

Zoning Permit



<input type="checkbox"/> ACCESSORY STRUCTURE (\$35)	<input checked="" type="checkbox"/> PORCH/DECK/BALCONY/ENTRY PLATFORM (\$35)
<input 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:

1. Block: 146 _____	Lot: 14 _____	Zoning District: _____	HD-O _____
2. Property Address: 11 OLIN ST _____			
3. Current Property Owner Information:			
<u>(AS IDENTIFIED ON THE TAX ASSESSORS RECORD)</u>		Applicant Information:	
Name: SALLEMI, JASON F & KELLI LUNDY _____	Name: SALLEMI, JASON F & KELLI LUNDY _____		
Address: 11 OLIN ST _____	Address: 11 OLIN ST _____		
OCEAN GROVE, NJ 07756 _____		OCEAN GROVE, NJ 07756 _____	
Phone: _____	Phone: _____		
Email Address: _____@GMAIL.COM	Email Address: _____@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:

03/27/2024 **The applicant did not indicate the Zoning District in which the property is located. Indicating the correct Zoning District is pertinent to the zoning review process. The property is located within the HD-O Zoning District.**

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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 applicant is aware Neptune Township comprises

numerous Zoning Districts, each permitting different types of uses. The residential Zoning Districts range from R-1 to R-5, HD-R-1, HD-R-2, and HD-O. While the R-5 and HD-R-2 Zoning Districts allow for Detached Single Family Residences, Two-Family Dwellings, and Multi-Family Dwellings, the R-1 through R-4, HD-R-1, HD-O Zoning Districts specifically permit Detached Single Family Residences. Consequently, if a Two-Family Dwelling or Multi-Family Dwelling is validly established within an R-1 to R-4, HD-R-1, or HD-O Zoning District, it would be deemed nonconforming. It's crucial to recognize that if a use is validly nonconforming within a Zoning District, more restrictive regulations outlined in the Neptune Township Land Development Ordinances may apply concerning proposed work in the application submission. A review of the zoning permit file identifies the correct zoning use of the property as a Detached Single Family Residence.

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The applicant/property owner did not indicate if the premises has undergone prior applications to a Board of Jurisdiction (Zoning Board of Adjustment or Planning Board). It's crucial for the applicant/property owner to understand that the Zoning Board of Adjustment and the Planning Board operate as independent administrative municipal agencies, vested with the authority to evaluate requests for deviations from the established Land Development Ordinance. Additionally, any variances granted by a Board of Jurisdiction are legally binding for the duration of

the property's existence. These variances may entail conditions and/or restrictions regarding the property's use, structures, and/or work proposed in this zoning permit application submission.

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 a residential addition.

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 existing principal structure is nonconforming as it does not comply with the current setback requirements.**
- The existing porch is nonconforming as it does not comply with the current setback requirements.**
- The existing projections are nonconforming as they do not comply with the current setback requirements.**
- The existing balcony is nonconforming as it does not comply with the current setback requirements.**
- The applicant/property owner did not indicate if the premises has undergone prior applications 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 reputably 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 Schedule B: Bulk Regulations: HD-R-1 (Residential Addition);

Zoning Schedule B states:

Minimum Lot Area: 1,800 Square Feet

ZONING NOTES:

- The applicant indicates the Lot Area to be 1,365.035 Square Feet.

Minimum Lot Width: 30 Feet

ZONING NOTES:

- The applicant indicates the Minimum Lot Width to be 30.10 Feet.

Minimum Lot Frontage: 30 Feet

ZONING NOTES:

- The applicant indicates the Minimum Lot Frontage to be 30.10 Feet.

Minimum Lot Depth: 60 Feet

ZONING NOTES:

- The applicant indicates the Minimum Lot Depth to be 45.35 Feet.

Front Yard Setback: 10 Feet

ZONING NOTES:

- The applicant indicates the existing and proposed Front Yard Setback to be 9 Feet.

Side Yard Setback: 2 Feet

ZONING NOTES:

- The applicant indicates the existing and proposed Side Yard Setback to be 2.4 Feet.

Combined Side Yard Setback: 4 Feet

ZONING NOTES:

- The applicant indicates the existing and proposed Combined Side Yard Setback for be 8.5 Feet.

Rear Yard Setback: 3.1 Feet

ZONING NOTES:

- The applicant indicates the existing and proposed Rear Yard Setback to be 1.0 Feet.

Maximum Number of Stories: 2.5

ZONING NOTES:

- The applicant indicates the proposed Number of Stories to be 2.5.

Maximum Building Height: 35 Feet

ZONING NOTES:

- The applicant indicates the proposed Building Height to be 22 Feet.

Height Exemptions and Permitted Projections;

Neptune Township Land Development Ordinance section 418-B-3 states:

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 indicates the proposed construction of new conforming projections.

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

HPC and Construction Department approvals are required.

Status

Approved Denied

Referrals

Construction HPC Engineering Planning Board Zoning Board Mercantile Code Enforcement