

CITY OF ASBURY PARK
ONE MUNICIPAL PLAZA
ASBURY PARK, NEW JERSEY 07712

PHONE: (732) 775-2100
WWW.CITYOFASBURY PARK.COM



JOHN MOOR, MAYOR
AMY QUINN, DEPUTY MAYOR
EILEEN CHAPMAN, COUNCILPERSON
YVONNE CLAYTON, COUNCILPERSON
JESSE KENDLE, COUNCILPERSON

DONNA M. VIEIRO, CITY MANAGER
MELODY HARTSGROVE, RMC, CITY CLERK

INTERPRETATION **APPEAL**

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

Planning Board _____ Zoning Board of Adjustment _____

=====

Property Location: _____ **Block:** _____ **Lot(s):** _____

1. APPLICANT INFORMATION:

Name: _____

Address: _____

Phone # _____ Fax: _____

Email: _____

2. ATTORNEY INFORMATION:

Name: _____

Address: _____

Phone #: _____ Fax: _____

Email: _____

3. ARCHITECT INFORMATION:

Name: _____

Address: _____

Phone #: _____ Fax: _____

Email: _____

4. ENGINEER INFORMATION:

Name: _____

Address: _____

Phone #: _____ Fax: _____

Email: _____

5. PRESENT OWNER (If not applicant)

Name: _____

Address: _____

Phone #: _____ Fax: _____

Email: _____

6. Interest of applicant, if other than owner: _____

7. Property is located in zone _____ as per Asbury Park Land Development Ordinance.

8. Existing Use: _____

9. Zoning Ordinance Requirements — from variance is requested:

Article _____ Section _____

10. Description of Variance, Interpretation or Appeal Requested:

11. Property is _____; is not _____ located in Historical District.

Historic District _____ Block: _____ Lot(s): _____

12. Detailed Project Information:

Lot Size _____ Total size of building _____ sq. ft.

Percentage of lot occupied by building(s) _____ %

Height of building: _____ ft. # stories _____

Set-back from Front property line: _____ ft. Rear property line: _____ ft.

Setback from side property lines Left _____ Right _____

Prevailing set-back of adjoining buildings within block _____

13. Has there been any previous appeal involving these premises? _____

If yes, please attach a copy of the decision/resolution. State character of appeal & date of disposition:

AFFIDAVIT OF APPLICATION

State of New Jersey }
County of Monmouth) SS:

_____ of full age, being duly sworn according to law,
on oath depose and say that all the above statements are true.

Signature of Applicant

Sworn to and subscribed before me,

This _____ day of _____ 20_____.

Notary Public - State of New Jersey

=====
AUTHORIZATION
=====

(If anyone other than the owner is making application, the following authorization must be executed).

_____ is hereby authorized to make the within application.

Date: _____ Signature of Owner _____

=====
STATEMENT FROM A TAX COLLECTOR
=====

Block _____ Lot _____ Also known as _____

Status of Municipal Taxes _____

Status of Assessments for local improvements _____

Date: _____ Signed By: _____

Interpretation/Appeal Application and Checklist: Part A Submission Documents

(Subsection 30-45.4) (Ord. No. 2015-52, Exhibit H)

Dear Applicant:

The following information is given to assist you in the process of applying to the Zoning Board of Adjustment. If you have any questions throughout this process, please feel free to contact us at (732) 775-2100 ask for the Department of Planning and Redevelopment

An application must be deemed complete by the Development Coordinator to receive a hearing date.

C	N	N/A	ALL PLANS MUST BE FOLDED AND COLLATED
___	___	___	1. Application form: For initial submission, submit one (1) copy of form. Upon being deemed complete, submit 10 copies.
___	___	___	2. Drawing or Plans showing the existing and proposed buildings, structures and site improvements on the property as per the technical checklist. - For initial submission, submit one (1) full size set at 24" x 36" and one (1) full set at 11" x 17" - Upon being deemed complete, submit three (3) full size sets at 24" x 36" and nine (9) 11" x 17" size sets.
___	___	___	3. A signed and sealed copy of the current survey (within the last 5 years), prepared by a professional land surveyor, upon which the site plan is based, and sixteen (16) photocopies.
___	___	___	4. Certificate of payment of taxes and sewer fees.
___	___	___	5. Proof of submissions to Monmouth County Planning Board.
___	___	___	6. Notice and proofs of service, due five (5) days prior to meeting.
___	___	___	7. Application fee paid \$_____.
___	___	___	8. Escrow Fee paid \$_____.
___	___	___	9. Zoning Determination from the Zoning Officer.
___	___	___	10. Photographs of the site and particularly the portion of site to be affected. Photographs on all submitted copies should be in color. Digital copies are also encouraged.
___	___	___	11. W-9 form for escrow deposit
___	___	___	12. Contribution Disclosure Statement.

C=Complete N=Incomplete N/A=Not Applicable

Upon approval of a development application, a digital copy of the complete application including pdf's of submitted plats, plans and surveys and exhibits marked into evidence shall be submitted on a CD. In addition, a digital copy of the submission must be emailed to the Development Coordinator to be deemed complete.

Disclosure of Political Contributions Certification

(One form must be submitted for each applicant, % owner, and professional)

I, _____, of full ages does hereby certify
(Name)

1. I am the applicant or (Engineer, Architect, Planner, Attorney at Law, of the State of New Jersey engaged by _____), which entity has made an application
(applicant's name)
to the Asbury Park (Planning Board or Zoning Board of Adjustment) for

_____ associated with _____
(site plan, variance, subdivision) (proposed use(s))

_____ located at _____ Block _____, Lot _____, Asbury Park, New Jersey,
(address)
owned by _____ to represent said Applicant in this matter.
(owner)

2. I have never made any political contributions to any elected official of the City of Asbury Park in conjunction with this Application or any other Application (or I have made the following contributions to the elected officials of the City of Asbury Park). _____

_____ I hereby certify that the foregoing statements are true and I am aware that if any of the following statements made by be is willfully false I am subject to punishment.

(Name Printed)

(Signature)

Dated _____

THE PROCESS

(General Instructions/What to expect)

You or your attorney must submit the completed application, supporting documents and all required forms along with one (1) complete set of plans for review to the department of Planning & Redevelopment for review. Once your application is deemed complete, you (or your attorney) will be notified by email or letter of completion and will be given your fee calculations and scheduled hearing date. (Please be aware that it may take as long as one to three months before you are scheduled for a public hearing. The time frame will depend upon the volume of applications and the completeness of your application when filed). Once you receive your letter of completeness, you are required to provide this office with complete sets of documents for each board member and professional, as well as digital copies of all documents submitted (Please refer to the submission checklist).

Once you have been assigned a hearing date, you or your attorney must follow instructions regarding the process of notifying the public of your application and publishing a notice in the newspaper. Sample forms and instructions are attached. We recommend using an attorney for filing of notices as this is a very sensitive matter and may affect whether or not your application is heard on the hearing date. If done incorrectly, your application could be delayed.

It is recommended that your design professionals attend the meeting along with you to answer any questions regarding your application. Usually, the Board can make a decision on an application at the first meeting, unless the applicant has failed to provide enough information or questions arise cannot be answered by those present.

In the event that the variance request is granted, you are hereby notified that said variance shall expire unless the work is commenced and diligently pursued within two (2) years from the date of the granting of the variance. If you find that you are unable to commence the work within a two year (2) time frame, you may apply to the Board for a one year extension of approvals, prior to the expiration date of the approval.

If your variance application is approved, a resolution will be prepared and scheduled to be memorialized at the next available board meeting. Approximately 10 days after the memorialization of the resolution, the resolution will be made available to you to either pick up from the department of Planning & Redevelopment or to be mailed to you. At that time, you may apply to the Construction Department for your building permits, unless there are compliance items in the resolution that need to be addressed before permits can be submitted.

You (or your attorney) are also required to publish a Notice of Determination in the Asbury Park Press regarding your application (sample notice attached). Also please be aware that an objector of your application has up to forty-five (45) days after your notice is published in the paper to file an appeal on the Board's decision. In the meantime, the Construction Department can issue your permit for construction; However, you will build at your own risk. Application fees are not refundable, whether your application is approved or denied.

If you are filing an Appeal or Request for an Interpretation, this application must be accompanied with a letter of explanation, detailing your request.

If you require any assistance, please feel free to contact us at (732)502-5724.

CITY OF ASBURY PARK

Notice Requirements for Hearing

a. Public Notice- Public notice of a hearing shall be given in the following cases:

1. Application for preliminary approval of a major subdivision;
2. Application which requires a variance, whether before the Planning Board or Board of Adjustment;
3. Application for major development approval.

b. Public Notice Procedures:

1. Public Notice shall be given by publication in the official newspaper of the City **at least ten (10) days** prior to the date of the hearing. Such notice shall be arranged by the applicant.
2. Notice shall be given to the owners of all real property located within two hundred (200) feet in all directions of the perimeter of the subject property, as shown on the current tax duplicate, whether such real property is located within or outside the City. Such notice shall be given by: (a) serving a copy thereof on the owner as shown on the said tax duplicate or his agent in charge of the property; or b) mailing a copy thereof by certified mail to the property owner at his address as shown on the current tax duplicate. Notice to a corporate owner may be served upon its president, a vice-president, secretary or other authorized by appointment or by law to accept service on behalf of the corporation.

c. Other Notices Required:

1. Notice of all hearings on applications for development involving property located within two hundred (200) feet of an adjoining municipality shall be given by personal service or certified mail to the clerk of such municipality, which notice shall be in addition to the notice required to be given pursuant to Section 50. Paragraph b of this Article to the owners of land in such adjoining municipality which is located within two hundred (200) feet of the subject premises.
2. Notice shall be given by personal service or certified mail to the County Planning Board of hearings on applications for development of property (a) adjacent to an existing or proposed county road shown on the official County Map or on the County Master Plan; (b) adjoining other county land; or (c) situated within two hundred (200) feet of a municipal boundary.
3. Notice shall be given by personal service or certified mail to the Commissioner of Transportation of a hearing on an application for development of property adjacent to a state highway.
4. Notice shall be given by personal service or certified mail to the Director of the Division of State and Regional Planning in the Department of Community Affairs of a hearing on an application for development of property which exceeds one hundred fifty (150) acres or five hundred (500) dwellings units. Such notice shall include a copy of any maps or documents required to be on file with the City Clerk pursuant to N.J.S.A. 40:55D-10(b).
5. Notice of hearings on master plan, capital improvements program or official map shall be given in accordance with N.J.S.A. 40:55D-13 and N.J.S.A. 40:55D-15, respectively.

d. Time for Service

All notices hereinafter specified in this Section shall be given at least ten (10) days prior to the date fixed for hearing.

e. Method of Service

Any notice made by certified mail as hereinafter required shall be deemed as complete upon mailing in accordance with the provisions of N.J.S.A. 40:55D-14.

f. Form of Notice

All required notices shall state the date, time and place of the hearing, the nature of the matters to be considered and identification of the property proposed for development by street address, in any, or by reference to lot and block numbers as shown on the current tax duplicate in the Tax Assessor's office. See attached Public Notice form. The notice shall indicate the location and times at which any maps and documents for which approval is sought may be reviewed by the public. If the application for development includes consideration of a conditional use, the hearing notice shall include a reference to the conditional use.

g. List of Property Owners Furnished:

Pursuant to the provision of N.J.S.A. 40:55D-12(c), the Tax Assessor, within seven (7) days after receipt of a request therefor and upon receipt of payment of a fee of Ten Dollars (\$10), shall make and certify a list from the current tax duplicate of names and addresses of owners in the City to whom the applicant is required to give notice pursuant to Section 50, Paragraph b(2) of this Ordinance. The applicant shall also supply to the Tax Assessor at the time of request a map showing all properties and current tax map information for the subject property and all properties within two hundred (200) feet of the perimeter of the subject property.

The applicant shall be entitled to rely upon the information contained in such list and failure to give notice to any owner not on the list shall not invalidate any hearing or proceeding.

h. Material to Be Filed with Board:

The applicant shall file an affidavit of proof of service, form of notice, list of property owners served, and map specified in Paragraph g. above with the Board prior to the hearing.

Decisions

a. Each decision on any application for development shall be set forth in writing within forty-five (45) days of a decision as a resolution of the Board which shall include findings of fact and legal conclusions based thereon.

b. A copy of the resolution shall be made available to you by the Secretary of the Board within ten days of its adoption to the applicant or, if represented, then to his attorney, without separate charge. A copy of the resolution shall also be mailed to all persons who have requested it and who have paid the fee prescribed for such service. A copy of the resolution shall also be filed in the Office of the City Clerk, who shall make a copy of such filed resolution available to any interested party upon payment of a fee calculated in the same manner as those established for copies of other public documents in the City. .

c. A brief notice of every final decision shall be published in the official newspaper of the City. See attached Notice of Decision form. Such publication shall be arranged by the Applicant unless otherwise advised by the Board Secretary. If the Board Secretary arranges for the publication of the notice of decision, it shall be done without further charge to the Applicant. Notice of Decision shall be sent to the official newspaper for publication within ten (10) days of the date of any such decision.

REQUEST FOR 200 FOOT CERTIFIED LIST

MICHAEL DEL RE, CTA, TAX ASSESSOR
CITY OF ASBURY PARK
ONE MUNICIPAL PLAZA
ASBURY PARK, NJ 07712

Dear Mr. Del Re:

Would you kindly provide a listing of those property owners within 200 feet of the following property:

BLOCK _____ LOT _____

LOCATION: _____

This list is being requested in connection with an application before the Asbury Park

PLANNING BOARD ZONING BOARD

Sincerely,

_____ Date _____

Name: _____

Address: _____

Telephone: _____

Fax: _____

City of Asbury Park

Public Notice

In compliance with the Municipal Land Use Law (40:55D - 1 et. Seq) and the Land Development Ordinance of City of Asbury Park (Code § 30), please take note that *(applicant)* _____

_____ proposes to *(describe project)*: _____

The proposed project will be located at _____ Block _____ Lot _____ which

is located in the _____ zoning district. The applicant(s) seeks *(type of application /*

variances): _____

public hearing will be held by the Asbury Park *(Planning Board/Zoning Board of Adjustment)*

at the municipal building located at One Municipal Plaza Asbury Park, New Jersey on

_____, _____, _____ at 7:00PM.
Monday / Tuesday Month Day, Year

Any interested party may appear at said hearing and participate therein in accordance with the

rules of the *(Planning Board/Zoning Board of Adjustment)*. All documents related to the

application are on file with the Department of Planning and Zoning and may be inspected by the

public between the regular business hours of 9:00 AM and 5:00 PM, Mon-Fri.

Applicant: _____

Date: _____

AFFIDAVIT OF SERVICE

CITY OF ASBURY PARK

STATE OF NEW JERSEY:

COUNTY OF MONMOUTH:

I, _____ being of full age, and duly sworn according to law, on oath, deposes and says they are making an application for the property described as _____, in the municipality of Asbury Park, New Jersey 07712 , County of Monmouth, State of New Jersey and did on _____, 20____, at least ten (10) days prior to the hearing date give personal notice to all property owners within 200 feet of said property.

Said notice was given by certified mail to all persons noted on the attached list. Copies of the registered receipts are attached hereto.

Notice was also published in the official newspaper of the municipality -The Asbury Park Press/The Coaster- as required by law.

Attached is a copy of the proof of publication of notice in the official newspaper of the municipality.

Applicant (print name)

Applicant (signature)

Subscribed and sworn to before me,

This _____ day of _____ 20_____.

Notary Public - State of New Jersey

**City of Asbury Park
Notice of Determination**

PLEASE TAKE NOTICE that the (Planning Board / Zoning Board of Adjustment) of the City of

Asbury Park did on _____ formally adopt a resolution memorializing the
(resolution date)

action of the Board taken at its _____ hearing approving _____
(hearing date) (type of application)

with _____ variances to applicant _____ for premises
(bulk/use) (name)

known as Block _____ Lot _____ on the official tax map of the City of Asbury Park, New
Jersey. The Board approved _____

(project description)

PLEASE TAKE FURTHER NOTICE that the Resolution and minutes of the meetings of the
(Planning Board / Zoning Board of Adjustment) of the City of Asbury Park are on file at City
Hall, One Municipal Plaza, Asbury Park, New Jersey and are available for inspection during
normal business hours.

FEES AND ESCROW DEPOSIT

30-24 FEES.

30-24.1 Fees for Applications or Services.

Fees for applications or for the rendering of any services by the Planning Board, Zoning Board and Technical Review Committee, or any member of their administrative staff shall be stated in this section. (2000 Code § 30-24.1)

30-24.2 Fee Schedule.

Application Type	Application Fee	Escrow Fee
Appeals and Interpretation	\$200. for all Applicants	\$300. for all Applicants
Conceptual/ Informal Reviews	\$150. for all Applicants	\$500. for all Applicants
Variances (Bulk)		
A) Single and Two Family Uses	\$300.	\$800. plus \$100. per each Variance requested when part of a major subdivision
B) Multifamily	\$300.	\$800. plus \$100. per each Variance requested
C) Nonresidential	\$300.	\$800. plus \$100. per each Variance required
Variances (Use)		
A) Single and Two Family Uses	\$500.	\$1,200.
B) Multifamily	\$500.	\$1,200. plus \$50. per unit
C) Nonresidential	\$500.	\$1,200. plus \$100. per 1,000 sq. ft. or fraction thereof over 2,000 sq. ft. gross impervious surface to be developed
Conditional Use Permit	\$450.	\$250. plus \$100. per 1,000 sq. ft. or fraction thereof over 2,000 sq. ft. gross impervious surface to be developed
Subdivision		
A) Minor/Sketch Plat	\$200. plus \$50. per lot	\$750.
B) Major Subdivision		
Preliminary Review	\$300. plus \$50. per lot	\$1,500. plus \$200. per lot
Final Review	\$200. plus \$25. per lot	\$500. plus \$100. per lot
Site Plan Review		
A) Minor Development		
Residential	\$200.	\$1,000.
Nonresidential	\$200.	\$1,000.
B) Major Development		
(1) Residential Preliminary Review	\$200. plus \$50. per unit	\$2,000. plus \$100. per 1,000 sq. ft. developed gross impervious surface or fraction thereof over 2,000 sq. ft., plus \$200. per dwelling unit

Final Review	\$100. plus \$25. per unit	\$1,000. plus \$50. per 1,000 sq. ft. developed gross impervious surface, or fraction thereof, over 2,000 sq. ft., plus \$200. per dwelling unit
(2) Nonresidential Preliminary Review	\$250. plus \$50. per 1,000 sq. ft. developed gross impervious surface, or fraction thereof, over 2,000 sq. ft.	\$2,000. plus \$100. per 1,000 sq. ft. developed gross impervious surface or fraction thereof over 2,000 sq. ft., plus \$200. per 1,000 sq. ft., or fraction thereof, of gross floor area
Final Review	\$125. plus \$25. per 1,000 sq. ft. developed gross impervious surface, or fraction thereof, over 2,000 sq. ft.	\$1,000. plus \$50. per 1,000 sq. ft. developed gross impervious surface, or fraction thereof, over 2,000 sq. ft., plus \$100. per 1,000 sq. ft., or fraction thereof, of gross floor area
C) Conceptual Site Plan Review	\$100.	Cost of professional services to be paid by applicant
Special Meeting Fee	\$1,800.	\$500.
Plan Amendment	\$500.	\$3,000.

(2000 Code § 30-24.2)

30-24.3 Fees; Payment Due.

Fees shall be paid at the time the application is filed and no application shall be deemed complete until the administrative officer certifies in writing that all required fees have been paid. In the event the application is for more than one (1) category of relief or action, the application and escrow fees shall consist of the sum of the fees for each category. (2000 Code § 30-24.3)

30-24.4 Miscellaneous Charges.

Any miscellaneous charges or expenses incurred by the Planning Board or Zoning Board of Adjustment or Technical Review Committee and not covered by application or professional escrow fees shall be paid by the applicant. (2000 Code § 30-24.4; Ord. No. 2647; Ord. No. 2654)