502 Springwood Ave
Asbury Park, NJ 07712
(732) 861-4393

TOWNSHIP OF NEPTUNE



25 Neptune Bld
P.O. BOX 1125, NEPTUNE, NJ 07754-1125
732-988-5200 x 217
FAX: 732-988-0062

Code Enforcement
Todd A. Ganghamer, Director

FILE COPY

August 27, 2002

RsBE Incorporated
1502 Springwood Avenue
Asbury Park, New Jersey 07712

Re: 245 Myrtle Avenue

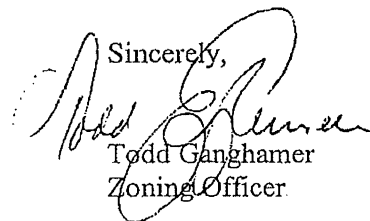
Att: Rinnetta McGhee

Dear Ms. McGhee;

Please be advised that the above referenced property is located within the R-4 Single Family zoning district. The existing two family structure is an existing nonconforming use within that zone. The conversion to a three family dwelling would constitute an expansion of the nonconforming use and would require a use variance to do so.

If you have any further questions, please do not hesitate to call.

Sincerely,



Todd Ganghamer
Zoning Officer