

Neptune Township
25 Neptune Blvd.
Neptune, New Jersey 07753
732-988-5200 ext. 278 Fax 732-988-4259
www.neptunetownship.org



Application # _____ / _____ / _____
Date Filed _____ / _____ / _____
Hearing Date _____ / _____ / _____

Application for Use and/or Bulk Variances

Type of Variance Requested:

- Bulk Variance [front, side/rear setback, other] Specify FRONT HOUSE - 2.46 Side YARD + EXIST
REAR HOME Side YARD - 3'9" EXIST
REAR YARD 1'10"
- Bulk Variance [Lot Coverage] _____
- Use Variance [proposal not permitted in zone] USE VARIANCE - 2 dwellings in single
- Appeal/Interpretation of Decision 1-2-20 Famil
- Other, Specify ZONE

1. Property Address: 1312 7th Ave
2. Block 416 Lot 6
3. Property is located in R-4 Zoning District according to the Neptune Twp. Land Ordinance.
4. Name of applicant: James Alburts
Mailing address: 902 MAIN STREET Belmar NJ 07719
Phone # 732-280-1444 Fax # 732-280-5504 Cell # 732-522-1243
E-mail address: alburts AT yahoo.com
5. Name of owner: Thomas Palmisano
Mailing address: 300 12th Ave Belmar NJ 07719
Phone # 732-698-5474 Fax # _____ Cell # 732-698-5474
E-mail address: Kristen AT Shark River REALTY.com
6. Name of contact person: Jim Alburts
Mailing address: 902 MAIN STREET Belmar NJ 07719
Phone # 732-280-1444 Fax # 732-280-5504 Cell # 732-522-1243
E-mail address: alburts AT yahoo.com
7. Interest of applicant, if other than owner: CONTROLLER
Attorney - George McGill
708 10th Ave
Belmar NJ 07719
732-419-9000
gdm AT mcgill h211.com

Detailed Information:

- Existing use of property: MULTI - Family
- Proposed use of property: MULTI - Family
- Special Flood Hazard Area: N/A

Principal Use:

| | Required and/or Permitted | Existing | Proposed |
|-----------------------|---------------------------|------------|------------|
| Lot Size | 5,000 SF | 2,500 SF | 5,000 SF |
| Lot Coverage | 65% | 38.2% | 38.2% |
| Building Coverage | 50% | 30% | 30% |
| Building Height | 35 | 26 | 26 |
| Front Setback | 20 | 24.44 | 24.44 |
| Rear Setback | 30 | 81.5 | 81.5 |
| Side Setback | 5/15 TOTAL | 2.46/24.44 | 2.46/24.44 |
| Combined Side Setback | 15 | 26.90 | 26.90 |

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

Accessory: (If Applicable)

REAR HOME

| | Permitted | Existing | Proposed |
|-----------------------|-----------|------------|------------|
| Lot Size | | | |
| Lot Coverage | | | |
| Building Coverage | | | |
| Building Height | | 14'3" | 14'3" |
| Front Setback | | 112' | 112' |
| Rear Setback | | 1'16" | 1'10" |
| Side Setback | | 3'9"/22'6" | 3'9"/22'6" |
| Combined Side Setback | | 26'3" | 26'3" |

(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 _____

Result of decision _____

9. Justification/Reason(s) for variance(s) requested [be as specific as possible attach additional sheets as necessary]

OWNER HAD ARCHITECT DRAW PLANS TO REMODEL BOTH HOMES
OWNER'S CONTRACTOR DID NOT OBTAIN ZONING OR BUILDING APPROVAL
CONTRACTOR ADDED A BEDROOM OVER REAR ROOM OF FRONT HOUSE
SEEKING APPROVAL FOR ADDED ROOM - HOMES + WORK HAS IMPROVE
AESTHETIC OF PROPERTY AND NEIGHBORHOOD/STREET SCAPE IN GENERAL

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

James Alburus

(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.

James Alburus

(Original Signature of Applicant to be Notarized)

JAMES ALBURUS

(Print Name of Applicant)

Sworn and subscribed before me this

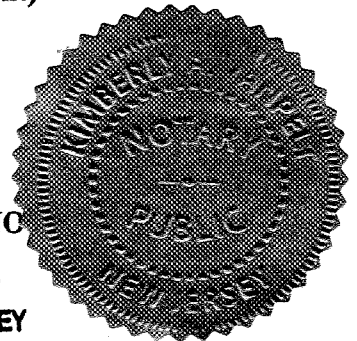
10th day of March, 2020

[Signature]

Signature of Notary Public

[INC]

KIMBERLY A. VANPELT
NOTARY PUBLIC OF NEW JERSEY
ID # 50032579



My Commission Expires 2/17/2021

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 checked="" 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 checked="" type="checkbox"/> Applicant's name, address, telephone number, facsimile number, and e-mail address (if applicable). <input checked="" type="checkbox"/> Property Owner's name, address, telephone number, facsimile number, and e-mail address (if applicable). <input checked="" type="checkbox"/> Applicant's interest in the property. <input checked="" 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 checked="" type="checkbox"/> Street address of the property <input checked="" type="checkbox"/> Tax lot and block numbers of the property <input checked="" type="checkbox"/> Zoning District in which the property is located. <input checked="" type="checkbox"/> Description of the property <input checked="" type="checkbox"/> Description of the proposed development. <input checked="" type="checkbox"/> Type of application <input checked="" type="checkbox"/> Provide identification of subject property/properties' Special Flood Hazard Area Zone <input checked="" type="checkbox"/> Executed copy of "Authorization & Consent Form" Part "C" <input checked="" type="checkbox"/> Executed copy of "Certificate of Ownership" Part "D", if applicable <input type="checkbox"/> Executed copy of "Certificate of Corporation/Partnership", if applicable <i>N/A</i> <input checked="" type="checkbox"/> Applicant/Owner to provide verification of taxes paid (this will be further verified by the Administrative Officer). <input checked="" type="checkbox"/> Executed copy of "Escrow Agreement" Part "E" |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 2. Twenty-five (25) copies of the property deed(s). |
| <input checked="" 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": |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | (a) Twenty-five (25) copies of current signed & sealed survey, prepared by a New Jersey Licensed Professional Land Surveyor. |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | b. Five (5) copies with initial submission and each subsequent submission for completeness review. |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <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 checked="" type="checkbox"/> | <input type="checkbox"/> | 5. Six (6) copies of Tree Removal Application package in accordance with Section §525 (if applicable). |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | 6. Community Impact Statement (for Use Variance only) |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 7. Application Fee \$ <u>750</u> Escrow Deposit \$ <u>1,500</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.

The Process:

After you submit your application, fees, and supporting documents, your application will be reviewed for completeness. At that time, you will receive a letter in the mail advising you whether or not your application is "complete". If your application is deemed "incomplete", please provide the additional information requested contained in the "incomplete" letter. If your application is deemed "complete", the letter will advise you of your hearing date.

It is helpful to the Board that you provide as much detailed information as possible regarding your proposal. Recent photos of the structure as it exists; showing front, sides, and rear of the property.

When you receive your hearing letter, you will receive further instructions regarding the process necessary to notify the public of your application and the notice requirement for the newspaper.

In general, the Board can make their decision at the first meeting/hearing unless the applicant has failed to provide sufficient information.

Once the Board has made a decision, a resolution will be prepared indicating the variance has been granted/denied, and then memorialized at the following hearing/meeting. Approximately two (2) to five (5) days after the memorialization of the resolution, it will be mailed to you or to your attorney (should you be represented by an attorney).

You will be required to public a notice in the newspaper of the "Decision of the Board". Publication can be done in the Township approved newspaper – the Coaster, 111 Main Street, Asbury Park, New Jersey 07719. The original "Affidavit of Publication" of your notice must be submitted to the Board Office once the publication has been published.

Also, please be aware than an objector of your application/approval has up to forty-five (45) days after your notice is published in the newspaper to file an appeal on the decision of the Board.

Please note application fees are NOT refundable whether your application has been approved or denied; however, any unused portion of your escrow deposit can be refunded. A written request must be received by the Board Office in order to begin the refund process.

Again if you have any questions or require assistance with the process, please contact the Board Office at 732-988-5200 Ext. 278.

PROPERTY DESCRIPTION IS AS FOLLOWS:

THE FRONT DWELLING , TWO STORY ,CONTAINED A FULL BASEMENT FOR UTILITIES, AS WELL AS AN EXISTING LIVING ROOM, KITCHEN, FULL BATH ON THE FIRST FLOOR. THE SECOND FLOOR CONTAINED AN EXISTING 13,4"BY 9,11" BEDROOM, AND A 10 X10 BEDROOM.

ALL EXISTING

AN ADDED THIRD BEDROOM WAS CONSTRUCTED OVER THE REAR KITCHEN AND BATH 10,9" X12,3", THUS CREATING THE NEED FOR EXPANDING A NON-CONFORMING USE BOARD OF ADJUSTMENT APPLICATION

THE EXISTING REAR DWELLING , A SINGLE STORY,CONTAINS A CRAWL SPACE FOUNDATION WITH A COMBO KITCHEN LIVING ROOM AREA, A FULL BATH, WASHER DRYER ROOM, AND TWO BEDROOMS MEASURING 9,7" X 14,5" AND 11,7"X 14,6'.

THERE IS AN EXISTING DRIVEWAY AS SHOWN ON THE SURVEY APPROX. 10 X 50 THAT THE PRIOR OCCUPANTS USED FOR PARKING.

THE END OF THE SHOWN DRIVEWAY IS GRAVEL AND SHOWS USE OF ADDED PARKING MARKS

50 FEET GIVES 2, NOT QUITE 3 LEGAL PARKING SPOTS AT 18 FEET DEEP .

3 CAR PARKING ON THE DRIVEWAY

THE EXIT FROM THE PROPERTY HAS BEEN AN EXISTING BACKING UP ONTO SEVENTH AVENUE.

CONCLUDED IMPACT STATEMENT

1. THE IMPACT ON THE AREA DOES CREATE WITH THE THIRD BEDROOM,A POSSIBLE INCREASE IN A SCHOOL AGE STUDENT.
2. IT SHOULD ALSO INCREASE THE TAX BASE FOR THE PROPERTY WITH THE ADDED THIRD BEDROOM ON THE FRONT DWELLING
3. THERE IS ROOM TO EXPAND THE DRIVEWAY WITH AN ADDITIONAL 50 FEET, ALONG WITH, IF APPROVED VIA ZONING, A REAR TURN AROUND AREA. THIS ADDED LENGTH WOULD HANDLE 5 LEGAL PARKING SPOTS, THUS INCREASING AND POSSIBLY MEETING THE PARKING REQUIREMENTS FOR BOTH DWELLINGS
4. THE EXTERIOR APPEARANCE OF THE DWELLINGS HAS RECEIVED MANY COMPLIMENTS AND SIGNIFICANTLY IMPROVED THE AREA, MUCH MORE THAN THE PRIOR APPEARANCE.
5. UPON ANY HOPEFUL FINALIZING OF THE ZONING BOARD MEETING AND PROPER CONSTRUCTION FINISH, PENDING THE TAX ASSESSORS REVIEW, SHOULD VASTLY INCREASE THE TAX RATE WHEN ASSESSED FOR SUCH PROPERTY.
6. THE NEIGHBORHOOD IS DOTTED WITH OLDER AND EXISTING MULTI FAMILY DWELLINGS SIMILAR TO THE LOT IN QUESTION IN THE SAME ZONE.
7. WITH ITEM 6 IN MIND,THE ADDITION OF AN ADDED BEDROOM HOPEFULLY SHOULD NOT INFLUENCE THE OVERALL IMPACT OF THE AREA.

RESPECTFULLY SUBMITTED,
JAMES ALBURTUS

James Alburtus

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: JAMES ALBERTUS
[please print]

Property Address: 1312 7th Avenue Block 414 Lot 6

Applicant's Name: JAMES ALBERTUS [Signature]
[Print Name] [Signature of Applicant]

Owner's Name: Thomas Palmisano [Signature]
[Print Name] [Signature of Owner]

Date: 5-13-00