



Fee Date: 02/24/2021  
Check #: 4259  
Cash: 0

**ZONING PERMIT**

ID: 554347550

Date: 03/10/2021

Fee: \$ 35.00

**PROPOSED WORK**

- |   |   |  |
|---|---|--|
| <input type="checkbox"/> Adding a New Use to a Property         | <input type="checkbox"/> Home Occupation                    | <input 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 checked="" type="checkbox"/> Driveway / Sidewalk / Apron | <input checked="" type="checkbox"/> New Residence           | <input type="checkbox"/> Swimming Pool/Hot Tub |
| <input checked="" type="checkbox"/> Fence/Retaining Wall        | <input checked="" type="checkbox"/> Porch                   | <input type="checkbox"/> Zoning Determination  |
| <input checked="" 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](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:** 1742 BANGS AVE **Block:** 608 **Lot:** 9 **Zone:** R-4

2. **Applicant Name:** COASTAL HABITAT FOR HUMANITY INC **Phone No.** (732)898-4091 **Fax No.**

**Applicant's Address:** 1105 MEMORIAL DRIVE ASBURY PARK, NJ 07712

**Email:** stwidle@coastalhabitat.org

3. **Property Owner Name:** COASTAL HABITAT FOR HUMANITY INC **Phone No.** (732)898-4091 **Fax No.**

**Property Owner's Address:** 1105 MEMORIAL DRIVE ASBURY PARK, NJ 07712

**Email:** stwidle@coastalhabitat.org

4. **Present Approved Zoning Use of the Property:** VACANT LOT

5. **Proposed Zoning Use of the Property:** Detached Single Family Residence

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.**

"We plan to build a 15.34'x45.34' two story single family house, including a 4.84' x 15.34' front porch & 3' x 4' back landing. house will have a Building (sic) height of 27.67'. The house will be located 30.59' from the rear property line And 27.59' from the landing. The house will be setback from the front protery (?) Line 23.25' and 19.23' from the porch. Side yard setback 4.66' from the south side & 5' on the north side."

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: 832.01 %

Lot Coverage: 39.87 % (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:**

03/10/2021 This zoning permit application consists of:

- One (1) copy of the Zoning Permit Application;

- Two (2) copies of the Survey of Property by Lakeland Surveying, dated 11-23-2020;

- Two (2) copies of the Coastal Habitat For Humanity Plot Plan by R.C. Associates Consulting, Inc dated 06-15-2020;

- Two (2) copies of "Sheet 2 of 4" and "Sheet 3 of 4" from a set of Construction Plans.

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-4 Zoning District. The present zoning use of the property is a vacant lot.

The applicant describes the proposed work in detail:

"We plan to build a 15.34'x45.34' two story single family house, including a 4.84' x 15.34' front porch & 3' x 4' back landing. house will have a Building (sic) height of 27.67'. The house will be located 30.59' from the rear property line And 27.59' from the landing. The house will be setback from the front protery (?) Line 23.25' and 19.23' from the porch. Side yard setback 4.66' from the south side & 5' on the north side."

**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.**

**The applicant has omitted details regarding exactly what structures are being proposed with this Zoning Permit Application.**

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

**- Zoning Permit Application Information Sheet;**

**- Definitions;**

**- Nonconforming Uses, Structures, And Lots;**

**- Zoning Schedule B: R-4;**

**- Porches, Decks, And Balcony Requirements: Porch;**

**- Porches, Decks, And Balcony Requirements: rear Entry Platform;**

**- Driveway Design Standards;**

**- Fence;**

**- Plot Plans and As-Built Survey.**

## **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.

## **Definitions;**

***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.

***basement*** - Any area of a building having its floor located at or below a grade level on all sides.

***building*** – Any structure having a roof supported by columns or walls and intended for the shelter, housing or enclosure of any individual, animal, process, equipment, goods or materials of any kind.

***building coverage*** – The percentage of the lot area that is covered by building area, which includes the total horizontal area when viewed in plan.

**building envelope** – An area, generally described by building setback lines, depicting the area within which the building(s) can be constructed.

**building footprint** – The horizontal area contained within the outer dimensions of the foundation walls of a building.

**building height** – The vertical distance from finished grade to the top of the highest roof beams on a flat or shed roof, the deck level on a mansard roof, and the average height between the eaves and the ridge level for gable, hip, and gambrel roofs.

**building line** – A line formed by the intersection of an exterior wall of a building with the ground.

**building line, front** – A line parallel to the front yard line touching that part of a principal building closest to the front yard line, not including the dimensions of a porch structure.

**development** – The division of a parcel of land into two (2) or more parcels, the construction, reconstruction, conversion, structural alteration, relocation or enlargement of any building or other structure, or of any mining, excavation or landfill, and any use or change in the use of any building or other structure, or land or extension of use of land.

**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.

**driveway** – A private right-of-way providing access for motor vehicles to a garage, dwelling or other building from a street or other right-of-way.

**excavation or cut** - any act by which soil or rock is cut into, dug, quarried, uncovered, removed, displaced or relocated.

**impervious cover** – Any structure, surface or improvement that reduces and/or prevents absorption of stormwater into land. Porous paving, paver blocks, gravel, crushed stone, crushed shell, elevated structures (including boardwalks), and other similar structures, surfaces or improvements are considered impervious cover. Grass, lawns or any other vegetation are not considered impervious cover.

**improvement** - any structure or any part thereof installed upon real property by human endeavor and intended to be kept at the location of such construction or installation.

**lot** – A designated parcel, tract, or area of land established by a plat or otherwise as permitted by law and to be used, developed, or build upon as a unit.

**lot coverage** - The percentage of lot area that is covered by impervious cover.

**lot depth** – The mean distance between the front and rear property lines of any lot, measured along a line either parallel to or making equal angles with the side lines.

**lot frontage** – The length of the street line of a lot.

**lot line** – A line of record bounding a lot that divides one lot from another lot or from a public or private street or any other public space.

**lot line, front** - The lot line separating a lot from a street right-of-way. In the Historic District-Oceanfront District the lot line, front shall be the lot line between the leasehold lot in question and the Historic Flared Avenue Open Space. This line is also considered the inner sidewalk line.

**lot line, rear** - The lot line opposite and most distant from the front lot line. In the case of a corner lot, the lot line opposite the shorter front street line shall be considered the rear lot line.

**lot line, side** - Any lot line other than a front lot line or rear lot line.

**lot width** – A distance measured at the front yard setback line along a line perpendicular to parallel side lines or making equal angles with both converging side lines. Where a front yard is not required, the lot width shall be measured along the street line.

**parking space, off-street** – A paved or surfaced area for off-street motor vehicle parking.

**patio or terrace** – A level, landscaped, and/or surfaced area on a lot with a principal building and not covered by a permanent roof, less than twelve (12") inches above grade.

**principal structure** – A building in which the principal use of the lot on is conducted.

**principal use** – The primary or predominant use of any lot.

**steep slope** – areas on a lot where the inclination of the land's surface from the horizontal is fifteen percent (15%) or greater as measured over a ten (10) foot interval. Steep slopes which are twenty-five percent (25%) or greater as measured over a five (5) foot interval shall be considered critical slopes.

[NOTE: The previous definition has been added per Ordinance No. 03-035]

**setback** – The distance between a building and any lot line.

**setback line** – That line that is established at the required minimum distance from any lot line and that establishes the area within which the principal structure must be erected or placed.

**site plan** - A development plan of one or more lots on which is shown the existing and proposed conditions of the lot, including but not necessarily limited to topography, vegetation, drainage, flood plains, marshes and waterways; the location of all existing and proposed buildings, drives, parking spaces, walkways, means of ingress and egress, drainage facilities, utility services, landscaping, structures and signs, lighting, and screening devices; and any other information that may be reasonably required in order to make an informed determination pursuant to this Ordinance.

**story** – That portion of a building consisting of at least seven (7) feet of vertical height, included between the surface of any floor and the surface of the floor next above it, or if there is no floor above it, then the space between the floor and the ceiling next above it. If the ceiling or underside of supporting members is

less than four (4) feet above average grade of any space, then that space shall not be considered a story nor counted as floor area.

**story, one-half** – A space under a pitched roof at the top of a building, the floor of which is not more than two (2) feet below any plane, which will not qualify for living space under BOCA (Building Officials and Code Administrators International, Inc.).

**use** – The purpose or activity for which land or buildings are designed, arranged, or intended or for which land or buildings are occupied or maintained.

**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 permit** – A document signed by the administrative officer (1) which is required by ordinance as a condition precedent to the commencement of a use or the erection, construction, reconstruction, alteration, conversion, or installation of a structure or building and (2) which acknowledges such use, structure or building complies with the provisions of the municipal zoning ordinance or variance therefrom duly authorized by a municipal agency pursuant to the Municipal Land Use Law.

## **ZONING NOTES:**

**- Please refer to Land Development Ordinance section 201 for additional terms and definitions.**

## **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 property is nonconforming as it does not comply with the current Land Development Ordinance requirements.

- The neighboring property's Driveway is nonconforming as it encroaches onto this property.

- 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.

B 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:

1 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.

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.

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

C Non-conforming uses and structures are considered terminated and shall not be revived in any way except as a conforming use or structure in accordance with the following:

1 A non-conforming use or structure abandoned in accordance with this Ordinance and accompanied by an intent on the part of the owner to abandon such use as evidenced by some act or failure to act which carries with it a sufficient implication that the owner neither claims or retains any interest in the subject matter of the abandonment shall be considered a termination thereof. Such implication shall be reputably presumed by non-use for any period of two (2) or more years. Non-use by successive owners shall be considered continuous non-use.

2 The change of a non-conforming use or structure to a more or entirely conforming use for any period of time shall be considered an abandonment of the previous non-conforming use, and a reversion to the previous non-conforming use shall not be permitted.

3 A non-conforming structure or use which has fifty percent (50 %) or more of its non-conforming area or value destroyed by fire or natural calamity shall be considered an abandonment thereof.

#### **ZONING NOTES:**

- N/A

D A nonconforming structure may not be enlarged, extended, increased in height, width or depth, moved or relocated, modified in such a way so as to increase habitable or useable space, number of dwelling units or number of bedrooms; unless such structure is changed to a structure conforming to the requirements of this Chapter except that an existing one family structure may be rebuilt, enlarged, extended or added to provided:

1 The enlargement, extension or addition conforms to all zone requirements; or

2 The portion of the enlargement, extension or addition which does not conform to zone requirements consists entirely of the enclosure of existing side or rear porches.

3 Where a structure is nonconforming solely because it intrudes on the current required yard area.

A If the proposed horizontal addition to that building would not protrude into that required yard area, then the Zoning Official can issue the permit and no application to the Board of Adjustment is necessary.

B If a proposed vertical addition would be located within the building envelope or existing building footprint (and assuming no violation of height restriction or other ordinance provision), the Zoning Official may also issue a permit for such vertical expansion provided that the addition would not exacerbate the nonconformity.

4 An existing one-family structure located in a residential district destroyed by fire or other natural calamity may be rebuilt provided the new structure complies with all zone requirements relating to setbacks and height; however, the existing lot need not comply with minimum lot width, depth and area requirements where the existing condition is non-conforming.

#### **ZONING NOTES:**

- N/A

E The prospective purchaser, prospective mortgagee, or any other person interested in any land upon which a nonconforming use or structure exists may apply for, in writing, the issuance of a certificate certifying that the use or structure existed before the adoption of the ordinance which rendered the use or structure nonconforming. The applicant shall have the responsibility of affirmatively proving the preexisting nonconforming use or structure. Application pursuant hereto may be made to the Zoning Board of Adjustment Administrative Officer within one year of the adoption of the ordinance which rendered the use or structure nonconforming or at any time to the Zoning Board of Adjustment.

#### **ZONING NOTES:**

- N/A

F Any parcel of land with an area or width less than that prescribed for a lot in the zone in which the lot is located may be used as a lot for any purpose permitted in the zone, if:

1 at the time of and since the adoption of the zoning ordinance making such lot nonconforming, the owner of the lot did not own adjoining property.

2 all other regulations prescribed for the zone are or can be complied with.

[NOTE: Added per Ordinance No. 08-03]

[NOTE: The previous section, §422, has been renumbered per Ordinance No. 03-035; prior section number assignment was §421]

#### **ZONING NOTES:**

**- The applicant is proposing construction on a parcel of land with an area and width less than that prescribed for a lot in the zone in which the lot is located.**

**- The applicant does not indicate if at the time of and since the adoption of the zoning ordinance making such lot nonconforming, the owner of the lot did not own adjoining property.**



**- The applicant is proposing construction that does not comply with all other regulations prescribed for the zone.**

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

### **Zoning Schedule B: R-4;**

Zoning Schedule B for the R-2 Zoning District states:

Minimum Lot Area: 5,000 Square Feet

#### **ZONING NOTES:**

**- The applicant indicates the Lot Area to be 2,500 Square Feet.**

Minimum Lot Width: 50 Feet

#### **ZONING NOTES:**

**- The applicant indicates the Minimum Lot Width to be 25 Feet.**

Minimum Lot Frontage: 50 Feet

#### **ZONING NOTES:**

**- The applicant indicates the Minimum Lot Frontage to be 25 Feet.**

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

Minimum Lot Depth: 100 Feet

#### **ZONING NOTES:**

**- The applicant indicates the Minimum Lot Depth to be 100 Feet.**

Front Yard Setback: 20 Feet

#### **ZONING NOTES:**

**- The applicant indicates the proposed Front Yard Setback to be 24.07 Feet.**

Side Yard Setback: 5 Feet

**ZONING NOTES:**

- **The applicant indicates the proposed Side Yard Setback to be 5 Feet.**

Combined Side Yard Setback: 15 Feet

**ZONING NOTES:**

**- The applicant indicates the proposed Combined Side Yard Setback to be 10 Feet.**

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

Rear Yard Setback: 30 Feet

**ZONING NOTES:**

- **The applicant indicates the proposed Rear Yard Setback to be 30.59 Feet.**

Maximum Percent Building Cover: 50%

**ZONING NOTES:**

- **The applicant indicates the proposed Building Cover 32.01%.**

Maximum Percent Total Lot Cover: 65%

**ZONING NOTES:**

- **The applicant indicates the proposed Total Lot Cover to be 39.87%.**

Maximum Number of Stories: 2.5

**ZONING NOTES:**

- **The applicant indicates the proposed Number of Stories to be 2.5.**

Maximum Building Height: 35 Feet

**ZONING NOTES:**

- **The applicant indicates the proposed Building Height as defined by the Neptune Township Land Development Ordinance to be 22.25 Feet.**

**Porches, Decks, And Balcony Requirements: Porch;**

Land Development Ordinance section 411.07A-C states:

C Porch setbacks. For residential structures, a porch may extend no more than eight (8) feet into the required front and/or rear setback area, provided the principal structure conforms to the front yard setback

requirement. No porch for a residential structure may extend into a side setback area. No porch associated with any multi-family residential use may extend into any setback area. The front yard setback of a porch shall not be considered the front yard setback of the principal building to which it is attached.

### **ZONING NOTES:**

- The applicant indicates the proposed construction of a front Porch.
- The applicant indicates the proposed Porch does not extend no more than eight (8) feet into the required front setback area.
- **The applicant indicates the proposed Porch extends into a side setback area. The applicant does not demonstrate compliance with this Land Development Ordinance requirements. Zoning Board of Adjustment approval is required.**

### **Porches, Decks, And Balcony Requirements: Porch;**

Land Development Ordinance section 411.07A-E states:

E 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 project six (6) feet into a required front yard and not more than four (4) feet into any required side yard.

### **ZONING NOTES:**

- The applicant indicates the proposed construction of a rear Entry Platform.
- The applicant indicates the proposed rear Entry Platform to be 2' in height above the average finish grade.
- The applicant indicates the proposed rear Entry Platform to be 12 Square Feet in area.
- The applicant indicates the proposed Entry Platform does not encroach into any setback areas.

### **Driveway Design Standards;**

Land Development Ordinance section 505 states:

A Applicability. This article shall apply to all applications for development.

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

1 Lot access. Every use shall have driveway access to a street, except for historic zone districts. Such access shall be designed for the safety, control, efficient movement and convenience of motor vehicle traffic accessing the site, including service and emergency vehicles, and to promote safe, efficient and convenient traffic circulation generally within the Township.

2 Location. Driveways shall be located along the street line of a lot as follows:

(a) A driveway on a corner lot shall be set back a minimum of forty (40) feet from the intersecting lot lines at the corner. A driveway for a single-family dwelling shall be set back a minimum of three feet (3) from a side lot line, unless such is a common driveway for dwelling units on adjacent lots. A driveway for uses other than single-family dwelling units shall be setback at least ten (10) feet from all property lines, excepting driveway intersections with public or private roadways.

**ZONING NOTES:**

- The applicant indicates the proposed construction of a Driveway on the property.
- The applicant indicates the proposed Driveway shall be located more than 40 feet from the intersecting lot lines at the corner.

3 Construction specifications. Driveways shall be paved with a minimum of four (4) inches of compacted sub-base material and two (2) inches of three-eighths inch roadway stone or comparable material or to an alternate standard as approved by the Township Engineer.

**ZONING NOTES:**

- Department of Engineering review and approval is required.

4 Width. The width of driveways shall be based on the following:

(Refer to TABLE 5.2)

**ZONING NOTES:**

- The applicant indicates the proposed construction of a 9' wide driveway.

5 Grading. Driveway grades shall not exceed 6% at any point along the entire length of the driveway.

**ZONING NOTES:**

- Department of Engineering review and approval is required.

6 Aprons. Driveway aprons shall be designed to permit access to any driveway from a street. Such apron shall be constructed between the curb or edge of street pavement and the sidewalk or, in the absence of sidewalk, for a distance of four feet back from the curb or edge of pavement. Driveway apron width may be enlarged to provide adequate turning radii for larger vehicles. The construction specifications of driveway aprons shall be pursuant to applicable Township ordinances or as approved by the Township Engineer.

**ZONING NOTES:**

- Department of Engineering review and approval is required.

7 Side slopes. Driveway side slopes shall be top soiled, seeded, fertilized and mulched or otherwise stabilized to prevent erosion. If banks exceed a slope of two increments vertical to one increment horizontal (two to one) and the slope face is not stable rock, retaining walls shall be constructed of a design approved by the Township Engineer.

## **ZONING NOTES:**

- Department of Engineering review and approval is required.

8 Clear sight triangles. At locations where driveways approach sidewalks and streets in the public right-of-way, clear sight triangles shall be provided on both sides of such driveways. No vision-obstructing object with a height greater than 2 1/2 feet, as measured from the elevation of the driveway, shall be located in such areas formed by outward facing isosceles triangles, with equal sides of ten (10) feet in length consisting of the curb line of the driveway and the property line along the right-of-way.

## **ZONING NOTES:**

- The applicant does not display any obstructions of the clear sight triangle on the submitted Plot Plan.

## **Fence;**

Land Development Ordinance section 412.07-B states:

Fences and walls shall be permitted in all districts, but shall be considered structures requiring an approved zoning permit prior to construction. Adequate surveys, plans and details are to be submitted to the Zoning Officer in accordance with Article X in order for a determination to be made as to the proposed fence zoning conformance.

B Fences and walls in non-historic zone districts. Fences and walls in non-historic zone districts shall be permitted accessory structures subject to the following provisions:

1 Front Yards.

(a) For residential uses, fences shall be permitted to be located in front yards, provided such fences shall not exceed four (4) feet in height, as measured from ground level and shall be constructed so that at least fifty (50) percent thereof is non-solid and open. Fence types such as board-on-board and stockade shall be considered solid fences. Decorative walls are permitted to be located in front yards for residential uses, provided such shall not exceed two and one half (2 1/2) feet in height, as measured from ground level. Fence posts, corners, gateways, and wall piers and entryways may not exceed five (5) feet in height. For corner lots the second front yard now considered a side yard may have a solid fence, six (6) feet in height extending to the front buildings line of the dwelling unit and shall not interfere in the site triangle.

## **ZONING NOTES:**

- N/A

(b) For non-residential uses, fences and decorative walls may be erected in the front yard extending to the rear or side lot lines, provided:

(i) When such fences and walls are located within fifteen (15) feet of a street line they shall not exceed four (4) feet in height, as measured from the ground level. Fence posts, corners, gateways, and wall piers and entryways shall not exceed five (5) feet in height.

(ii) When such fences and walls are located more than fifteen (15) feet from a street line they shall not exceed six (6) feet in height, as measured from the ground level. Fence posts, corners, gateways, and wall piers and entryways shall not exceed seven (7) feet in height.

## **ZONING NOTES:**

- N/A

- (c) Chain link fences shall be prohibited in front yards in all zone districts.

**ZONING NOTES:**

- N/A

**2 Side and Rear Yards.**

- (a) For residential uses, both solid and non-solid fences shall be permitted to be located in side or rear yards, provided such shall not exceed six (6) feet in height, as measured from the ground level. Decorative walls for residential uses are permitted to be located in side or rear yards, provided such shall not exceed four (4) feet in height, as measured from the ground level. Fence posts, corners, gateways, and wall piers and entryways may not exceed seven (7) feet in height.

**ZONING NOTES:**

- The applicant indicates the proposed construction of a fence in the side yard area.

- The applicant indicates the proposed construction of a fence in the rear yard area.

**- The applicant does not indicate the height or type of fence on the submitted plans as indicated on the Zoning Permit Application.**

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

- (b) For non-residential uses, both decorative walls and solid or non-solid fences shall be permitted to be located in side or rear yards, provided such shall not exceed six (6) feet in height, as measured from the ground level. Fence posts, corners, gateways, and wall piers and entryways may not exceed seven (7) feet in height.

**ZONING NOTES:**

- N/A

- 3 Finished Exterior Side.** All fences or walls shall be constructed so that a finished side, with no fully exposed structurally supporting members, is located on the exterior facing outward away from the property upon which it is located.

**ZONING NOTES:**

**- CONDITION OF APPROVAL = The applicant shall comply with this Land Development Ordinance requirement.**

- 4 Materials.** No fence or wall shall be constructed or installed with barbed wire, metal spikes, or topped with concertina or razor wire, broken bottles or similar materials so as to be dangerous to humans or animals. In addition, chain link fences are specifically prohibited in front yard in all zones.

**ZONING NOTES:**

**- CONDITION OF APPROVAL = The applicant shall comply with this Land Development Ordinance requirement.**

5 Drainage. Fences and decorative walls shall be constructed in a manner so as to permit the continued flow of natural drainage and shall not cause surface water to be blocked or dammed to create ponding, either on the property upon which such is located or on any adjacent lot. Those applying for a zoning permit to erect a fence or decorative wall may consult with the Township Engineer to ensure compliance with this provision.

**ZONING NOTES:**

**- CONDITION OF APPROVAL = The applicant shall comply with this Land Development Ordinance requirement.**

6 Obstruction. No fence shall be constructed within any sight triangle as defined in this article, or installed so as to constitute a hazard to traffic or public safety,

**ZONING NOTES:**

**- The applicant does not display any sight triangle obstructions.**

7 Utility easement. Prior to installing a fence in a utility easement area, a property owner shall secure written approval from the appropriate utility company or appropriate public body. Evidence of approval shall be submitted as a prerequisite to issuance of a zoning permit.

**ZONING NOTES:**

**- The applicant does not display any easements on the property.**

8 Retaining Walls. Any permitted wall proposed to be used as a retaining wall may be required to be reviewed by the Township Engineer prior to the issuance of a zoning permit.

**ZONING NOTES:**

**- N/A**

9 Exceptions. Fences or walls that constitute a permitted buffer area screen approved as part of a site plan application shall be excepted from the above height and location provisions. In addition, fencing required to enclose a tennis court shall be excepted from the above maximum height provisions. Said fence shall not exceed twelve (12) feet in height, as measured from ground level, and may not be located within a required setback area.

**ZONING NOTES:**

**- N/A**

**Plot Plans and As-Built Survey.**

Land Development Ordinance section 1010 states:

A Two signed and sealed copies of individual plot plans in accordance with NJAC 3:40-

7.3 shall be submitted to the Township Engineer to accompany any permit application for any new construction and for any building addition or land disturbance greater than 150sf or 50sf in Ocean Grove section. The individual plot plan shall be utilized to review the project for adequate drainage and grading and compliance to all applicable Township standards.

B The Township Engineer will review the submitted documents and either disapprove or approve the submitted plot plan. The applicant will be notified if any revisions are required.

C The Construction Official shall not issue any construction permit until the Township Engineer approves the proposed individual plot plan.

D Each individual plot plan shall be drawn to scale of not less than one inch equaling 50 feet, signed and sealed in accordance with N.J.A.C. 13:40-7.3 by a professional licensed to practice in the State of New Jersey, and shall be no smaller than 8 ½ inches by 14 inches.

E Individual plot plans shall include the following information:

- (1) Bearing and distances.
- (2) North arrow, written and graphic scale.
- (3) Existing/proposed easement and dedications.
- (4) Existing/proposed building, pool, decks, patios, porches, sheds and accessory structures dimensions.
- (5) Existing/proposed sidewalks, driveways and retaining walls.
- (6) Building envelope graphically depicting and dimensioning zoning setback requirements and/or setbacks approved by the Board if (applicable).
- (7) Street name, right-of-way width, pavement width and composition of the street(s) fronting the lot.
- (8) The title block on the plot plan must include the property address, the block and lot number of the property in question and the name of the applicant.
- (9) Limits of clearing and soil disturbance. Show number of trees over four (4) inches diameter to be removed.
- (10) Existing trees to be protected and remain. Include tree replacement plan, if applicable as per 525 of the Land Development Ordinance (LDO).
- (11) Location of wetlands, floodplains, stream encroachment lines and/or any other environmental constraints to the property. If there are no wetlands, then a note should be added to the plan stating that no wetlands exists on the subject property.
- (12) Sufficient street elevations including center line, gutter and top of curb (if applicable); existing and proposed lot elevations to include, at a minimum, property corners, midpoints of property lines, building corners and center of lot; the finished floor, basement and garage floor elevations of the proposed adjacent dwellings, corner elevations and topography within 10 feet of property lines or as far as necessary to determine adequate drainage characteristics. All elevations shall be according to the NGVD (National Geodetic Vertical Datum) and the source of datum so noted. Any specific circumstances for which elevation requirements cannot be met will be subject to review by the Township Engineer and Construction Official on a case-by-case basis. Under no circumstances shall individual lots be graded in such a manner as to redirect stormwater runoff onto an adjacent and/or downstream property or disturb or change the existing drainage patterns of an adjacent lot. Drainage flow arrows shall be provided to clearly depict the directions of stormwater runoff. No grading or the creation of sump conditions shall be permitted on adjacent lot(s) unless permission has been specifically granted, in writing, by the owner of said adjacent lot(s).
- (13) Location of any storm drainage pipes within 25 feet of the property including pipe size, grade and invert.
- (14) Lot grading shall be designed to provide positive runoff with grades at a minimum slope of 1.5%.
- (15) Swales designed to convey surface runoff shall be designed with suitable subgrade material containing well draining sand or gravel, stone, sand mix topsoil or other material acceptable to the Township Engineer. A construction detail shall be included on the plan.
- (16) Utility connections, including, but not limited to, water, sanitary sewer, gas, electric, telephone and cable.



- (17) Elevations, cross sections, details, and dimensions of driveways and retaining walls.
- (18) The plan shall show new or existing utilities to be utilized in accordance with applicable standards.
- (19) Location and direction of all existing and proposed downspouts.
- (20) If sidewalk and/or curbing is proposed details to be provided and sufficient proposed grades to ensure positive drainage.
- (21) A separate road opening permit is required for any disturbance in the Township Right of Way
- (22) Prior Board approval or waiver granted for construction in easements.
- (23) Other items that may be required by the Township Engineer for proper construction of the site

F Plot plans of Planning Board approved projects still required individual grading plans and shall match the intent of approved subdivision/site plans.

G If a basement is proposed, a subsurface soil investigation certified by a licensed engineer shall be submitted with the plot plan.

H The applicant shall submit a foundation survey to the Zoning Officer prior to an inspection of the foundation for approval and backfilling. This survey shall include the location of the foundation and the actual floor elevations. If the as-built survey establishes locations or elevations different from those submitted in the plot plan, changes in the proposed grading shall be noted. A revised grading plan shall be submitted to the Engineering and Planning Department and a revised building plan to the Construction Official.

I The applicant shall submit one (1) copy of a final as-built survey for new construction, building addition or land disturbance over 150sf or 50 sf for Ocean Grove. Building additions signed and sealed by a professional engineer or land surveyor licensed in the state of New Jersey prior to requesting a final certificate of occupancy (CO) inspection from the Municipal Engineer.

J The as-built plan shall address constructed conditions and/or location of:

- (1) Final grading elevations;
- (2) Roads including curbing and sidewalks;
- (3) Utilities, new or existing;
- (4) Building location (s);
- (5) Driveways and parking lots;
- (6) Location and direction of downspouts;
- (7) Stormwater management facilities, including as-built topographic contours and volume calculations;
- (8) Walls and fences, and
- (9) Lighting
- (10) Planting(s)
- (11) Signage
- (12) Refuse Area
- (13) Other structures or conditions deemed pertinent by the Municipal Engineer.

K Exemption from the requirements of this section for new construction, building addition or land disturbance under 150sf or 50sf for Ocean Grove requires the approval of the Township Engineer, said exemption to be contingent upon:

- (1) Proof that the subject addition is not in a flood hazard zone
- (2) A survey locating the existing dwelling and showing the proposed improvements
- (3) A site inspection by a Township engineering Inspector to verify that the proposed addition will not create drainage problems.
- (4) A notarized letter from the property owner stating there will be no adverse drainage impacts.

(5) Submission of a \$75.00 review fee;

In the event that the review of the application does not prove acceptable for an exemption, a full grading plan/plot plan shall be submitted along with required application and fees for review.

**ZONING NOTES:**

- Department of Engineering review and approval is required.

**The applicant does not display compliance with all of the Land Development Ordinance requirements.**

**Zoning Board of Adjustment approval is required**

\* Returned to the applicant:

- One (1) copy of the Zoning Determination;
- One (1) copy of the Survey of Property by Lakeland Surveying, dated 11-23-2020;
- One (1) copy of the Coastal Habitat For Humanity Plot Plan by R.C. Associates Consulting, Inc dated 06-15-2020;
- One (1) copy of "Sheet 2 of 4" and "Sheet 3 of 4" from a set of Construction Plans.

**Status**

Approved  Denied

**Referrals**

Construction  HPC  Engineering  Planning Board  Zoning Board  Mercantile  Code Enforcement