



Fee Date: 01/18/2024
Check #:
Cash: 0

ZONING REVIEW

ID: 564426279

Date: 01/22/2024

Fee: \$ 35.00

PROPOSED WORK

- Adding a New Use to a Property
- Air Condensor Unit(s)
- Commercial Addition
- Continuing/Changing Use
- Deck/Balcony
- Driveway / Sidewalk / Apron
- Fence/Retaining Wall
- Other: _____
- Home Occupation
- Interior Remodel - Comm / Res
- New Accessory Structure
- New Commercial Business
- New Ownership of Property/Business
- New Residence
- Porch
- Private Garage
- Residential Addition
- Signs
- Solar
- Storage Shed
- Swimming Pool/Hot Tub
- Zoning Determination

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.

1. **Location of property for which zoning permit is desired:**
Street Address: 23 WEBB AVE **Block:** 228 **Lot:** 16 **Zone:** HD-O
2. **Applicant Name:** JOSEPH JANKOWSKI **Phone No.** [REDACTED] **Fax No.** [REDACTED]
Applicant's Address: [REDACTED]
Email:
3. **Property Owner Name:** 23 WEBB, LLC **Phone No.** **Fax No.**
Property Owner's Address: 23 WEBB AVENUE OCEAN GROVE, NJ 07756
Email:
4. **Present Approved Zoning Use of the Property:** Detached Single Family Residence
5. **Proposed Zoning Use of the Property:** Bed & Breakfast Homestay
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.**
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: 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:

01/22/2024 The property is located within the HD-O Zoning District.

The zoning use of the property is a Detached Single Family Residence.

The applicant and property owner affirm that the premises have not undergone any previous application to a Board of Jurisdiction (Zoning Board of Adjustment or Planning Board). It is acknowledged by the applicant and property owner that the Zoning Board of Adjustment and the Planning Board function as independent administrative municipal agencies, possessing the authority to adjudicate requests for deviations from the established Land Development Ordinance.

Furthermore, the applicant and property owner recognize that any variances granted by a Board of Jurisdiction (whether the Zoning Board of Adjustment or Planning Board) are binding throughout the property's existence. Such variances may include conditions and/or restrictions relating to the property's use and/or structures.

Zoning Permit;

Neptune Township Land Development Ordinance section 1102-A states:

- A When required. A zoning permit shall be issued prior to:
 - 1 The commencement or change of use of a property, building or structure;
 - 2 The occupancy of any building or structure;
 - 3 The construction, erection, reconstruction, alteration, conversion, or installation of any building or structure;
 - 4 Issuance of a Certificate of Appropriateness, where applicable.

ZONING NOTES:

- The applicant has submitted this zoning permit application indicating a proposed change in use of the property from a Detached Single Family Residence into a Conditional Bed & Breakfast Homestay and merge it with the Nonconforming Hotel with 16 rooms (identified as the Shore Inn at Ocean Grove), located at 27 Webb Avenue. The applicant does not intend to merge the two separate properties into one (1) property.

Bed & Breakfast Guesthouses and Homestays;

Bed and Breakfast guesthouses and homestays shall be permitted in the HD-O and B-3 Zone Districts provided the following supplementary regulations are met:

[NOTE: The B-3 Zone has been added as prescribed by an Amended Schedule A-2 per Ordinance No. 03-035]

A The building is comprised of a structure originally constructed as a private residence, hotel or a bed and breakfast;

ZONING NOTES:

- The building is comprised of a structure originally constructed as a private residence.

B Guesthouses shall includes individual sleeping accommodations for fifteen (15) or fewer guests;

ZONING NOTES:

- N/A

C Homestays shall include individual sleeping accommodations for five (5) or fewer guests;

ZONING NOTES:

- The applicant indicates proposed interior remodeling generating four (4) rooms.

D At least one (1) dwelling unit is occupied by the owner of the facility as his/her place of residence during any time the facility is being used for the lodging of guests;

ZONING NOTES:

- The applicant does not identify that at least one (1) dwelling unit is occupied by the owner of the facility as his/her place of residence during any time the facility is being used for the lodging of guests. The applicant does not demonstrate compliance. A variance is required from the Zoning Board of Adjustment.

E The principal structure has not less than three hundred (300) square feet of common area for the exclusive use of guests, including but not limited to parlors, dining rooms, libraries and solariums;

ZONING NOTES:

- The applicant did not provide plans with calculations demonstrating compliance with this Land Development Ordinance requirements. A variance is required from the Zoning Board of Adjustment.

F Cooking and smoking in guests rooms is prohibited;

ZONING NOTES:

- The applicant did not confirm that cooking and smoking in guests rooms is prohibited. A variance is required from the Zoning Board of Adjustment.

G The facility provides a meal to the guests in the forenoon of each day, but does not operate as a restaurant open to the general public;

ZONING NOTES:

- The applicant did not confirm that the facility provides a meal to the guests in the forenoon of each day but does not operate as a restaurant open to the general public. A variance is required from the Zoning Board of Adjustment.

H The facility is not a "rooming house" or "boarding house" as defined by N.J.S.A. 55:13B-3;

ZONING NOTES:

- The applicant identifies the premises to be a proposed bed and breakfast homestay.

I The facility is not within two hundred (200') feet of an existing bed and breakfast on the same street; and,

ZONING NOTES:

- The applicant did not provide the appropriate plan demonstrating compliance with this Land Development Ordinance requirement. A variance is required from the Zoning Board of Adjustment.

J The facility does not allow:

1 Any guest to remain for a period of more than one hundred twenty-four (124) days between May 15 and September 15 in given calendar year;

2 Any guest to remain more than thirty (30) successive days, or more than sixty (60) days of any period of ninety (90) successive days between September 15 and May 15.

ZONING NOTES:

- The applicant did not provide any documentation certifying they intend to comply with this Neptune

Township Land Development Ordinance requirement. A variance is required from the Zoning Board of Adjustment.

K Bed and Breakfast Guesthouses and Homestays shall be located north of Main Avenue, including those properties fronting on both sides Main Avenue.

ZONING NOTES:

- 23 Webb Avenue is located south of Main Avenue. The applicant does not demonstrate compliance with this Neptune Township Land Development Ordinance requirement. A variance is required from the Zoning Board of Adjustment.

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This zoning permit application is denied.

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Zoning Board of Adjustment approval is required.

Status

Approved Denied

Referrals

Construction HPC Engineering Planning Board Zoning Board Mercantile Code Enforcement