



Fee Date: 03/08/2023
Check #: 9839
Cash: 0

ZONING REVIEW

ID: 560416512

Date: 03/13/2023

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 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 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.

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: 300 HOOVER RD Block: 802 Lot: 3 Zone: R-2
- Applicant Name:** Mark A. Steinberg, Esquire **Phone No.** (732)774-5665 **Fax No.**
Applicant's Address: 685 Neptune Boulevard Neptune Township, NJ 07753
Email: msteinb517@aol.com
- Property Owner Name:** LORING, MATTHEW **Phone No.** [REDACTED] **Fax No.**
Property Owner's Address: 300 HOOVER ROAD 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.**

"Revised as built survey 2/7/23 showing fence location from setback and/or right of way; Showing entire pool setbacks and steps shown with dimension and setback; Showing new driveway with dimensions and prior dimensions and setback; Showing lot coverage calculations with new driveway, pool steps and remaining structures."
- 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: 0

Lot Coverage: 0 (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:

03/13/2023 **ZONING VIOLATION REMEDIATION:**

The applicant has submitted this Zoning Permit Application to remediate zoning violations issued for 300 Hoover Road and 2070-2100 Route 66, in March of 2021.

ZONING VIOLATIONS NOTED:

@ 300 Hoover Road:

- Construction of a Driveway without first acquiring zoning approval.
- Construction of a Nonconforming Fence without first acquiring zoning approval.
- Expansion of a Nonconforming Swimming Pool without first acquiring zoning approval.
- Construction of an Accessory Structure (Outdoor Cooking Area) without first acquiring zoning approval.
- Construction of a Retaining Wall without first acquiring zoning approval.
- Changes to the Total Lot Coverage without first acquiring zoning approval.
- Disturbance of land without first acquiring Department of Engineering approval.

@2070-2100 Route 66:

- Construction of a Nonconforming Fence without first acquiring zoning approval.
- Construction of a Nonconforming Accessory Structure (Sand Box) without first acquiring zoning approval.
- Construction of a Nonconforming Accessory Structure (W.F. Pergola) without first acquiring zoning approval.
- Construction of a Nonconforming Storage Shed w/ "wood ramp" without first acquiring zoning approval.
- Changes to the Total Lot Coverage without first acquiring zoning approval.
- Disturbance of land without first acquiring Department of Engineering approval.

This zoning permit application resubmission consists of:

- Two (2) copies of the Zoning Permit Application with \$35 fee;
- One (1) copy of a letter of correspondence;
- Two (2) copies of a Survey of Property by Landmark Surveying and Engineering, Inc., dated 02-07-2023;

The applicant describes the zoning related work in detail:

"Revised as built survey 2/7/23 showing fence location from setback and/or right of way;
Showing entire pool setbacks and steps shown with dimension and setback;
Showing new driveway with dimensions and prior dimensions and setback;
Showing lot coverage calculations with new driveway, pool steps and remaining structures."

The applicant and property owner certify that the premises has never been the subject of any prior application to the Zoning Board of Adjustment or Planning Board.

300 Hoover Road is located within the R-4 Zoning District.

2070-2100 Route 66 is located within the C-1 Zoning District.

The zoning use of 300 Hoover Road is a Detached Single Family Residence.

The zoning use of 2070-2100 Route 66 is a "Retail Shopping Plaza for Permitted Uses within the Zoning District".

The zoning uses on the property include:

- 1 Florists (453110) = Bespoke Floral & Event Design Inc
- 2 Automotive Parts, Accessories and Tire Stores (4413) = Mavis Tire
- 3 Depository Credit Intermediation (Banks) (5221) = First Atlantic Federal Credit Union
- 4 Wireless Telecommunications Carriers (except Satellite) = T Mobile
- 5 Tobacco Stores (453991), and All Other Miscellaneous Store Retailers (except Tobacco Stores): Electronic cigarette stores (453998) = Tangled Up In Green
- 6 Medicinal & botanical manufacturing (325411), Pharmaceutical preparation manufacturing (325412), Research Laboratory (541715), and Class 5 – Cannabis Retailer = ZenLEAF
- 7 Medicinal & botanical manufacturing (325411), Pharmaceutical preparation manufacturing (325412), Research Laboratory (541715), and Class 5 – Cannabis Retailer = ZenLEAF

Work has been performed in reference to:

- Zoning Permit Application Information Sheet;
- Nonconforming Uses, Structures, and Lots;
- Driveway Design Standards;
- Fence Requirements;
- Swimming Pool Requirements;
- Accessory Structures (Outdoor Cooking Area, Sand Box, & W.F. Pergola);
- Slope Regulations and Retaining Wall Requirements;
- Retaining Wall Requirements;
- Storage Sheds;
- Bulk Regulations: Total Lot Coverage.

Zoning Permit Application Information Sheet;

ZONING NOTES:

- A copy of the Plan of Survey by Brunswick West, Inc, dated 03-17-2006, for 300 Hoover Road is being included with this zoning determination. This survey was received from Mr. Loring with the 08-16-2012 zoning permit application submission to construct residential additions. The intent of this survey was to display the existing conditions of the property for the 08-16-2012 zoning permit application submission.

- A copy of the Plan of Survey by Brunswick West, Inc, dated 03-17-2006, modified by David Cochran, AIA for 300 Hoover Road is being included with this zoning determination. This plan displays the proposed conditions of the property for the 08-16-2012 zoning permit application submission.

- A copy of a plan by East Point Engineering, LLC, dated 04-23-2014 for 300 Hoover Road is being included with this zoning determination. This plan was submitted to the zoning department as the final As-Built plan for the zoning final CO review.

- A copy of the As-Built Survey Map by Rodolfo Pierri P.L.S., dated 03-16-2021 for 300 Hoover Road is being included with this zoning determination. This plan displays the As-Built condition of the property on 03-16-2021.

Nonconforming Uses, Structures, And Lots;

Please reference Land Development Ordinance section 422.

ZONING NOTES:

- Per the Plan of Survey by Brunswick West, Inc, dated 03-17-2006, for 300 Hoover Road: the "Metal Shed" was nonconforming as it did not meet the current setback requirements and encroached onto the 2070-2100 Route 66 property; the fences were nonconforming as they did not meet the current requirements (chain link fences were prohibited within the front yard area), and presented with encroachments into the Township Right-Of-Way, and onto the 2070-2100 Route 66 property; the "Block Wall" was nonconforming as it did not meet the setback requirements, and encroached onto the 2070-2100 Route 66 property; the "Pool" was nonconforming as it did not meet the location and setback requirements, and; the "Concrete Driveway" was nonconforming as it did not comply with the driveway sight triangle requirements.

- The property owner had constructed an Accessory Structure ("W.F. Pergola") on the 2070-2100 Route 66 property. The property owner has remediated this zoning violation by removing the Accessory Structure ("W.F. Pergola") from the 2070-2100 Route 66 property.

- The property owner has constructed an Accessory Structure (Outdoor Cooking Area) on the 300 Hoover Road property. The applicant and property owner dispute that the retaining wall meets the LDO requirements, the impervious coverage, "brick" area, meets the LDO requirements, and the outdoor grill is movable.

- The property owner had replaced the Nonconforming "Metal Shed" that encroached onto the 2070-2100 Route 66 property and replaced it with a larger Nonconforming Storage Shed with wood ramp on the 2070-2100 Route 66 property. The property owner has remediated this zoning violation by removing the Nonconforming Storage Shed with wood ramp from the 2070-2100 Route 66 property.

- The property owner had constructed an Accessory Structure (sand box) on the 2070-2100 Route 66 property. The property owner has remediated this zoning violation by removing the Accessory Structure (sand box) from the 2070-2100 Route 66 property.

- The property owner indicates that the "Block Wall", in the side yard area, which presents with encroachment onto the 2070-2100 Route 66 property, was existing prior to him purchasing the property. The property owner indicates that he has not reconstructed or performed construction to that wall.

- The property owner has expanded the Nonconforming Driveway maintaining noncompliance with the driveway sight triangle. The property owner is seeking a variance from the Zoning Board of Adjustment to keep the driveway expansion and obstruction of the driveway sight triangle.

- The property owner has replaced the "Block Wall", proximal to the Driveway, with a new structural retaining wall, extending it beyond the property line and into the Township Right-Of-Way. The property owner is seeking a variance from the Zoning Board of Adjustment to keep the portion of the new structural retaining wall on the property.

- The property owner has replaced the Nonconforming Fences on the property, in the Township Right-Of-Way, and on the 2070-2100 Route 66 property with new Nonconforming Fences. The Fences constructed on 300 Hoover Road are solid in the front yard area and exceed the maximum permitted 4' height requirement. The property owner is seeking a variance from the Zoning Board of Adjustment to keep the noncompliant fence on the property. The applicant and property owner do not identify how they intend to remediate enclosing the nonconforming swimming pool area on the property, without using the fence encroaching into the Township Right-Of-Way, and the fence encroaching onto the 2070-2100 Route 66 property.

- The property owner has expanded the Nonconforming Swimming Pool. The expanded portion of the Nonconforming Swimming Pool does not meet the current setback requirements. The property owner is seeking a variance from the Zoning Board of Adjustment to keep the Nonconforming Swimming Pool.

Driveway Design Standards;

Please reference Land Development Ordinance section 505-B.

ZONING NOTES:

- The applicant demonstrates the expanded driveway meets the Width requirements.
- The applicant demonstrates the expanded driveway meets the Location requirements.
- The applicant does not demonstrate compliance with this section of the Land Development Ordinance as the Driveway Construction Specification, Grading, Apron, and Side Slopes information were not provided with this zoning permit application submission.
- The applicant does not demonstrate compliance is being met with the Driveway Clear Sight Triangle requirement, in this zoning permit application submission. The "Concrete Driveway" was nonconforming as it did not comply with the driveway sight triangle requirements. The property owner has expanded the Nonconforming Driveway maintaining noncompliance with the driveway sight triangle. The property owner is seeking a variance from the Zoning Board of Adjustment to keep the driveway expansion and obstruction of the driveway sight triangle on the property.

Fence And Wall Requirements;

Please reference Land Development Ordinance section 412.07-B.

ZONING NOTES:

- The fences were nonconforming as they did not meet the current requirements (chain link fences were prohibited within the front yard area), and presented with encroachments into the Township Right-Of-Way, and onto the 2070-2100 Route 66 property. The property owner has replaced the Nonconforming Fences on the property, in the Township Right-Of-Way, and on the 2070-2100 Route 66 property with new Nonconforming Fences. The Fences constructed on 300 Hoover Road are solid in the front yard area and exceed the maximum permitted 4' height requirement. The property owner is seeking a variance from the Zoning Board of Adjustment to keep the noncompliant fence on the property. The applicant and property owner do not identify how they intend to remediate enclosing the nonconforming swimming pool area on the property, without using the fence encroaching into the Township Right-Of-Way, and the fence encroaching onto the 2070-2100 Route 66 property.

Swimming Pool Requirements;

Please reference Land Development Ordinance section 411.12.

ZONING NOTES:

- The "Pool" was nonconforming as it did not meet the location and setback requirements. The property owner has expanded the Nonconforming Swimming Pool. The expanded portion of the Nonconforming Swimming Pool does not meet the current setback requirements. The property owner is seeking a variance from the Zoning Board of Adjustment to keep the Nonconforming Swimming Pool.

Accessory Structures (Outdoor Cooking Area, Sand Box, & W.F. Pergola)

Please reference Land Development Ordinance section 412.01.

ZONING NOTES:

- The property owner had constructed an Accessory Structure ("W.F. Pergola") on the 2070-2100 Route 66 property. The property owner has remediated this zoning violation by removing the Accessory Structure ("W.F. Pergola") from the 2070-2100 Route 66 property.
- The property owner has constructed an Accessory Structure (Outdoor Cooking Area) on the 300 Hoover Road property. The applicant and property owner dispute that the retaining wall meets the LDO requirements, the impervious coverage, "brick" area, meets the LDO requirements, and the outdoor grill is movable.
- The property owner had replaced the Nonconforming "Metal Shed" that encroached onto the 2070-2100 Route 66 property and replaced it with a larger Nonconforming Storage Shed with wood ramp on the 2070-

2100 Route 66 property. The property owner has remediated this zoning violation by removing the Nonconforming Storage Shed with wood ramp from the 2070-2100 Route 66 property.

- The property owner had constructed an Accessory Structure (sand box) on the 2070-2100 Route 66 property. The property owner has remediated this zoning violation by removing the Accessory Structure (sand box) from the 2070-2100 Route 66 property.

Slope Regulations and Retaining Wall Requirements;

Please reference Land Development Ordinance section 421.

ZONING NOTES:

- The property owner has replaced the "Block Wall", proximal to the Driveway, with a new structural retaining wall, extending it beyond the property line and into the Township Right-Of-Way. The property owner is seeking a variance from the Zoning Board of Adjustment to keep the portion of the new structural retaining wall on the property.

Retaining Wall Requirements;

Please reference Land Development Ordinance section 527.

ZONING NOTES:

- The property owner has replaced the "Block Wall", proximal to the Driveway, with a new structural retaining wall, extending it beyond the property line and into the Township Right-Of-Way. The property owner is seeking a variance from the Zoning Board of Adjustment to keep the portion of the new structural retaining wall on the property.

Storage Sheds;

Please reference Land Development Ordinance section 411.11.

ZONING NOTES:

- The "Metal Shed" was nonconforming as it did not meet the current setback requirements and encroached onto the 2070-2100 Route 66 property. The property owner had replaced the Nonconforming "Metal Shed" that encroached onto the 2070-2100 Route 66 property and replaced it with a larger Nonconforming Storage Shed with wood ramp on the 2070-2100 Route 66 property. The property owner has remediated this zoning violation by removing the Nonconforming Storage Shed with wood ramp from the 2070-2100 Route 66 property.

Bulk Regulations: Total Lot Coverage;

Please reference the Bulk Regulations for the R-2 Zoning District.

ZONING NOTES:

- Per the Building Permit Plot Plan by East Point Engineering, LLC, dated 04-23-2014, the applicant indicates the Total Lot Coverage to be 39.28%. The applicant did not provide coverage calculations for the present day conditions of the property. The applicant does not demonstrate compliance with the Coverage Requirements.

Zoning Board of Adjustment approval is required for the above indicated noncompliance.

Status

Approved

Denied

Referrals

Construction HPC Engineering Planning Board Zoning Board Mercantile Code Enforcement