

**LAND USE BOARD
THE BOROUGH OF NEPTUNE CITY
MONMOUTH COUNTY, NEW JERSEY 07753
TELEPHONE 732-776-7224**

INSTRUCTION FOR ALL BULK VARIANCE APPLICATIONS

The following information is given to assist you in the process of applying for development approval and are not all inclusive. Please consult the Municipal Land Use Law and/or the Municipal Ordinances for further information.

1. Obtain the following forms from Board Secretary:
 - a) Development Application
 - b) Notice served on Owners within 200 feet
 - c) Notice to be published in official newspaper
 - d) Affidavit of Service
 - e) Development Application Fee Schedule
 - f) IRS-W-9 Form
 - g) Zoning permit application
 - h) Zoning determination

2. Submit the following required documents:
 - a) Eighteen (18) copies of the "Development Application" completely filled out, signed, dated and notarized.
 - b) Eighteen (18) copies of recent survey of property drawn to scale prepared by a New Jersey licensed land surveyor containing all measurements of the lot and buildings.
 - c) Separate checks payable to "Borough of Neptune City" for administration fee and escrow-professional fee.
 - d) Eighteen (18) copies of Zoning application and determination from the Zoning Officer for all appeals. (Blank copies attached.)
 - e) Other information and documents such as photographs, architectural drawings etc., which would be helpful to the Board in their decision on the night of the meeting.
 - f) Completed IRS W-9 Form.

3. Your application, fees and supporting documents will be reviewed by the Administrative Officer and you will be notified of deficiencies, if any.

After the application is deemed complete by the Administrative Officer, you will be notified in writing of the public hearing date.

The timing for Administrative Officer's review will depend on the completeness and accuracy of the application and supporting documents.

4. Obtain a certified list of the names and addresses of all property owners within 200 feet of the property including property owners in adjoining municipalities.

The Certified list of property owners in the Borough may be obtained from the Municipal Clerk upon written notice for a fee of \$10.00 or \$0.25 per name whichever is greater. The Certified list of property owners in adjoining municipalities may be obtained from the designated officials in the adjoining municipalities.

5. Complete the Notice of Hearing.

The Notice of Hearing must state the specific relief requested including a listing of all variances. It shall also state the lot and block of the property and the street address. If subdivision or site plan approval is being requested, it shall be included in the Notice of Hearing.

The Notice of Hearing must also state the date, time and place of the hearing.

6. A notice of hearing must be given to the following no less than ten (10) days prior to the assigned hearing date:

- a) All property owners within 200 feet including property owners in adjoining municipalities.
- b) NEPTUNE CITY Borough Clerk
- c) NEPTUNE CITY Code Enforcement Officer
- d) Municipal Clerk of any municipality within 200 feet.
- e) All utility companies included in the Certified list.
- f) Monmouth County Planning Board.
- g) State of New Jersey, Commissioner of Transportation.

7. The Notice of Hearing shall be Given By:

- a) Serving a copy thereof on the property owner or his agent in charge of the property; or
- b) Mailing a copy thereof by certified mail, return receipt requested, to the property owner at his address as shown on the Certified list.

8. A copy of the Notice of Hearing shall be published in the Asbury Park Press or The Coaster by applicant at least ten (10) days prior to the hearing. Ask the newspaper for the affidavit of publication.

*Special Note: **The Coaster publishes only once per week**

9. At least seven (7) days prior to the hearing date, the applicant must submit an Affidavit of proof of service and the newspaper's Affidavit of publication to the Secretary of the Board for review. Please note that proper service is necessary for the Board's jurisdiction. If these documents are incomplete, the Board may not be able to proceed with the hearing.

After serving the Notice of Hearing, complete the Affidavit of Proof of Service. Attach a copy of the Notice of Hearing and a copy of the certified list. The Affidavit must set forth the names and addresses of the persons served, the date they were served and whether they were served personally or by Certified Mail. Please list persons served in the order as their names appear on the certified list. For those parties served by certified mail, attach all white slips postmarked by the post office and as many signed green cards as are returned. The person who made service in the presence of a Notary Public or Attorney at Law who will complete the Affidavit by signing the jurat.

10. All real estate taxes must be paid through the date of the hearing.
11. Requests for adjournment of the hearing date must be made in writing to and received by the Secretary of the Board at least two (2) days prior to the hearing.
12. The Applicant or an attorney at law must attend the hearing. Corporations must be represented by an attorney at law. It is the applicant's burden to prove its right to the relief requested.
13. Once the Board makes its decision, a Resolution may be prepared and memorialized at subsequent Board meeting. Ten (10) calendar days after the memorialization of the Resolution, certified copy of the Resolution may be made available to you by either pick up from the board office or by mail.
14. If the application is approved, the Construction Department will not issue any building permits until all conditions of the Resolution are satisfied, maps are signed and recorded where required in accordance with the law.
15. The Board Secretary shall cause to be published a notice in the newspaper of the Board's decision on your application, whether approved or denied. Please also be aware that anyone may appeal the Board's decision within 45 days after the notice of decision is published in the newspaper. In the meantime, if the Construction Department issues a permit for construction, you build at you own risk!!!
16. The Administration fees are not refundable, whether your application is approved or denied.

NOTICE SERVED ON OWNERS WITHIN 200 FEET
BOROUGH OF NEPTUNE CITY
LAND USE BOARD

NOTICE OF HEARING ON APPEAL OR APPLICATION

TO: _____
OWNER OF PREMISES: _____

PLEASE TAKE NOTICE:

That the undersigned has filed an appeal or application for development with the Land Use Board of the Borough of Neptune City for a _____ Variance from the requirements of the Zoning Ordinance so as to permit _____

_____ on the premises at _____ and designated as Lot _____ Block _____ on the Borough Tax Map, and this notice is sent to you as an owner of property in the immediate vicinity.

A public hearing has been set for _____, 20____, at _____ p.m., in the Municipal Building, 106 W. Sylvania Avenue, Neptune City, NJ, and when the case is called you may appear either in person, or by agent or attorney, and present any objections which you may have to the granting of the relief sought in the petition.

The survey and other related maps and papers are on file in the office of the Municipal Clerk and are available for inspection.

This notice is sent to you by the applicant, by order of the Land Use Board.

Respectfully,

(Applicant)

AFFIDAVIT OF SERVICE

State of New Jersey)
)
County of _____)

.SS:

_____ of full age, being duly sworn according to law, on his oath deposes and says that he resides at _____ in the (municipality) of _____ County of _____, and State of _____, that he did on _____, 20____, at least ten (10) days prior to hearing date, give personal notice that all property owners within 200 feet of the property located at _____.

Said notice was give either by handing a copy to the property owner, or by sending said notice by certified mail. Copies of the registered receipts are attached hereto.

Notice were also served upon:

(Check if applicable)

- () 1. The Clerk of the Borough of Neptune City
- () 2. County Planning Board
- () 3. The Director of the Division of the State and Regional Planning
- () 4. The Department of Transportation
- () 5. The Clerk of Adjoining Municipalities

A copy of said notices are attached hereto and marked "Exhibit A."

Notice was also published in the official newspaper of the municipality as required by law.

Attached to this affidavit and marked "Exhibit B" is a list of owners of property within 200 feet of the affected property who were served, showing the lot and block numbers of each property as same appear on the municipal tax map, and also a copy of the certified list of such owners prepared by the Tax Assessor of the Municipality, which is marked "Exhibit C."

There is also attached a copy of the proof of publication of notice in the official newspaper of the municipality, which is marked "Exhibit D."

(Signature of Applicant)

Sworn and subscribed to before
me this _____ day of _____, 20 _____.

NOTICE TO BE PUBLISHED IN OFFICIAL NEWSPAPER
BOROUGH OF NEPTUNE CITY
LAND USE BOARD

TAKE NOTICE that on the _____ day of _____ 20____, at
_____ o'clock p.m., a hearing will be held before the Neptune City Land Use
Board at the Municipal Building, 106 W. Sylvania Avenue, Neptune City, New Jersey on the
appeal or application of the undersigned for a variance or other relief so as to permit

_____ on
the premises located at _____ and designated as
Block _____ Lot _____ on the Borough Tax Map.

The survey and other related maps and papers are on file in the office of the Municipal Clerk and
are available for inspection.

Any interested party may appear at said hearing and participate therein in accordance with the
rules of the Land Use Board.

(Name of Applicant)

Publication Date: _____

Request for Taxpayer Identification Number and Certification

Give form to the requester. Do not send to the IRS.

Print or type See Specific Instructions on page 2.	Name (as shown on your income tax return)	
	Business name, if different from above	
	Check appropriate box: <input type="checkbox"/> Individual/Sole proprietor <input type="checkbox"/> Corporation <input type="checkbox"/> Partnership <input type="checkbox"/> Limited liability company. Enter the tax classification (D=disregarded entity, C=corporation, P=partnership) ▶ <input type="checkbox"/> Exempt payee <input type="checkbox"/> Other (see instructions) ▶	
	Address (number, street, and apt. or suite no.)	Requester's name and address (optional)
	City, state, and ZIP code	
	List account number(s) here (optional)	

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on Line 1 to avoid backup withholding. For individuals, this is your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the Part I instructions on page 3. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN* on page 3.

Note. If the account is in more than one name, see the chart on page 4 for guidelines on whose number to enter.

Social security number
: : : : : : : : :
or
Employer identification number
: : : : : : : : :

Part II Certification

Under penalties of perjury, I certify that:

1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me), and
2. I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding, and
3. I am a U.S. citizen or other U.S. person (defined below).

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the Certification, but you must provide your correct TIN. See the instructions on page 4.

Sign Here	Signature of U.S. person ▶	Date ▶
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General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

Purpose of Form

A person who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) to report, for example, income paid to you, real estate transactions, mortgage interest you paid, acquisition or abandonment of secured property, cancellation of debt, or contributions you made to an IRA.

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN to the person requesting it (the requester) and, when applicable, to:

1. Certify that the TIN you are giving is correct (or you are waiting for a number to be issued),
2. Certify that you are not subject to backup withholding, or
3. Claim exemption from backup withholding if you are a U.S. exempt payee. If applicable, you are also certifying that as a U.S. person, your allocable share of any partnership income from a U.S. trade or business is not subject to the withholding tax on foreign partners' share of effectively connected income.

Note. If a requester gives you a form other than Form W-9 to request your TIN, you must use the requester's form if it is substantially similar to this Form W-9.

Definition of a U.S. person. For federal tax purposes, you are considered a U.S. person if you are:

- An individual who is a U.S. citizen or U.S. resident alien,
- A partnership, corporation, company, or association created or organized in the United States or under the laws of the United States,
- An estate (other than a foreign estate), or
- A domestic trust (as defined in Regulations section 301.7701-7).

Special rules for partnerships. Partnerships that conduct a trade or business in the United States are generally required to pay a withholding tax on any foreign partners' share of income from such business. Further, in certain cases where a Form W-9 has not been received, a partnership is required to presume that a partner is a foreign person, and pay the withholding tax. Therefore, if you are a U.S. person that is a partner in a partnership conducting a trade or business in the United States, provide Form W-9 to the partnership to establish your U.S. status and avoid withholding on your share of partnership income.

The person who gives Form W-9 to the partnership for purposes of establishing its U.S. status and avoiding withholding on its allocable share of net income from the partnership conducting a trade or business in the United States is in the following cases:

- The U.S. owner of a disregarded entity and not the entity,

William Doolittle
Construction Official
Building SubCode Official
Zoning Officer



Office Hours
Tuesday & Thursday 4:45- 6:00 pm
Monday - 7:30 - 8:00 am

ZONING DETERMINATION

NUMBER _____ DATE _____

1. Applicant _____

Address: _____

2. Property Location _____

Block: _____ Lot: _____ Zone District: _____

3. Proposed Construction or Use: _____

4. Denied because proposal violates the following provisions of the zoning ordinance:

Article: _____ Section: _____

5. If you wish to pursue additional relief, please complete and submit the required development Application forms to the Land Use Board Secretary.

William Doolittle
Zoning Officer

Borough of Neptune City

Ordinance 2012-9

AN ORDINANCE AMENDING CERTAIN SECTIONS OF CHAPTER 15 ENTITLED "LAND USE PROCEDURES" OF THE CODE OF THE BOROUGH OF NEPTUNE CITY.

BE IT ORDAINED by the Mayor and Borough Council of the Borough of Neptune City, in the County of Monmouth and State of New Jersey, as follows:

Section 1. Chapter 15 entitled "Land Use Procedures" of the Code of the Borough of Neptune City is hereby amended as follows:

DEVELOPMENT APPLICATION FEE SCHEDULE

Type of Application	Administrative fees	Escrow-Professional Fee
1. Bulk Variance	\$250.00 per variance	\$500. for first variance \$200. for each additional variance
2. Appeals and Interpretation	\$250.00	\$500.00
3. Use Variance	\$600.00	\$1,500.00
4. Conditional Use	\$600.00	\$1,500.00
5. Subdivisions:		
a. Minor	\$600.00	\$2,000.00
b. Preliminary Major	\$750.00 plus \$50.00 per lot	\$5000.00 plus \$200.00 per lot
c. Final major	\$600.00	50% of preliminary
6. Site Plan:		
a. Residential	\$750.00 plus \$20.00 per dwelling unit	\$5000.00 plus \$200.00 per dwelling unit
b. Nonresidential	\$750.00 plus \$.06 per sq. ft. proposed building or addition	\$5000.00 plus \$.25 per sq. ft. proposed building or addition
c. Final Residential or Non-Residential when applied separately	\$600.00	50% of preliminary
d. Waiver or Exemption Request	\$500.00	\$1,000.00
7. Certified List	\$10.00 or .25 per name, whichever is greater	No Fee
8. Special meeting	\$1,500.00	No Fee
9. Zone Changer Requests	\$250.00	\$1,000.00
10. Time or Extension	\$250.00	\$1,000.00
11. Pre-existing Use Certificate	\$100.00 per use	No Fee
12. Tax map Revision fee	\$150.00 plus \$20.00 per lot	No Fee

Borough of Neptune City

Ordinance :

**AN ORDINANCE AMENDING CERTAIN SECTIONS OF CHAPTER 15 ENTITLED "LAND USE PROCEDURES"
OF THE CODE OF THE BOROUGH OF NEPTUNE CITY.**

NOTICE

Notice is hereby given that the foregoing Ordinance was introduced at a regular meeting of the Mayor and Council of the Borough of Neptune City held Monday, October 22, 2012 at 7:00 p.m. and will be considered for passage and final adoption at the regular meeting of the Mayor and Council to be held at the Borough Hall, 106 West Sylvania Avenue, Neptune City, New Jersey, on Monday, November 19, 2012 at 7:00 p.m. This Ordinance amends and supplements certain section of Chapter 15 of the Code of the Borough of Neptune City.

BOROUGH OF NEPTUNE CITY
MARY SAPP, MUNICIPAL CLERK

Dated: October 22, 2012

BOROUGH OF NEPTUNE CITY
 MONMOUTH COUNTY, NJ
 LAND USE BOARD
 DEVELOPMENT APPLICATION

1. Applicant's Name _____ Phone _____
 Mailing Address _____ Fax _____
2. Present Owner _____ Phone _____
 Mailing Address _____ Fax _____
3. Attorney Representing Applicant _____
 Firm Name _____ Phone _____
 Mailing Address _____ Fax _____
4. Licensed NJ Engineer, Surveyor, Architect or Planner Preparing Maps:

 Firm Name _____ Phone _____
 Mailing Address _____ Fax _____
5. Interest of Applicant if other than Owner: _____

6. Application for (check appropriate):

 Bulk Variance _____ *Site Plan _____
 Use Variance _____ *Subdivision _____
 Interpretation _____ Minor _____
 Conditional Use _____ Preliminary Major _____
 Final Plat _____
 Other (specify) _____ *Site Plan Exemption _____

*3 copies of checklist is required

7. Address of Premises Affected by Application: _____

 Known as: Block _____ Lot(s) _____
 Tax Map Sheet(s) _____ Zone(s) _____
 Ownership of Adjacent Property? (If yes, indicate each block(s) and lot(s): _____

8. LOT DIMENSIONS:
 Existing Zoning Requirements

Frontage _____ ft.	_____ ft.
Front Yard Width _____ ft.	_____ ft.
Depth _____ ft.	_____ ft.
Area _____ sq. ft.	_____ sq. ft.
_____ acres	_____ acres

17. I certify that the foregoing statements and the materials submitted are true. I further certify that I am the individual applicant or that I am an Officer of the Corporate applicant and that I am authorized to sign the application for the Corporation or that I am a general partner of the partnership applicant. (If the applicant is a corporation this must be signed by an authorized corporate officer. If the applicant is a partnership, this must be signed by a general partner).

Sworn to and subscribed before me this

_____ day _____, 20 _____

NOTARY PUBLIC _____ SIGNATURE OF APPLICANT _____

18. I certify that I am the Owner of the property which is the subject of this application, that I have authorized the applicant to make this application and that I agree to be bound by the application, the representations made and the decision in the same manner as if I were the applicant. (If the owner is a corporation this must be signed by an authorized corporate officer. If the owner is a partnership, this must be signed by a general partner).

Sworn to and subscribed before me this

_____ day _____, 20 _____

NOTARY PUBLIC _____ SIGNATURE OF OWNER _____

19. STATEMENT OF TAX COLLECTOR

Status of Municipal Taxes Paid Through _____
Status of Assessments for Local Improvements _____

Dated _____

Authorized Signature

Office Use Only

Application # _____ Received By: _____ Date: _____
Completeness Reviewed By: _____ Date Application Deemed Complete: _____
HEARING DATE: _____ TIME EXTENSION: _____
Board Action: _____ Approved _____ Denied _____ Date: _____
Resolution Adopted on: _____ Maps Signed On: _____

FEES PAID

Administration _____ 18 copies of plans _____
Escrow-Professional _____ 18 copies of survey _____
Other _____ 3 copies of checklist _____
18 Copies of Zoning Application _____
18 Copies of Zoning Determination _____
Other _____