

Zoning Permit



<input type="checkbox"/> ACCESSORY STRUCTURE (\$35)	<input checked="" 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 checked="" type="checkbox"/> HISTORIC DISTRICT: AC UNIT/GENERATOR/EXHAUST FAN (\$35)	<input type="checkbox"/> STORAGE SHED (\$35)
<input checked="" type="checkbox"/> IMPERVIOUS COVERAGE (\$35)	<input type="checkbox"/> SUBDIVISION (\$35)
<input checked="" 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:

1. Block: 146 _____	Lot: 11 _____	Zoning District: _____	HD-O _____
2. Property Address: 16 OCEAN AVE _____			
3. Current Property Owner Information:			
<u>(AS IDENTIFIED ON THE TAX ASSESSORS RECORD)</u>		Applicant Information:	
Name: CANNON, LESLIE G _____	Name: John Lombardi AIA _____		
Address: 16 OCEAN AVENUE _____	Address: 185 Pricilla Drive _____		
OCEAN GROVE, NJ 07756 _____		Lincroft, NJ 07738 _____	
Phone: _____	Phone: (908)510-6973 _____		
Email Address: _____	Email Address: johnlombardi986@gmail.com _____		

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

03/06/2024 **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 the proposed construction of residential additions.**
- **The applicant has submitted this zoning permit application indicating the proposed construction of porch additions.**
- **The applicant has submitted this zoning permit application indicating the proposed construction of projections.**
- **The applicant has submitted this zoning permit application indicating the proposed demolition of projections.**
- **The applicant has submitted this zoning permit application indicating the proposed installation of AC condenser units.**
- **The applicant has submitted this zoning permit application indicating the proposed construction of new windows and doors.**

Nonconforming Uses, Structures, And Lots;

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 principal structure is non-conforming as it does not comply with the current Neptune Township Land Development Ordinance requirements.**
- **The porch is non-conforming as it does not comply with the current Neptune Township Land Development Ordinance requirements.**
- **The projections are non-conforming as they do not comply with the current Land Development Ordinance requirements and encroach onto the neighboring property.**
- **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.**

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.

Zoning Schedule B: HD-O (Single-family);

Zoning Schedule B for the HD-O Zoning District states:

Minimum Lot Area: 1,800 Square Feet

ZONING NOTES:

- **The applicant indicates the Lot Area to be 3,638 Square Feet.**

Minimum Lot Width: 30 Feet

ZONING NOTES:

- **The applicant indicates the Minimum Lot Width to be 40.29 Feet.**

Minimum Lot Frontage: 30 Feet

ZONING NOTES:

- **The applicant indicates the Minimum Lot Frontage to be 40.29 Feet.**

Minimum Lot Depth: 60 Feet

ZONING NOTES:

- **The applicant indicates the Minimum Lot Depth to be 90.30 Feet.**

Front Yard Setback: ** Feet

**= See section 413.06 for Supplementary Yard Regulations in Ocean Grove.

ZONING NOTES:

- **The applicant indicates the existing and proposed Front Yard Setback to be 8.5 Feet.**

Side Yard Setback: 2 Feet

ZONING NOTES:

- **The applicant indicates the existing and proposed Side Yard Setback to be 0.2 Feet.**

Combined Side Yard Setback: 4 Feet

ZONING NOTES:

- **The applicant indicates the existing and proposed Combined Side Yard Setback to be 8.9 Feet.**

Rear Yard Setback: 3.1 Feet

ZONING NOTES:

- **The applicant indicates the existing and proposed Rear Yard Setback to be 2.10 Feet.**

Maximum Percent Building Cover: 85%

ZONING NOTES:

- **The applicant indicates the proposed Building Cover to be 68%.**

Maximum Percent Total Lot Cover: 90%

ZONING NOTES:

- The applicant indicates the proposed Total Lot Cover to be 87%.

Maximum Number of Stories: 2.5

ZONING NOTES:

- The applicant indicates the existing and proposed Number of Stories to be 3.

Maximum Building Height: 35 Feet

ZONING NOTES:

- The applicant indicates the proposed Building Height to be 29.25 Feet.

Height Exemptions and Permitted Projections;

Land Development Ordinance section 418-B states:

B Permitted projections. The following shall not be considered to be obstructions and shall be permitted when located in a required yard and/or setback area:

1 Fire escapes, provided they do not project more than four (4) feet into a required yard and they are no closer than two (2) feet to a property line; Fire escapes are not permitted in a front yard. Existing fire escapes may be replaced in their location and to their exact size.

2 Weather protecting and energy efficiency enhancing front door enclosures that project no more than five feet into a required front setback area, and are no larger than forty (40) square feet in total area, provided the principal structure complies with the required front yard setback;

3 Cornices, eave, cantilevered roofs, gutter, bay windows, and chimneys, provided they do not project more than twenty-four (24) inches from an exterior building wall into any required yard setback, and provided they remain two (2) feet from all yard lines;

[NOTE: Amended per Ordinance No. 07-54]

ZONING NOTES:

- The applicant demonstrates compliance with the proposed projections.

Porch, Deck and Balcony Requirements;

Land Development Ordinance section 411.07B-C states:

C Porch setbacks. For residential structures, a porch may not encroach into any setback/yard areas. No porch associated with any multi-family residential use may extend into any setback/yard areas.

ZONING NOTES:

- The applicant indicates proposed expansion of the existing nonconforming porch. The proposed porch expansion complies with the setback requirements.

Performance Standards For All Uses: Ventilation;

Land Development Ordinance section 402-G states:

An application for a permit shall provide documentation that the intended use will comply with the performance standards enumerated below. In the case of a structure being built where the future use is not known, a zoning permit may be issued with the condition that no certificate of occupancy will be issued until such time as this documentation is submitted with respect to the particular occupant. A new application and a new certificate of occupancy shall be required in the event of a change of any user of any structure.

G Ventilation. No use shall obstruct the natural ventilation of adjacent uses nor contaminate the air with excessive heat or odor. Further, no air conditioners or exhaust fans shall be permitted to discharge exhausted air unless set back from all property lines 10 feet or equipped with baffles to deflect the discharged air away from the adjacent use.

ZONING NOTES:

- The applicant indicates the proposed installation of one (1), upward ventilating Lennox model 16ACX-036 condenser unit on the property.

Application Procedure in Historic Zone District and for Designated Historic Sites;

Land Development Ordinance section 900 states:

A This Section establishes the circumstances, conditions and procedures to obtain a Certificate of Appropriateness from the Historic Preservation Commission as it pertains to exterior architectural features, applications for a permit from the Zoning Officer and/or Construction Official or for applications for development for properties in any Historic District Zone District or for designated historic sites situated elsewhere in the Township. No zoning permit where such is required shall be issued unless a Certificate of Appropriateness has been issued previously by the Historic Preservation Commission and when additionally required an approval has been granted by the appropriate Neptune Township Planning Board or Zoning Board.

B It shall be the duty of the Zoning Officer or his designee of the Township to review and submit to the Historic Preservation Commission all plans for the construction, alteration, repair, restoration or demolition of structures located in any Historic District Zone including any changes in the existing exterior elements of the building and other improvements on the site that can be seen from the outside, except for landscaping outside of the Historic Flared Avenue Open Space and walls less than eighteen (18") inches in height. All applications for site plan, subdivision, variance, conditional use, appeal or interpretation as is specified herein shall additionally be reviewed in accordance with the requirements of this Ordinance. [NOTE: This Section 900.B has been amended per Ordinance No. 02-41]

C No building or structure shall be erected, reconstructed, altered, restored or demolished until the Historic Preservation Commission shall approve an application for a building or demolition permit in relation to those exterior architectural features which are subject to public view from a public street or place.

ZONING NOTES:

- Historic Preservation Commission review and approval is required, after zoning approval is acquired.

The applicant is approved zoning for the above indicated construction. To be constructed as indicated on the stamped approved zoning plans. Any deviations shall invalidate this zoning approval.

HPC and Construction Department approvals are required.

Status

Approved Denied

Referrals

Construction HPC Engineering Planning Board Zoning Board Mercantile Code Enforcement