

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

INSTRUCTION FOR ALL 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) "Completeness Checklist"
 - c) Development Application Fee Schedule
 - d) IRS W-9 Form
 - e) Notice served on Owners within 200 feet
 - f) Notice to be published in official newspaper
 - g) Affidavit of Service
2. Submit the following required documents:
 - a) Eighteen (18) copies of the "Development Application" completely filled out, signed, dated, and notarized.
 - b) Three (3) 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) Three (3) copies of signed and sealed plans for site plan, subdivision, or variance plans.
 - d) Three (3) copies of "Completeness Checklist" completed, signed, and sealed by the licensed professional.
 - e) Separate checks payable to "Borough of Neptune City" for administration fee and escrow-professional fee.
 - f) Eighteen (18) copies of Zoning application and determination from the Zoning Officer for all appeals.
 - g) 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.
 - h) 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.

- a) After the application is deemed complete by the Administrative Officer, you will be notified in writing of the public hearing date and you will be required to submit additional fifteen (15) copies of signed and sealed site plan, subdivision or variance plans.
 - b) 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, and/or 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 your own risk!!!
16. The Administration fees are not refundable, whether your application is approved or denied.

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

1. Applicant's Name _____ Phone _____
Mailing Address _____ Email _____

2. Present Owner _____ Phone _____
Mailing Address _____ Email _____

3. Attorney Represent Applicant _____
Firm Name _____ Phone _____
Mailing Address _____ Email _____

4. Licensed NJ Engineer, Surveyor, Architect or Planner Preparing Maps

Firm Name _____ Phone _____
Mailing Address _____ Email _____

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. |

9. SUBJECT BUILDING LOCATION:

| | Existing | Proposed | Zoning Requirements |
|--------------------|-----------|-----------|---------------------|
| Front Setback | _____ ft. | _____ ft. | _____ ft. |
| Side Yard Setback | _____ ft. | _____ ft. | _____ ft. |
| Rear Yard Setback | _____ ft. | _____ ft. | _____ ft. |
| Height | _____ ft. | _____ ft. | _____ ft. |
| Coverage | _____ % | _____ % | _____ % |
| Useable Floor Area | _____ sf. | _____ sf. | _____ sf. |

| 10. Accessory Uses: | Existing | Proposed | Zoning Requirements |
|---------------------|-----------|-----------|---------------------|
| Describe Use | | | |
| Rear Yard Setback | _____ ft. | _____ ft. | _____ ft. |
| Side Yard Setback | _____ ft. | _____ ft. | _____ ft. |
| Story & Height | _____ ft. | _____ ft. | _____ ft. |

11. Existing Use: _____
Proposed Use: _____
Standard Industrial Classification Code: _____

12. Permission Requested to: Erect _____ Alter _____ Convey _____ Move _____
Use _____ Demolish _____ Subdivide _____ Other _____

Descriptive Explanation: _____

13. List Variances or Interpretation Requests (include zoning ordinance section numbers and brief description of each Variance requested): _____

14. Subdivisions and Site Plans (indicate the applicable): Site Area _____
Number of Lots _____ Number of residential Units _____
Number of Nonresidential buildings _____ Sq. footage of each _____
Nonresidential buildings _____

15. DISCLOSURE STATEMENT

Applicant is a Corporation _____ Partnership _____ Individual _____

Pursuant to N.J.S. 40.55D-48.1, the names and addresses of all persons owning 10% of the stock in a corporate Applicant or 10% interest in any partnership Applicant must be disclosed. In accordance with N.J.S. 40.55D-48.2 that disclosure requirement applies to any corporation or partnership which owns more than 10% interest in the Applicant followed up in the chain of ownership until the names and addresses of the non-corporate stockholders and partners exceeding the 10% ownership criterion have been disclosed. (Attached pages as necessary to fully comply).

Name _____ Address _____
Interest _____
Name _____ Address _____
Interest _____

16. PROPERTY INFORMATION

Restrictions, covenants, easements, association by-laws existing or proposed on the property:
Yes (attach copies) _____ No _____ Proposed _____

Note: All deed restrictions, covenants, easements, association by-laws, existing and proposed must be submitted for review and must be written in easily understandable English in order to be approved.

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__

SIGNATURE OF APPLICANT

NOTARY PUBLIC _____

18. I certify 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__

SIGNATURE OF APPLICANT

NOTARY PUBLIC _____

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 _____

Escrow-Professional _____

Other _____

18 Copies of plans _____

18 Copies of survey _____

3 copies of checklist _____

18 Copies of Zoning Application _____

18 Copies of Zoning Determination _____

Other _____

COMPLETENESS CHECKLIST

This checklist is provided to applicants to assist in the determination of whether the application is complete, as required by N.J.S.A. 40:55-D1103 of the Municipal Land Use Law. The applicant must complete this check list and submit it at the time of the initial application.

APPLICANT NAME _____

BLOCK NO. _____

LOT NO. _____

To be
Checked by
Applicant

| | Yes | No | N/A |
|---|-----|-----|-----|
| 1. Proper fees & completed application forms | () | () | () |
| 2. A current Boundary & Site Survey prepared by a Licensed Surveyor This survey shall show all metes & bounds, all existing structures & paved areas | () | () | () |
| 3. Title Block, Name, Address & Title of Person Preparing Plan | () | () | () |
| 4. Name, Address of the Owner & Applicant | () | () | () |
| 5. Date, Scale & North Arrow | () | () | () |
| 6. The Zoning Map in which the site is located, any contiguous zone boundary Lines, all lot lines & property owners & addresses, lot & block numbers within 200' radius | () | () | () |
| 7. Key map showing all intersections & roads within 500 feet of the property | () | () | () |
| 8. All Existing & Proposed Variances Noted | () | () | () |
| 9. Table of Zoning Requirements with all Existing & Proposed Information Including Variances | () | () | () |
| 10. Dimensions of the lot, setback lines for the front, side & rear yards, kinds & locations of fences | () | () | () |
| 11. Significant existing physical features including streams, water courses, Swamps, tree liens, etc. | () | () | () |
| 12. All existing & proposed improvements | () | () | () |
| 13. Preliminary architectural floor plans & at least two elevations showing the proposed exterior finish materials | () | () | () |
| 14. Boring logs & soil data, if required | () | () | () |
| 15. Method of solid waste storage & disposal | () | () | () |

- | | | | | |
|-----|--|-----|-----|-----|
| 16. | Grading plans | () | () | () |
| 17. | Environmental Impact Statement | () | () | () |
| 18. | Soil Erosion & Sediment Control Plan | () | () | () |
| 19. | Any easement or deed restrictions | () | () | () |
| 20. | Lighting & landscaping plans, including the location of existing trees & tree masses. Only trees over 6" in diameter are required to be shown | () | () | () |
| 21. | Drainage report | () | () | () |
| 22. | Written request for waivers from any of the above requirement | () | () | () |
| 23. | Prepared place for the signature of the Land Use Board Chairman, Secretary & Engineer | () | () | () |

The list above indicates the general requirements for information necessary for an application to be considered reasonably complete and sufficient for review by the Board. For further information, refer to Chapters 111 & 115 and other applicable Chapters of the Borough ordinance. Failure to meet these requirements on the submitted drawings will result in delay of deeming the application complete.

AFFIDAVIT OF COMPLETENESS

I/we, the undersigned, certify that this application fully complies with all standards and the requirements contained in the Municipal Land Use Law, N.J.S.A. 40:55D-1 et. seq. and amendments thereto and the current Zoning Ordinance of the Borough of Neptune City. I/we further certify that all information contained herein is complete and accurate to the best of my/our knowledge.

Applicant/Owner Name (Print or Type)

Professional's Name (Print or Type)

Signature

Date

Signature/Seal & License No.

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/disregarded entity name, if different from above | |
| | Check appropriate box for federal tax classification (required): <input type="checkbox"/> Individual/sole proprietor <input type="checkbox"/> C Corporation <input type="checkbox"/> S Corporation <input type="checkbox"/> Partnership <input type="checkbox"/> Trust/estate <input type="checkbox"/> Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=partnership) ▶ _____ <input type="checkbox"/> Other (see instructions) ▶ _____ | |
| | <input type="checkbox"/> Exempt payee | |
| | Address (number, street, and apt. or suite no.) City, state, and ZIP code List account number(s) here (optional) | Requester's name and address (optional) |

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on the "Name" line 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 | | | | | | | | |
| | | | | - | | | | |

| | | | | | | | | |
|--------------------------------|--|--|--|---|--|--|--|--|
| 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 ▶ |
| | | |

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.

**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)

**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: _____

AFFIDAVIT OF SERVICE

State of New Jersey)
) .SS:
County of _____)

_____ 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 ____.