

Zoning Permit

DENIED

BY: 14 DATE: 12/20/2024

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

- Block: 5603 Lot: 9 Zoning District: R-2
- Property Address: 404 CONCOURSE WEST
- Current Property Owner Information:
(AS IDENTIFIED ON THE TAX ASSESSORS RECORD) Applicant Information:
Name: James Connor Name: Michael & Traci Chervenak
Address: 2260 Route 33, Suite 1 Address: 404 WEST CONCOURSE
Neptune City, NJ 07753 NEPTUNE, NJ 07753
Phone: (732)618-7868 Phone: (732)685-5129
Email Address: jamesc@anchorarchitectural.net Email Address: jetgirl787@hotmail.com
- Present zoning use of the property: _____
- Proposed zoning use of the property: _____ ☒ Unchanged

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:

12/20/2024 The property is located within the R-2 Zoning District.

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

The applicant/property owner certifies that the promises has not been the subject previous application to a Board of Jurisdiction (Zoning Board of Adjustment or Planning Board).

ZONING NOTES:

- The applicant has submitted this zoning permit application indicating the proposed construction of new residential additions, reconfiguration/remodeling of the existing first floor, construction of a new Porch, construction of new decks, construction of an addition to the existing nonconforming driveway, and construction of a new private garage.

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.

- The existing Principal Structure is nonconforming as it does not comply with the current Neptune Township Land Development Ordinance requirements.

- The existing Driveway is nonconforming as it does not comply with the current Neptune Township Land Development Ordinance requirements.

Zoning Schedule B – Bulk Regulations: R-2 Zoning District;

Zoning Schedule B for the R-2 Zoning District states:

Minimum Lot Area: 10,000 Feet; the applicant indicates the lot area to be 6,872.68 sf which is a pre-existing, nonconforming condition.

Minimum Lot Width: 100 Feet; the applicant indicates the lot width to be 50 feet which is a pre-existing, nonconforming condition.

Minimum Lot Frontage: 100 Feet; the applicant indicates the lot frontage to be 62.42 feet which is a pre-existing, nonconforming condition.

Minimum Lot Depth: 100 Feet; the applicant indicates the lot depth to be 119.04 feet.

Front Yard Setback: 25 Feet; the applicant indicates the existing front yard setback to the principal dwelling is 34.7 feet and the proposed front yard setback to the principal dwelling is 30.92 feet; this is incorrect as it appears the existing front yard setback to the principal dwelling is 30 feet and the proposed front yard setback to the principal dwelling appears to be 35 feet.

Side Yard Setback: 10 Feet; the applicant indicates the existing and proposed side yard setbacks are 9.6 feet and 5 feet, both are pre-existing, nonconforming conditions.

Combined Side Yard Setback: 25 Feet; the applicant indicates the existing and proposed combined side yard setback to be 14.6 feet which is a pre-existing, nonconforming condition.

Rear Yard Setback: 30 Feet; the applicant indicates the existing and proposed rear yard setback 33.2 feet.

Maximum Percent Building Cover: 30%; the applicant indicates the existing building coverage is 19.1% and the proposed building coverage is 25.4%.

Maximum Percent Total Lot Cover: 40%; the applicant indicates the existing total lot coverage is 27.9% and the proposed total lot coverage is 39.85%.

Maximum Number of Stories: 2.5; the applicant indicates the existing number of stories is 1.5 and the proposed number of stories is 2.5.

Maximum Building Height: 35 Feet; the applicant indicates the existing building height to be 18.5 feet and the proposed to be 27.6 feet.

Land Development Ordinance Section 411.07A. Porches and Decks (in All Areas of Neptune Township Other Than Historic Districts).

A. Applicability. This subsection includes regulations for attached, accessory porches and decks located on properties used for residential purposes outside

the historic zone districts.

B. Deck Setbacks. For single family residential structures, a deck may extend no more than eight feet into the required front setback area, provided the principal structure conforms to the front yard setback requirement. For single family residential structures, a deck may extend no further than 15 feet into a required rear yard setback area, provided the principal structure conforms to the rear yard setback requirements. In no instance shall a deck be closer than 10 feet to a front, rear or side lot line. No deck for a residential structure may extend into a side setback area. No deck associated with a multi-family residential use may extend into any required setback area.

- The "proposed 198 s.f. terrace" in the rear yard area is mislabeled as it appears to be more than 12 inches above grade and therefore is defined as a deck. The proposed deck in the rear yard area complies with the Land Development Ordinance.

C. Porch Setbacks. For residential structures, a porch may extend no more than eight feet into the required front and/or rear setback area, provided the principal structure conforms to the front yard setback requirement. No porch for a residential structure may extend into a side setback area. No porch associated with any multi-family residential use may extend into any setback area. The front yard setback of a porch shall not be considered the front yard setback of the principal building to which it is attached.

- The proposed front porch does not meet the side yard setback of 10 feet; therefore, this zoning permit application is denied and Zoning Board of Adjustment review and approval is required.

- The "proposed 198 s.f. open porch" in the front yard area is mislabeled as it appears to be a deck as it does not have a roof structure above it and it is more than 50 s.f. in area therefore not an entry platform; however, the proposed deck in the front yard area meets the Land Development Ordinance requirements for setbacks.

D. Enclosure. A porch shall not be heated or air-conditioned and at least 50% of the exterior wall area shall be open and non-glazed.

E. Entry Platforms. Any entry platform not more than six feet in height above the average finish grade, nor greater than 50 square feet in area, may project six feet into a required front yard and not more than four feet into any required side yard.

Driveway Design Standards;

Neptune Township Land Development Ordinance section 505 states:

A Applicability. This article shall apply to all applications for development.

B Design standards. The following standards shall be used to prepare and review any development plan that involves the construction of a new driveway or the expansion or repair of an existing driveway.

1 Lot access. Every use shall have driveway access to a street, except for historic zone districts. Such access shall be designed for the safety, control, efficient movement and convenience of motor vehicle traffic accessing the site, including service and emergency vehicles, and to promote safe, efficient and convenient traffic circulation generally within the Township.

2 Location. Driveways shall be located along the street line of a lot as follows:

(a) A driveway on a corner lot shall be set back a minimum of forty (40) feet from the intersecting lot lines at the corner. A driveway for a single-family dwelling shall be set back a minimum of three feet (3) from a side lot line, unless such is a common driveway for dwelling units on adjacent lots. A driveway for uses other than single-family dwelling units shall be setback at least ten (10) feet from all property lines, excepting driveway intersections with public or private roadways.

- The applicant indicates the proposed expansion of the existing nonconforming driveway and is not proposing to leave a minimum 3-foot setback to the side yard area. This zoning permit application is denied, and Zoning Board of Adjustment review and approval is required.

3 Construction specifications. Driveways shall be paved with a minimum of four (4) inches of compacted sub-base material and two (2) inches of three-eighths inch roadway stone or comparable material or to an alternate standard as approved by the Township Engineer.

- Township Engineer review and approval is required.

4 Width. The width of driveways shall be based on the following:

(REFER TO TABLE 5.2: DRIVEWAY WIDTH REQUIREMENT)

- The applicant indicates the proposed driveway width to be 9.6 feet at its narrowest point where 10 feet is required. This zoning permit is denied and Zoning Board of Adjustment review and approval is required.

5 Grading. Driveway grades shall not exceed 6% at any point along the entire length of the driveway.

- Township Engineer review and approval is required.

6 Aprons. Driveway aprons shall be designed to permit access to any driveway from a street. Such apron shall be constructed between the curb or edge of street pavement and the sidewalk or, in the absence of sidewalk, for a distance of four feet back from the curb or edge of pavement. Driveway apron width may be enlarged to provide adequate turning radii for larger vehicles. The construction specifications of driveway aprons shall be pursuant to applicable Township ordinances or as approved by the Township Engineer.

7 Side slopes. Driveway side slopes shall be top soiled, seeded, fertilized and mulched or otherwise stabilized to prevent erosion. If banks exceed a slope of two increments vertical to one increment horizontal (two to one) and the slope face is not stable rock, retaining walls shall be constructed of a design approved by the Township Engineer.

- Township Engineer review and approval is required.

8 Clear sight triangles. At locations where driveways approach sidewalks and streets in the public right-of-way, clear sight triangles shall be provided on both sides of such driveways. No vision-obstructing object with a height greater than 2 1/2 feet, as measured from the elevation of the driveway, shall be located in such areas formed by outward facing isosceles triangles, with equal sides of ten (10) feet in length consisting of the curb line of the driveway and the property line along the right-of-way.

- The applicant does not indicate any proposed obstructions of the clear sight triangle. Per the submitted plan the distance from the curb to the property line is 15'.

Land Development Ordinance Section 411.08. Private Garages.

Private garages, where permitted on single-family residential lots shall comply with the following provisions:

- A. The garage must be a fully enclosed detached accessory structure, or a portion of a principal building, used primarily for the storage of no more than two motor vehicles owned or used by the occupant of the principal structure.
- B. A one-car parking garage, not to exceed 14 feet by 28 feet, or 392 square feet, for a single-family unit, or a two-car garage not to exceed 28 feet by 28 feet, or 784 square feet, for a two-family dwelling unit, shall be provided for all new residential dwellings. A two-car garage may be constructed on a single-family dwelling lot, provided it does not exceed the above maximum garage size (784 square feet).
- C. A detached garage may be placed at least five feet from a side property line and at least five feet from a rear property line, except in historic zone districts. Attached garages must conform to principle building setback requirements. Any private, detached garage or accessory building is specifically prohibited in a required front yard area.
- D. Height. The maximum building height of a private garage shall not exceed 16 feet.

- The applicant is proposing to construct a 14' x 20' (280 s.f.) detached private garage leaving a 5.1' side yard setback and a 5.1' rear yard setback. Details have not been provided with regard to the height of the proposed garage. This zoning permit application is denied.

The applicant is DENIED zoning for the above indicated proposed construction.

Zoning Board of Adjustment, Construction Department, and Engineering Department reviews and approvals are required.

Status

Approved ☐ Denied ☒

Referrals

Construction ☒ HPC ☐ Engineering ☒ Planning Board ☐ Zoning Board ☒ Mercantile ☐ Code Enforcement ☐