

Zoning Permit



ACCESSORY STRUCTURE (\$35)	PORCH/DECK/BALCONY/ENTRY PLATFORM (\$35)
COMMERCIAL/RESIDENTIAL ADDITION (\$35)	RETAINING WALL (\$35)
CONTINUING THE USE/OCCUPANCY OF A PROPERTY, BUILDING OR STRUCTURE UNDER NEW BUSINESS/PROPERTY OWNERSHIP (\$35)	SIGN (\$35)
DRIVEWAY (\$35)	SOLAR PANEL (\$35)
FENCE (\$35)	STARTING/CHANGING A USE/OCCUPANCY OF A PROPERTY, BUILDING, OR STRUCTURE (\$35)
HISTORIC DISTRICT: AC UNIT/GENERATOR/EXHAUST FAN (\$35)	STORAGE SHED (\$35)
IMPERVIOUS COVERAGE (\$35)	SUBDIVISION (\$35)
INTERIOR REMODELING (\$35)	SWIMMING POOL/HOT TUB/TENNIS COURT (\$35)
NEW PRINCIPAL STRUCTURE (\$35)	ZONING DETERMINATION LETTER (\$35)

✓ OTHER: _____ (\$35)

*Indicate location, height, and type of fence or wall on survey / plot plan.

PLEASE REVIEW THE ZONING PERMIT INFORMATION SHEET, AND ALL APPLICABLE LAND DEVELOPMENT ORDINANCE REQUIREMENTS, PRIOR TO COMPLETING THIS APPLICATION

The Neptune Township Zoning Map, Land Development Ordinance and its amendments can be located online at www.neptunetownship.org/departments/land-use.

As per the Neptune Township Land Development Ordinance Section 1102, a Zoning Permit shall be issued prior to the commencement or change of use of a property, building or structure; the occupancy of any building or structure; the construction, erection, reconstruction, alteration, conversion, or installation of any building or structure; or the issuance of a Certificate of Appropriateness, where applicable.

PLEASE NOTE: If any of the requested information is submitted incomplete, this application shall be returned, unprocessed.

PLEASE PRINT CLEARLY:

1. Block: 201	Lot: 4	Zoning District: HDB1	
2. Property Address: 98 LAWRENCE AVE			
3. Current Property Owner Information:			
<u>(AS IDENTIFIED ON THE TAX ASSESSORS RECORD)</u>		Applicant Information:	
Name: SRT2 REALTY, LLC	Name: SRT2 REALTY, LLC		
Address: 98 LAWRENCE AVENUE	Address: [REDACTED]		
OCEAN GROVE, NJ 07756	P [REDACTED]		
Phone: [REDACTED]	Phone: [REDACTED]		
Email Address: _____	Email Address: _____		

- | | | | |
|-------|--------------------------------------|------------------------------------|---|
| 4. | Present zoning use of the property: | Nonconforming Two Family Residence | |
| <hr/> | | | |
| 5. | Proposed zoning use of the property: | Nonconforming Two Family Residence | <input checked="" type="checkbox"/> Unchanged |
| <hr/> | | | |

Zoning Permit

6. Describe in detail all zoning related activities you are proposing.

(PROVIDE DETAILED DESCRIPTION ON ADDITIONAL PAGES IF NECESSARY)

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 #: _____

(SUBMIT A COPY OF THE RESOLUTION WITH THE BOARD SIGNED PLANS WITH THIS APPLICATION SUBMISSION)

8. For all exterior work pertaining to additions and accessory structures, excluding fences, please provide:

Building Coverage: 0 _____ % Lot Coverage: 0 _____ %

-----FOR OFFICE USE-----

Zoning Review Notes:

04/15/2024

The applicant indicates the premises to be located within the "B-1" Zoning District. This is inaccurate. Indicating the correct Zoning District is pertinent to the Zoning Review process. The property is correctly located within the HD-B-1 Zoning District.

The applicant indicates the zoning use of the property to be "Residential". This is inaccurate. Indicating the correct zoning use of the property is pertinent to the zoning review process. The correct zoning use of the property is a

Nonconforming Two Family Residence. The property consist of two (2) buildings, each containing one (1) unit residential.

The applicant and property owner affirm that the premises have not undergone any previous application to a Board of Jurisdiction, including the 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 Permits;

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 identifying the proposed construction of a residential addition.
- The applicant has submitted this zoning permit application identifying the proposed construction of a Porch attached to the rear of the principal structure.
- The applicant has submitted this zoning permit application identifying the proposed construction of projections.
- The applicant has submitted this zoning permit application identifying the proposed changed to the total lot coverage.

Zoning Permit Application Information Sheet;

With each Zoning Permit Application, you are required to submit the following:

For all projects within the Historic Zoning Districts:

- **Four (4) copies of a current survey/site plan**
- **Four (4) sets of construction plans.**

For all projects outside of the Historic Zoning Districts:

- Three (3) copies of a current survey/site plan
- Three (3) sets of construction plans.

Surveys must depict existing conditions, including the exact location of physical features such as metes and bounds, drainage, waterways, specific utility locations, and easements—all drawn to scale. All surveys must be prepared by a land surveyor. The survey information may be transposed to a site plan if the date of the survey, the preparer, and the project owner are noted on the site plan.

Vegetation, general flood plain determinations, or the general location of existing utilities, buildings, or structures may be shown by an architect, planner, engineer, land surveyor, certified landscape architect, or another 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
- Any other information regarding the lot and neighboring lots necessary to determine and enforce the Neptune Township Land Development Ordinance.

ZONING NOTES:

- The applicant did not provide the appropriate plans with this zoning permit application submission. The applicant omitted displaying

the existing and proposed Projections on the submitted Plot Plan. The applicant did not provide the appropriate construction plans displaying the existing conditions of the property.

Nonconforming Uses, Structures, and Lots;

Neptune Township 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 use of the property is nonconforming as it does not comply with the Neptune Township Land Development Ordinance requirements.

- The Principal Structures are nonconforming as they do not comply with the Neptune Township Land Development Ordinance requirements.

- The applicant/property owner certifies that the premises has not undergone any previous application to a Board of Jurisdiction (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.

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 reputedly 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.

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.

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.

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 indicates the proposed construction of a residential addition and porch to an existing nonconforming structure, expanding the nonconformity. Zoning Board of Adjustment approval is required. This zoning permit application is denied.

The applicant is proposing the expansion of a Nonconforming Use and Nonconforming Structures.

Zoning Board of Adjustment review and approval is required.

-

This zoning permit application is denied.

Status

Approved Denied

Referrals

Construction HPC Engineering Planning Board Zoning Board Mercantile Code Enforcement