

COMPLETENESS CHECKLIST FOR USE AND/OR BULK VARIANCES (Revised 5/13/13)

Section §802B. Completeness Checklist for Use Variance and Bulk Variance Request.

Prior to issuance of a Certificate of Completeness, the Administrative Officer shall determine that the following documents have been submitted:

<u>C</u>	<u>N</u>	<u>N/A*</u>	<u>W*</u>	<u>ONLY FOLDED PLANS WILL BE ACCEPTED</u>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1. Twenty-five (25) copies of completed and signed application form which must include the following: <ul style="list-style-type: none"><input type="checkbox"/> Applicant's name, address, telephone number, facsimile number, and e-mail address (if applicable).<input type="checkbox"/> Property Owner's name, address, telephone number, facsimile number, and e-mail address (if applicable).<input type="checkbox"/> Applicant's interest in the property.<input type="checkbox"/> Name, address, telephone number, facsimile number, and e-mail address (if applicable) of the Applicant's attorney (if represented) as well as any and all other professional representative(s).<input type="checkbox"/> Street address of the property<input type="checkbox"/> Tax lot and block numbers of the property<input type="checkbox"/> Zoning District in which the property is located.<input type="checkbox"/> Description of the property<input type="checkbox"/> Description of the proposed development.<input type="checkbox"/> Type of application<input type="checkbox"/> Provide identification of subject property/properties' Special Flood Hazard Area Zone<input type="checkbox"/> Executed copy of "Authorization & Consent Form" Part "C"<input type="checkbox"/> Executed copy of "Certificate of Ownership" Part "D", if applicable<input type="checkbox"/> Executed copy of "Certificate of Corporation/Partnership", if applicable<input type="checkbox"/> Applicant/Owner to provide verification of taxes paid (this will be further verified by the Administrative Officer).<input type="checkbox"/> Executed copy of "Escrow Agreement" Part "E"
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	2. Twenty-five (25) copies of the property deed(s).
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	3. Twenty-five (25) copies of the Zoning Permit Denial [not required for subdivisions]
			<input type="checkbox"/>	4. Required Plans folded, no larger than 30"x42": <ul style="list-style-type: none"><input type="checkbox"/> a. Twenty-five (25) copies of current signed & sealed survey, prepared by a New Jersey Licensed Professional Land Surveyor.<input type="checkbox"/> b. Five (5) copies with initial submission and each subsequent submission for completeness review.<input type="checkbox"/> c. Once the application is deemed complete, twenty (20) additional full-sized paper sets of the plans plus one (1) reduced-size paper set of the plans no larger than 11"x17", and one (1) CD containing the plans in .pdf format must be submitted to the Board Office for distribution.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	5. Six (6) copies of Tree Removal Application package in accordance with Section §525 (if applicable).
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	6. Community Impact Statement (for Use Variance only)
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	7. Application Fee \$ <u>100</u> Escrow Deposit \$ <u>750</u>

In accordance with fee schedule.

C = Complete N = Incomplete N/A = Not Applicable

* Any request for a "WAIVER" must include a written explanation for the request.

Application for Use and/or Bulk Variances

Type of Variance Requested:

- Bulk Variance [front, side/rear setback, other] Specify _____
Construct a 2-story single-family residential dwelling w/ crawlspace, driveway, and associated site improvements.

- Bulk Variance [Lot Coverage] _____
- Use Variance [proposal not permitted in zone] _____
- Appeal/Interpretation of Decision _____
- Other, Specify _____

1. Property Address: 1742 Bangs Avenue, Township of Neptune, Monmouth County, NJ 07753
2. Block 608 Lot 9
3. Property is located in R-4 residential zone Zoning District according to the Neptune Twp. Land Ordinance.
4. Name of applicant: Coastal Habitat for Humanity, Inc.
Mailing address: 1105 Memorial Drive, Asbury Park, NJ 07712
Phone # (732) 898-4091 Fax # _____ Cell # _____
E-mail address: stwidle@coastalhabitat.org
5. Name of owner: Coastal Habitat for Humanity, Inc.
Mailing address: 1105 Memorial Drive, Asbury Park, NJ 07712
Phone # (732) 898-4091 Fax # _____ Cell # _____
E-mail address: stwidle@coastalhabitat.org
6. Name of contact person: Kimberly Bennett, Esq. c/o Fox Rothschild LLP
Mailing address: 997 Lenox Drive, Building Three, Lawrenceville, NJ 08648
Phone # (609) 895-3323 Fax # (609) 896-1469 Cell # _____
E-mail address: kbennett@foxrothschild.com
7. Interest of applicant, if other than owner: N/A, Applicant is owner of the property.

Detailed Information:

- Existing use of property: Residential
- Proposed use of property: Residential
- Special Flood Hazard Area: No

Principal Use:

	Required and/or Permitted	Existing	Proposed
Lot Size	5,000 S.F.	2,500 S.F.	2,500 S.F.
Lot Coverage	1,625 S.F. (65%)	N/A	996.75 S.F. (39.87%)
Building Coverage	1,250 S.F. (50%)	N/A	800.25 S.F. (32.01%)
Building Height	35 FT. (2.5 STY.)	N/A	27.64 FT. (2 STY.)
Front Setback	20 FT. (house) & 12 FT. (porch)	N/A	23.25 FT. (house) & 19.23 FT. (porch)
Rear Setback	30 FT. (house) & 22 FT. (porch)	N/A	30.59 FT. (house) & 27.59 (porch)
Side Setback	5 & 5 FT.	N/A	4.66 & 5.0 FT.
Combined Side Setback	15 FT.	N/A	9.66 FT.

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

Accessory: (If Applicable) N/A - no accessory structures proposed

	Permitted	Existing	Proposed
Lot Size			
Lot Coverage			
Building Coverage			
Building Height			
Front Setback			
Rear Setback			
Side Setback			
Combined Side Setback			

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

8. Has there been any previous applications involving these premises Yes No

If so when Yes, Application for Zoning Permit filed 2/24/21

Result of decision Denied 3/10/21, See attached denial.

9. Justification/Reason(s) for variance(s) requested [be as specific as possible attach additional sheets as necessary]
Applicant is proposing to construct a 2-story single-family residential dwelling w/
crawlpace, driveway, and associated site improvements.

****Please see attached rider for more details regarding variance relief****

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 completed application form inclusive of any supporting information; and 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 Section 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

Coastal Habitat for Humanity
(Insert Applicant's Name)

being of full age, being duly sworn according to

Law, on oath depose and says that all the above statements are true.

Heather E. Schulze Executive Director
(Original Signature of Applicant to be Notarized)

Coastal Habitat for Humanity

Heather E. Schulze
(Print Name of Applicant)

Sworn and subscribed before me this

17th day of November, 2021

[Signature]
Signature of Notary Public

MAURA L COMER
Notary Public, State of New Jersey
My Commission Expires
February 27, 2024
[NOTARY SEAL]

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 _____
(Insert Planning Board or Zoning Board of Adjustment)

IN THE TOWNSHIP OF NEPTUNE, STATE OF NEW JERSEY, COUNTY OF MONMOUTH.

I/WE, _____, WITH MAILING ADDRESS OF
(Insert Property Owner's Name)

_____ OF FULL AGE BEING DULY
(Insert Property Owner's Mailing Address)

SWORN ACCORDING TO LAW AND OATH DEPOSES AND SAYS:

“I/WE 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 the subject property)

I/WE AUTHORIZE _____
(Insert name of Owner(s)' representative appearing before the Board)

TO APPEAL TO THE PLANNING/ZONING 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 ANY DECISION OF THE PLANNING/ZONING 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 Owner to be Notarized)

(Original Signature of Owner 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/Zoning Board of Adjustment, any of said of Board's professionals or reviewing agencies of the Board to enter upon the property which is the subject matter of this application, during daylight hours, for limited purpose of viewing same to report and comment to the Board as to the pending application.

Date: 11/17/21 *Heather Chhuf* *Executive Director*
Signature of Property Owner
Coastal Habitat for Humanity

STATEMENT FROM TAX COLLECTOR

Block 608 **Lot** 9
Property Location 1742 Bangs Avenue, Township of Neptune, Monmouth County, NJ 07753
Status of municipal taxes _____
Status of assessments for local improvements _____
Date: _____
Authorized Signature of Tax Collector

Escrow Agreement

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

The amount of the Escrow Deposit will be determined by the Neptune Township Land Development Ordinance, section 1000 Application and Escrow Fee, 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; applicant will be notified of any anticipated charges and the amount of the 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, applicant will be considered to be in default, and such default may jeopardize appearance before the Board of hold up any and all pending approvals and building permits. Continued refusal will result in legal action against the property.

Also 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 Section 1000, Application and Escrow Fees and agree to all conditions listed.

Name of Applicant: Coastal Habitat for Humanity, Inc.
[please print]

Property Address: 1742 Bangs Avenue, Township of Neptune, Monmouth County, New Jersey 07753 Block 608 Lot 9

Applicant's Name: Coastal Habitat for Humanity, Inc.
[Print Name]

Heather Ehrlich Executive
[Signature of Applicant] Director

Owner's Name: Coastal Habitat for Humanity, Inc.
[Print Name]

Heather Ehrlich Coastal Habitat
[Signature of Owner] for Humanity

Date: 11/17/21

**RIDER TO BULK “C” VARIANCE APPLICATION
TOWNSHIP OF NEPTUNE ZONING BOARD OF ADJUSTMENT
COASTAL HABITAT FOR HUMANITY, INC.
1742 BANGS AVENUE NEPTUNE, NJ 07753
A/K/A BLOCK 608, LOT 9**

Coastal Habitat for Humanity, Inc. (the “**Applicant**”) submits this application for bulk “C” variance relief pursuant to N.J.S.A. 40:55D-70(c)(1). The project is located at 1742 Bangs Avenue on property known and identified as Block 608, Lot 9 on the Township of Neptune tax map (the “**Property**”). The Property is located in the R-4 Residential Zone. The Property is presently vacant and undeveloped.

In or February 2021, the Applicant submitted an application to the Township of Neptune Zoning Department. On March 10, 2021, the application was denied finding that engineering review was required and that the project does not comply with all requirements of the Land Development Ordinance. (See copy of Zoning Permit Denial dated March 10, 2021, annexed hereto as “**Exhibit A**”).

The Applicant now seeks bulk “C” variance relief pursuant to N.J.S.A. 40:55D-70(c)(1) to: (1) permit a lot area of 2,500 square feet where a minimum lot area of 5,000 square feet is required; (2) permit an improvable lot area of 750 square feet where a minimum improvable lot area of 1,200 square feet is required; (3) permit an improvable diameter of 10’ where a minimum improvable diameter of 23’ is required; (4) for a lot width of 25’ where a minimum lot width of 50’ is required; (5) for a minimum lot frontage of 25’ where a minimum lot frontage of 50’ is required; (6) for a minimum side yard setback of 4.66’ to the eastern property line where a minimum side yard setback of 5’ is required; (7) for a combined side yard setback of 9.66’ where a combined side yard setback of 15’ is required; and (8) for providing one off-street parking stall where a minimum of two off-street parking stalls are required.

LEGAL ANALYSIS

N.J.S.A. 40:55D-70(c)(1) provides for what is frequently referred to as a “hardship” or “(C)(1)” variance where: “(a) by reason of exceptional narrowness, shallowness or shape of a specific piece of property or...(c) by reason of an extraordinary and exceptional situation uniquely affecting a specific piece of property...the strict application of any regulation [of the Municipal Land Use Law] would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardship upon, the developer of such property, the board shall have the power to grant, upon an application or an appeal relating to such property, a variance from such strict application of such regulation so as to relieve such difficulties or hardship.” In cases where there is no grandfather clause for building upon undersized lots in the ordinance, the owner of an isolated undersized lot will require a hardship variance pursuant to N.J.S.A. 40:55D-70(c)(1) to build upon the lot. The Applicant’s request for variance relief is justified as a hardship based on the existing size and dimensions of the Property. The grant of this relief will not cause detriment to the intent and purpose of the Township of Neptune Code or the public good as the project is consistent with the surrounding residential neighborhood and zone map. The Applicant respectfully requests that the Zoning Board of Adjustment consider the Application as amended

to include any variances, waivers, design exceptions or other relief that the Board or Township's professional staff may deem necessary or required in the review and approval of this application.