

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

1. Applicant's Name Donald C. Haynie & Samuel Farruggio, Jr. Phone c/o 732-280-2606  
Mailing Address 120 Locust Avenue Email rotodon62@yahoo.com  
Neptune City, New Jersey 07753

2. Present Owner Same Phone \_\_\_\_\_  
Mailing Address \_\_\_\_\_ Email \_\_\_\_\_

3. Attorney Represent Applicant Mark R. Aikins, Esquire  
Firm Name Mark R. Aikins, L.L.C. Phone 732-280-2606  
Mailing Address 3350 Route 138, Bldg. 1, Ste 113 Email maikins@aikinslaw.com  
Wall, New Jersey 07719

4. Licensed NJ Engineer, Surveyor, Architect or Planner Preparing Maps  
Joseph Kociuba  
Firm Name KBA Engineering Services, LLC Phone 732-722-8555  
Mailing Address 2517 Route 35, Bldg. E, Suite 203 Email joe@kbaengineers.com

5. Interest of Applicant if other than Owner: \_\_\_\_\_

6. Application for (check appropriate):  
**Bulk Variance** \_\_\_\_\_ **\*Site Plan** \_\_\_\_\_  
**Use Variance** \_\_\_\_\_ **\*Subdivision** \_\_\_\_\_  
**Interpretation** \_\_\_\_\_ **Minor** xx  
**Conditional Use** \_\_\_\_\_ **Preliminary Major** \_\_\_\_\_  
\_\_\_\_\_ **Final Plat** \_\_\_\_\_  
**Other (specify)** \_\_\_\_\_ **\*Site Plan Exemption** \_\_\_\_\_

**\*3 copies of checklist is required**

7. Address of Premises Affected by Application: 164 5th Avenue

Known as: Block 91 Lot(s) 25  
Tax Map sheet(s) 15 Zone(s) R-1  
Ownership of Adjacent Property? (if yes, indicate each block(s) and lot(s): No

8. LOT DIMENSIONS: PLEASE SEE ZONING TABLE SHEET ON PLANS ATTACHED

	Existing		Zoning Requirements
Frontage	_____ ft.		_____ ft.
Front Yard Width	_____ ft.		_____ ft.
Depth	_____ ft.		_____ ft.
Area	_____ sq.ft.		_____ sq.ft.

9. SUBJECT BUILDING LOCATION: PLEASE SEE ZONING TABLE SHEET ON PLANS ATTACHED

	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.

PLEASE SEE ZONING TABLE SHEET ON PLANS ATTACHED

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: Residential  
 Proposed Use: Residential  
 Standard Industrial Classification Code: \_\_\_\_\_

12. Permission Requested to: Erect \_\_\_\_\_ Alter \_\_\_\_\_ Convey \_\_\_\_\_ Move \_\_\_\_\_  
 Use \_\_\_\_\_ Demolish \_\_\_\_\_ Subdivide x Other \_\_\_\_\_

Descriptive Explanation: Applicants seeking to subdivide the large lot into two (2) lots.  
The westerly lot will retain the existing single family residence (which has an existing front yard setback deficiency) and rear shed.

13. List Variances or Interpretation Requests (include zoning ordinance section numbers and brief description of each Variance requested): Front Yard Setback: 30 ft. required; whereas 19.9 ft. proposed (existing non-conformity); Accessory Rear Setback: 5.0 ft. required; whereas 1.8 ft. proposed (existing non-conformity).

14. Subdivisions and Site Plans (indicate the applicable): Site Area 0.44 acres  
 Number of Lots 2 Number of residential Units 2  
 Number of Nonresidential buildings \_\_\_\_\_ Sq. footage of each \_\_\_\_\_  
 Nonresidential buildings \_\_\_\_\_

15. DISCLOSURE STATEMENT

Applicant is a Corporation \_\_\_\_\_ Partnership \_\_\_\_\_ Individual xx

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 x 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\_\_

NOTARY PUBLIC \_\_\_\_\_

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

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

29th day March, 2021

NOTARY PUBLIC \_\_\_\_\_



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

Mark R. Aikins, Attorney for Applicants

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: <u>Approved</u> _____	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 _____

WILLIAM DOOLITTLE  
Construction Official  
Building Official  
Fire Inspector  
Zoning Officer



OFFICE HOURS  
Tuesday & Thursday  
4:45-6:00pm

## BOROUGH OF NEPTUNE CITY

Construction Code Office

106 w. Sylvania Avenue  
Neptune City, NJ 07753  
Phone: (732) 776-9204 Fax: (732) 776-8906

### ZONING PERMIT APPLICATION

BLOCK: 91 LOT: 25

FEE: \$20-

PERMIT#: Denied

All applications for construction purposes must be accompanied by a survey. Applications for a proposed use must indicate the exact scope of business including all activities which will be part of the business.

1. Applicants Name: DONALD C HAYNIE Phone (H) 732 988 3341  
Mailing Address: 120 LOCUST AVE NEPTUNE CITY NJ Phone (C) 732 861 4693  
Email: ROTDON62@YAHOO.COM Fax \_\_\_\_\_
2. Owner's Name: DONALD C HAYNIE / SAMUEL FARRUGIA Phone (H) 732 988 3341 / 910 579 5471  
Mailing Address: 120 LOCUST AVE / 1213 FENCE POST LANE Phone (C) 732 861 4693 / 732 610 1286  
NEPTUNE CITY NJ 07753 / CAROLINA SHORES NC 28467
3. Location of Proposed Use or Work:  
Block No. 91 Lot No. 25  
Address 164 5TH AVE
4. Description of *Existing* or prior Use or Work:  
Business Name (If Applicable) \_\_\_\_\_  
Description \_\_\_\_\_
5. Detailed Description of *Proposed* Use or Work: **\*Be specific. Include details.**  
Business Name (If Applicable) \_\_\_\_\_  
Description SUBDIVISION
6. Has the above premises been the subject of any prior application to the Land Use Board, Zoning Board of Adjustment or planning Board to the applicant's knowledge? Yes \_\_\_\_\_ No X  
If yes please describe \_\_\_\_\_

Applicant Signature

Date

NOV 2 2020

PERMIT# Denred

OFFICE USE ONLY

FEE PAID: DATE: \_\_\_\_\_

CHECK#

CASH

RECEIPT# 1392

APPROVED: \_\_\_\_\_

DATE: \_\_\_\_\_

DENIED:

[Signature]  
Zoning Officer

DATE: 11-12-20

REASON FOR DENIAL:

Land Use Board approval required for a minor  
subdivision.

Existing single family dwelling violates the 25' minimum  
front setback.

Existing metal shed violates the 15' minimum rear  
setback

Fence Fee \$45

Driveway Fee \$35

All other uses \$2'

**LEON S. AVAKIAN, INC. *Consulting Engineers***

788 WAYSIDE ROAD • NEPTUNE, NEW JERSEY 07753

LEON S. AVAKIAN, P.E., P.L.S. (1953-2004)  
PETER R. AVAKIAN, P.E., P.L.S., P.P.  
MEHRYAR SHAFAI, P.E., P.P.  
GREGORY S. BLASH, P.E., P.P., CPWM  
LOUIS J. LOBOSCO, P.E., P.P.  
GERALD J. FREDA, P.E., P.P.  
RICHARD PICATAGI, L.L.A., P.P.  
JENNIFER C. BEAHM, P.P., AICP  
CHRISTINE L. BELL, P.P., AICP  
SAMUEL J. AVAKIAN, P.E.

April 16, 2021

Neptune City Land Use Board  
106 W. Sylvania Avenue  
Neptune City, NJ 07753

Re: Haynie/Farruggio Minor Subdivision  
164 Fifth Avenue  
Block 91, Lot 25  
Our File: NCPB 21-02

Dear Board Members:

Our office has received and reviewed a minor subdivision application for the above referenced project and reports as follows:

1. Documents Submitted

- A. Plans entitled "Fina Minor Subdivision Plat" consisting of one (1) sheet prepared by Alan R. Boettger, P.L.S., of Clearpoint Services, LLC, dated March 5, 2021.
- B. One sheet "Outbound & Topographic Plan of Survey" prepared by Alan R. Boettger, P.L.S., of Clearpoint Services, LLC, dated January 20, 2021.
- C. Zoning Permit Application dated November 2, 2020, denied by the Zoning Officer on November 12, 2020.

2. Zoning and Land Use

- A. The subject property is known as Lot 25, Block 91 with frontage on Fifth Avenue. The property is within the Single-Family Residential Zone (R-1).
- B. The subject property contains 19,189 square feet with one existing single-family dwelling. The Applicant is proposing to subdivide the property to two lots.
- C. The proposed Lot 25.01 will be 10,433 s.f. and will include the existing dwelling and the shed.

- D. The proposed lot 25.02 will be 8,756 s.f. This property is vacant and meets all zoning requirements of R-1 Zone.
- E. There are two (2) existing variances that will remain with new Lot 25.01.
  - Minimum front yard setback required is 25'. The existing dwelling has 19.9' setback.
  - Minimum rear yard setback for accessory structures is 5'. The existing shed has 1.8' setback.

3. **Plan Review Comments**

- A. It appears the subdivision will be filed according to "Map Filing Law". If that is the case, the two (2) references to "Lakewood Township Planning Board" should be revised to "Borough of Neptune City Land Use Board".
- B. If the Applicant decides to file the subdivision by "Deeds":
  - The certifications and references to Map Filing Law should be removed.
  - The proposed deeds and metes and bounds descriptions will require the Board's Attorney and Engineer review and approvals prior to filing.
- C. The Board's Approval signature block should be revised from "Planning Board" to "Land Use Board".
- D. The 200' Property Owners list should include properties in Neptune Township within a 200' radius.
- E. The title of "Final Minor Subdivision Plat" should be revised to "Minor Subdivision".
- F. The title block should include the Tax Map sheet no. 15.

4. **Conditions of Approval**

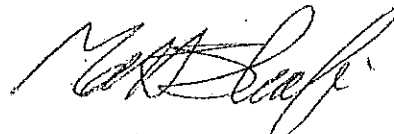
- A. Monmouth County Planning Board Approval
- B. Freehold Soil Conservation District, or exemption letter

- C. All roadway openings are subject to Borough Ordinance Chapter 113 requirement
- D. Tax Map Revision Fee, in the amount of \$190.00
- E. Posting a \$1,000.00 cash bond for two (2) proposed property corner concrete monuments
- F. Tax Assessor's approval for proposed lot numbers and street address for new Lot 25.02
- G. If filed by Deed, prior Board's Attorney and Engineer review and approvals are required.

Should you have any questions or require additional information, please do not hesitate to contact this office.

Very truly yours,

LEON S. AVAKIAN, INC.



Matt Shafai, P.E., P.P.  
Board Engineer

MS:mcs

cc: Greg Vella, Esq., Board Attorney  
Mark Aikins, Esq.  
Joseph Kociuba, P.E., KBA Engineering  
NCPB/21/21-03