

# TOWNSHIP OF OCEAN

50 Railroad Avenue, Waretown, New Jersey 08758 • (609) 693-3302 • Fax: (609) 693-9026



## ZONING BOARD OF ADJUSTMENT VARIANCE APPLICATION

An initial time limit of 60 minutes will be allowed for each application.  
If additional time is needed, it will be at the board's discretion; a vote will be taken.

### Please submit the following:

|  |           |
|--|-----------|
| <b>Application</b> (starting on from page 1)   | 15 copies |
| <b>Current Survey (to scale)</b>   | 15 copies |
| <b>Proposed Survey (to scale)</b>  | 15 copies |
| <b>Architectural Drawings</b><br>(Front, rear and side elevations)   | 15 Copies |
| <b>Property Owners list within 200' if variance is requested</b><br>(Certified by Township of Ocean's Tax Assessor, form provided) | 2 Copies  |
| <b>Payment of taxes to date</b>  | 2 Copies  |

ALL OF THE ABOVE ITEMS MUST BE SUBMITTED ALL AT ONCE

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Payment of application fees are made payable to the Township of Ocean.

Notice to property owners must be certified and given to this office at least 14 days prior to the meeting date.

Applicant may use the Asbury Park Press or the Press of Atlantic City for publication, which is required in one paper and one time only. The above are the Official newspapers of the Board of Adjustment.

**Zoning Board of Adjustment meetings are held on the third Thursday of each month at 6:00 p.m. at the Municipal Building, 50 Railroad Avenue Waretown, New Jersey 08758.**

## APPLICANT:

The attached application packet is being provided to assist you in meeting the requirements for submission of a complete application to the Zoning Board of Adjustment and advise you of action to be performed by you as the application is being processed. You must submit the appropriate attachments called for by the checklist that apply to your particular situation. All submittals must be made through the Zoning Board of Adjustment Secretary.

The first phase in the process of submitting an application involves being deemed complete. The items appearing in the first part of the checklist must be complete in order to be placed on the Zoning Board of Adjustment agenda. Zoning Board of Adjustment meetings are held on the **Third Thursday of each month at 6:00 p.m.** unless otherwise posted. All meetings are held in the Municipal Building, 50 Railroad Avenue Waretown NJ 08758. An application must be submitted **six (6) weeks** prior to a scheduled Zoning Board of Adjustment Meeting. The initial submittal is reviewed to ensure the proper fee has been posted, the items required in the checklist have been provided and that the engineering plans and calculations are technically complete and in conformance with the Ordinances of the Township of Ocean. You must specifically request, in writing, any variance or design waiver being sought.

The results of the review will be submitted to the Zoning Board of Adjustment with copies to the applicant, engineers and attorneys. Reasonable effort will be made to advise you if the application is deficient and unable to be deemed complete. You then have the option to make corrections or submit missing information to make the application complete. In any event, the application must be deemed complete **four (4) weeks** prior to a scheduled Zoning Board of Adjustment meeting in order to be placed on the agenda. You will be notified by the Zoning Board of Adjustment Secretary or Board Engineer if you are complete and on the agenda.

You are cautioned that some aspects of review require several days and that the reviews must be completed before an application may be deemed complete at the four-week point. It will remain in process and must be deemed complete by **four (4) weeks** prior to the next month's meeting agenda. You will be notified by the Zoning Board of Adjustment Secretary or Board Engineer if you are complete and on the agenda.

Upon being notified that your application is complete by the Zoning Board of Adjustment Secretary or Board Engineer, you then need to make the necessary publications and notifications as called for in the checklist. Failure to do these actions will result in your not being heard at the Zoning Board of Adjustment meeting.

The Zoning Board of Adjustment has the power to deny or grant approval to your application and also has the power to grant conditional approvals to your application. These conditions will be identified in a resolution prepared by the Zoning Board of Adjustment Attorney. You must comply with the terms of the resolution or your approval becomes null and void. You are advised that any deviations from the approved plans, as approved by the Zoning Board of Adjustment, must be submitted to the Board for their approval.

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## § 209-41. Fee schedule.

The following fees shall be payable in connection with the following categories. Wherever for any type of category there is listed an administrative fee, said fee shall be nonrefundable and shall be used solely for the purpose of processing said application or review. It shall include all work done in connection with said application or review other than those fees charged for professional reviews. The escrow fee charged for application and reviews shall be used exclusively for professional reviews by the engineers/planners and/or attorneys employed by the municipality or any of its boards and agencies. Said escrow fee shall be so segregated for each applicant so that the fee that it pays shall be utilized only for the particular application. In the event any of the escrow remains unused at the conclusion of the application, said amount that is not utilized shall be returned to the applicant upon written request. If the escrow fee charged is insufficient so as to cover the professional fees applicable to that particular applicant, then that applicant shall be required to pay all deficiencies within his or her individual account.

| Category  | Application Fees | Escrow Fees |
|---|------------------|-------------|
| <b>Variances</b>  |                  |             |
| Appeals (N.J.S.A.: 40:55D-70a)  | \$150            | \$350       |
| Special questions or interpretations (N.J.S.A. 40:55D-70b)  | \$110            | \$350       |
| Hardship (N.J.S.A. 40:55D-70c)  |                  |             |
| Residential   | \$100            | \$500       |
| Commercial  | \$500            | \$1,000     |
| Unless the hardship variance sought is for a swimming pool, deck, shed or fence, which fee shall be:                              | \$75             | \$250       |
| Use of structure (N.J.S.A. 40:55D-70d)  |                  |             |
| Residential (single lot)  | \$250            | \$500       |
| Residential (more than one lot)   | \$750            | \$1,500     |
| Commercial  | \$1,000          | \$2,500     |
| Construction permit in bed of mapped street or drainage right-of-way or lacking street frontage (N.J.S.A. 40:55D-34 or 40:55D-35) | \$150            | \$400       |

| <b>Category</b>  | <b>Application Fees</b>  | <b>Escrow Fees</b>                                |
|--|--|---|
| <b>Variances</b>   |  |   |
| Extensions   | \$150  | \$350   |
| Informal/conceptual redevelopment agency                               | \$350  | \$1,000   |
| Conditional use  | \$200  | \$750   |
| Minor subdivision  | \$400  | \$1,000 + \$150 per lot                           |
| Major subdivision, preliminary   | \$1,000 + \$125 per lot  | \$2,500 + \$150 per lot                           |
| Major subdivision, final   | \$600  | \$1,000 + \$150 per lot                           |
| Minor site plan  | \$350  | \$1,500   |
| Major site plan, preliminary approval                                  | \$1,000  | \$2,500 + \$850 per acre or part thereof          |
| Major site plan, final approval  | \$600  | \$1,500 + \$250 per acre or part thereof          |
| Application for site plan exemption                                    | \$250  | \$500   |
| Preapplication review for subdivision or site plan                     | \$250  | \$500   |
| Application for an extension of subdivision or site plan approval      | \$300  | 50% of original escrow deposit                    |
| Amended site plan  | 50% of full fee  | 50% of full fee                                   |
| Amended subdivision  | 50% of full fee  | 50% of full fee                                   |
| Zoning permit application  | \$50 per dwelling  |   |
| Map filing (for all subdivision applications)                          |  | \$250   |
| Subdivision exemption application                                      | \$100  |   |
| Planned residential community  |  |   |
| General development application  | \$1,500  | \$5,000   |
| Preliminary subdivision application                                    | \$1,000 plus \$75 for each building lot proposed   | \$1,500 plus \$100 for each building lot proposed |
| Final subdivision application  | \$500 plus \$50 for each building approved   | \$100 for each building lot approved              |
| Site plan application for clubhouse and other community infrastructure | \$250  | \$500   |
| Firesafety review  |  |   |
| Major or site plan   | \$250  |   |
| Major or subdivision   | \$500  |   |
| Reinspection   | \$75   |   |
| Special meeting requested by applicant                                 | \$3,000 for a maximum of one 3-hour hearing before the Planning Board or Board of Adjustment |   |

| <b>Category</b>                                | <b>Application Fees</b> | <b>Escrow Fees</b> |
|--|-------------------------|--------------------|
| <b>Variances</b>                               |                         |                    |
| Street and sidewalk opening fees — escrow fees |                         |                    |
| Up to 50 feet                                  | \$100                   | \$250              |
| Over 50 feet but less than 500 feet            | \$150                   | \$250              |
| Over 500 feet but less than 1,500 feet         | \$350                   | \$350              |
| Over 1,500 feet but less than 2,500 feet       | \$600                   | \$350              |
| Over 2,500 feet                                | \$750                   | \$500              |

# TOWNSHIP OF OCEAN

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## Application to the Township of Ocean Zoning Board of Adjustment

### For office use only

Date Application Filed \_\_\_\_\_

Docket Number \_\_\_\_\_

Time Period Expires \_\_\_\_\_

Application fee \_\_\_\_\_ Legal Fee \_\_\_\_\_ Escrow Fee \_\_\_\_\_

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### Section 1- Appeal from Denial of Building Permit

If application has risen as the result of the denial of a zoning permit, you should obtain, from the Zoning Officer, an appeal form giving reasons for denying the zoning permit and submit it with this application.

### Section 2 – Information regarding the application

a. Applicants Full name: \_\_\_\_\_

b. Mailing Address: \_\_\_\_\_

c. Applicants telephone number \_\_\_\_\_

d. Applicants email address: \_\_\_\_\_

e. Applicants is: Corporation \_\_\_\_ Partnership \_\_\_\_ Individual \_\_\_\_  
Other \_\_\_\_ Specify \_\_\_\_\_

- f. If the applicant is a corporation or a partnership, attach a list of the names and addresses of persons having 10% interest or more in the corporation or partnership.
- g. The relationship of the applicant to the property in question is:  
 Owner \_\_\_\_\_ Tenant or Lessee \_\_\_\_\_ Purchaser under contract \_\_\_\_\_  
 Other (specify) \_\_\_\_\_
- h. If the applicant is not the owner of the property in question, the applicant must obtain and submit a copy of this application, signed by the owner in the space provided in Section 3.
- i. If the applicant is a corporation, the application must be represented before the board by an attorney. In any event, it may be appropriate for you to consult an attorney with regard to these proceedings since you will be required to meet certain legal standards in order to obtain the relief you request. Please be advised that if you seek assistance, only a licensed New Jersey Attorney can represent you. Engineers, Architects, Surveyors or Planners are not licensed to represent you before the board. In addition, if an approval is granted, the approval will be subject to you paying any outstanding Municipal real estate taxes, assessments and all Municipal charges.
- j. At the hearing, the Zoning Board of Adjustment may require further information.

Application to the Township of Ocean Zoning Board of Adjustment.

**Section 3- Information regarding the property.**

- a. Street address of the property: \_\_\_\_\_
- b. Location of the property is approximately \_\_\_\_\_ feet from the intersection of \_\_\_\_\_ and \_\_\_\_\_.
- c. Tax map block number(s) is \_\_\_\_\_, lot (s) \_\_\_\_\_.
- d. Zone which property is located in is \_\_\_\_\_.
- e. Dimensions of the property are \_\_\_\_\_

f. Size of the property is \_\_\_\_\_ square feet, which is \_\_\_\_\_ acres. Property is located:

- 1) Within 20 (twenty) feet from another Municipality \_\_\_\_\_ YES \_\_\_\_\_ NO
- 2) Adjacent to existing or proposed County road \_\_\_\_\_ YES \_\_\_\_\_ NO
- 3) Adjacent to other County Land \_\_\_\_\_ YES \_\_\_\_\_ NO
- 4) Adjacent to a State Highway \_\_\_\_\_ YES \_\_\_\_\_ NO

g. Have there been any previous Zoning Board of Adjustment hearings involving this property: \_\_\_\_\_ YES \_\_\_\_\_ NO

h. If the answer to (h) is yes, attach a copy of the written decision (s) adopted by the board. If a copy is not available, state the action taken by the board.

i. If the premises is unoccupied, state as to the last previous occupancy:

- a) When was the occupancy terminated: \_\_\_\_\_
- b) The type of occupancy: \_\_\_\_\_

j. If the applicant is not the owner of the property in question than the owner of the property must sign this portion of the application as acknowledgement and permission to submit said application.

Print name of actual property owner \_\_\_\_\_

Signature of actual property owner \_\_\_\_\_

k. Size of existing building:

- (a) Square feet at street level (first floor only) \_\_\_\_\_
- (b) Total feet across the front of building \_\_\_\_\_
- (c) Total feet of building depth \_\_\_\_\_

M. Current lot coverage percentage

- (a) Existing \_\_\_\_\_ (b) proposed \_\_\_\_\_

N. Height of existing building

- (a) Stories \_\_\_\_\_ (b) feet \_\_\_\_\_

O. Height of proposed building

- (a) Stories \_\_\_\_\_ (b) feet \_\_\_\_\_

P. Existing Setbacks:

- 1) From the rear property line \_\_\_\_\_
- 2) From the front property line \_\_\_\_\_
- 3) From the side property line \_\_\_\_\_
- 4) Total from both side property lines \_\_\_\_\_



**Section 4 – Information about requested relief**

A. State the nature of the proposal setting forth the particulars of the proposed use of the property and description of proposed physical changes to the property. Include all physical improvements such as structure additions, landscaping etc. :

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B. State why you feel you are entitled to this relief:

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C. The application is contrary to:

List the specific articles and sections of the ordinance from which a variance or design exception is sought, the requirements itself and the proposed variations, if additional space is needed, attach a list to this application.

|               |               |                |                |
|---------------|---------------|----------------|----------------|
| Article _____ | Section _____ | Required _____ | Proposed _____ |
| Article _____ | Section _____ | Required _____ | Proposed _____ |
| Article _____ | Section _____ | Required _____ | Proposed _____ |
| Article _____ | Section _____ | Required _____ | Proposed _____ |

- D. \_\_\_\_\_ Appeal decision of an Administrative Officer [N.J.S. 40:55 D-70a]
- \_\_\_\_\_ Map or Ordinance Interpretation of Special Question [N.J.S 40:55D-70b]
- \_\_\_\_\_ Variance Relief (hardship) [N.J.S. 40:55D-70c]
- \_\_\_\_\_ Variance Relief (substantial benefit) [N.J.S. 40:55D-70c(2)]
- \_\_\_\_\_ Variance Relief (use) [N.J.S 40:55D-70d]
- \_\_\_\_\_ Conditional Use Approval [N.J.S. 40:55D-67]
- \_\_\_\_\_ Direct issuance of a permit for a structure in bed of a mapped street, public drainage way, or flood control basin [N.J.S.40:55D-34]
- \_\_\_\_\_ Direct issuance of a permit for a lot lacking street frontage [N.J.S 40:55D-35]
- \_\_\_\_\_ Determination as to pre-existing non-conforming use and of property use prior to enactment of ordinance rendering property non –conformity (“Grandfathered”)

E. Proposed setbacks

- 1) From the rear property line \_\_\_\_\_ feet
- 2) From the front property line \_\_\_\_\_ feet
- 3) From the side property line \_\_\_\_\_ feet
- 4) Total from both side property lines \_\_\_\_\_ feet

**Section 5 – Information about experts**

The following is to be submitted to assist the board in processing this application.

a. Applicants Attorney

Firm \_\_\_\_\_  
Attorney's name \_\_\_\_\_  
Address \_\_\_\_\_  
Telephone no. \_\_\_\_\_ Fax no. \_\_\_\_\_  
Email address \_\_\_\_\_

b. Applicants Engineer

Company \_\_\_\_\_  
Address \_\_\_\_\_  
Telephone no. \_\_\_\_\_ Fax no. \_\_\_\_\_  
Email address \_\_\_\_\_

c. Applicants Architect

Company \_\_\_\_\_  
Address \_\_\_\_\_  
Telephone no. \_\_\_\_\_ Fax no. \_\_\_\_\_  
Email address \_\_\_\_\_

## Section 6 – Notice

The applicant is responsible to serve notice of this application upon all interested parties, as defined by statute, via certified mail and published a notice of application in The Times-Beacon, Asbury Park Press or the Press of Atlantic City. The notices must be mailed and published at least ten (10) days prior to the meeting not including the meeting date. Failure to mail, or publish will prevent the board from hearing the application. You should not serve such documents and publish the notice until you have a confirmed date and time of your hearing. A list of property owners within 200 feet is obtained from the Tax Assessors office at a cost of \$10.00.

Applicants initials required \_\_\_\_\_

The premises affected is situated at \_\_\_\_\_ in a \_\_\_\_\_ Zone district, description of property involved in this appeal is as it appears on the Ocean Township tax map. Block \_\_\_\_\_ Lot \_\_\_\_\_ date property was acquired \_\_\_\_\_ by deed-recorded \_\_\_\_\_ in book \_\_\_\_\_ page \_\_\_\_\_ from \_\_\_\_\_.

(This information can be found on the deed for the property, or at [oceancountyclerk.com](http://oceancountyclerk.com), first click “search records and forms” second “public searching” thirdly fill out information as instructed and search for your property and click on the deed listed)

**NOTICE TO PROPERTY OWNERS WITHIN 200 FEET**

PLEASE TAKE NOTICE

That the undersigned has applied to the Zoning Board of Adjustment of the Township of Ocean for variances from the terms of section of the Zoning Ordinances so as to permit:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Variances:

|               |               |                |                |
|---------------|---------------|----------------|----------------|
| Article _____ | Section _____ | Required _____ | Proposed _____ |
| Article _____ | Section _____ | Required _____ | Proposed _____ |
| Article _____ | Section _____ | Required _____ | Proposed _____ |
| Article _____ | Section _____ | Required _____ | Proposed _____ |
| Article _____ | Section _____ | Required _____ | Proposed _____ |
| Article _____ | Section _____ | Required _____ | Proposed _____ |

Address: \_\_\_\_\_ Block: \_\_\_\_\_ Lot: \_\_\_\_\_

This appeal is now on the Board’s calendar and a public hearing has been ordered for the \_\_\_\_\_ Day of \_\_\_\_\_, 20\_\_\_\_ at 7:00 p.m. in the Municipal Building, 50 Railroad Avenue at which time you may appear whether in person, or by an attorney and present any objections, which you may have to the granting of the appeal.

Maps and documents concerning this appeal are available, for public inspection, Monday through Friday during regular business hours, 8:00 a.m. to 4:00 p.m. in the Zoning Board of Adjustment office, 50 Railroad Avenue, Waretown, NJ 08758.

The applicant as required by law is sending this notice to you.

\_\_\_\_\_  
Applicants Signature

**AD TO PLACE IN THE NEWSPAPER**

PLEASE TAKE NOTICE

That the undersigned has applied to the Zoning Board of Adjustment of the Township of Ocean for variances from the terms of section of the Zoning Ordinances so as to permit:

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Variances:

|               |               |                |                |
|---------------|---------------|----------------|----------------|
| Article _____ | Section _____ | Required _____ | Proposed _____ |
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| Article _____ | Section _____ | Required _____ | Proposed _____ |

Address: \_\_\_\_\_ Block: \_\_\_\_\_ Lot: \_\_\_\_\_

This appeal is now on the Board’s calendar and a public hearing has been ordered for the \_\_\_\_\_ Day of \_\_\_\_\_, 20\_\_\_\_ at 7:00 p.m. in the Municipal Building, 50 Railroad Avenue at which time you may appear whether in person, or by an attorney and present any objections, which you may have to the granting of the appeal.

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The applicant as required by law is sending this notice to you.

\_\_\_\_\_  
Applicants Signature

**ESCROW FEES**

The escrow fees paid by the applicant are used to cover the Board Engineer and Board Attorney fees. However, if the total amount exceeds the escrow fee collected from the applicant, it is the applicant’s responsibility to pay said amount. Copies of vouchers received by the Township from the Board Engineer and The Board Attorney will be sent to you.

It is the applicants’ responsibility to follow up on escrow accounts once proceedings are complete.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Applicant’s Signature

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**OUTSIDE AGENCY APPROVAL**

Please note that an application for variance, site plan or subdivision approval may require the approval of outside Federal, State or County Agencies. You should, therefore, consult with an attorney or a licensed engineer or architect regarding the need for these additional approvals.

In addition, the Ocean Township Zoning Board of Adjustment does not have jurisdiction regarding building and/or fire sub code requirements relating to the proposed improvements. Therefore, you should consult with a licensed architect regarding the requirements for the issuance of a building permit.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Applicant’s Signature

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**SITE INSPECTIONS**

Please be advised that it may be necessary for the board members of the Zoning Board of Adjustment of the Township to perform site inspections of every property. For your safety the Township of Ocean has provided ALL members of the Zoning Board of Adjustment with the proper photo identification (Township Badge). Please feel free to ask to see this identification. The Township requests your signature of this document so that the Township is aware that you know of such badges and are also aware that a site inspection may be done by the members of the board.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Applicant’s Signature

# TOWNSHIP OF OCEAN

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## Township of Ocean Board of Adjustment

Example of Notice of Decision  
(to be filed within 10 days)

The Times Beacon  
345 East Bay Avenue  
Manahawkin, NJ 08050

Attention: Legal Department

### Notice of Decision

Notice is hereby given that the Ocean Township Board of Adjustment by Resolution No. \_\_\_\_\_  
approved a \_\_\_\_\_ application for Block \_\_\_\_\_ and Lot \_\_\_\_\_ for  
\_\_\_\_\_.

**PLEASE FORWARD THE AFFIDAVIT OF PUBLICATION TO THE TOWNSHIP OF OCEAN BOARD OF ADJUSTMENT  
SECRETARY.**

Township of Ocean  
50 Railroad Avenue  
Waretown, NJ 08758

Martin W. Lynch, CTA, IFA  
Tax Assessor

609-693-3280  
fax 609-693-9026

REQUEST FOR CERTIFIED LIST OF PROPERTY OWNERS WITHIN 200 FEET

Date: \_\_\_\_\_

TO: Ocean Township Tax Assessor

Kindly provide me, within seven days of receipt of this request, with a Certified list of Property Owners within 200 feet of the following block(s) & lot(s).

BLOCK: \_\_\_\_\_ LOT(S): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

FEES: A minimum fee of \$10.00 is required upon submission of this request. The total fee to be collected prior to issuing the list shall be the greater of \$10.00 or \$0.25 per line item (number of properties on list).

PHONE: (\_\_\_\_) \_\_\_\_\_  
FAX: (\_\_\_\_) \_\_\_\_\_

\_\_\_\_\_  
SIGNATURE OF APPLICANT

\_\_\_\_\_  
NAME (PLEASE PRINT)

\_\_\_\_\_  
MAILING ADDRESS

\_\_\_\_\_  
CITY, STATE, ZIP CODE