



CITY OF ASBURY PARK  
ONE MUNICIPAL PLAZA  
ASBURY PARK, NJ 07712  
(732) 775-2100

Application # \_\_\_\_\_  
Date Filed \_\_\_\_/\_\_\_\_/\_\_\_\_  
Hearing Date \_\_\_\_/\_\_\_\_/\_\_\_\_

**INTERPRETATION**

**APPEAL**

Planning Board \_\_\_\_\_

Zoning Board of Adjustment \_\_\_\_\_

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 Location: \_\_\_\_\_

8. Existing Use: \_\_\_\_\_

Block \_\_\_\_\_ Lot(s): \_\_\_\_\_

9. Zoning Ordinance Requirements — from variance is requested:

Article \_\_\_\_\_ Section \_\_\_\_\_

10. Description of Variance(s) Requested:

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

11. Property is located in zone \_\_\_\_\_ as per Asbury Park Land Development Ordinance.

12. Property is \_\_\_\_\_; is not \_\_\_\_\_ located in Historical District.  
Historic District \_\_\_\_\_ Block: \_\_\_\_\_ Lot(s): \_\_\_\_\_

13. Detailed Information:

Lot Size \_\_\_\_\_ Building Size \_\_\_\_\_

14. Percentage of lot occupied by building(s) \_\_\_\_\_%

Height of building # stories \_\_\_\_\_ Feet \_\_\_\_\_

15. Set-back from front property line \_\_\_\_\_ feet

Rear Yard \_\_\_\_\_ ft.

Prevailing set-back of adjoining buildings within block \_\_\_\_\_

16. Has there been any previous appeal involving these premises? \_\_\_\_\_

If so, 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: \_\_\_\_\_

**CITY OF ASBURY PARK  
INTERPRETATION APPLICATION AND  
CHECKLIST<sup>1</sup>**

Dear Applicant:

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

Only completed applications will be accepted for consideration.  
**ALL PLANS MUST BE FOLDED AND COLLATED**

C	N	N/A	
___	___	___	1. Sixteen (16) copies of the application form.
___	___	___	2. Sixteen (16) copies of drawing or plans of proposed structure.
___	___	___	3. Sixteen (16) copies of the Site Plan. Six (6) full-size sets at 24"x36" and Ten (10) 11"x17" size sets.
___	___	___	4. Sixteen (16) copies of a signed, sealed Survey.
___	___	___	5. Certificate of payment of taxes and sewer fees.
___	___	___	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 portion of site to be affected.
___	___	___	11. Contribution Disclosure Statement. <sup>2</sup>

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

Please be advised that it is helpful to the Board that you provide as much detailed information regarding your application. All information that you feel will assist the Board to make an informed decision the night of the meeting.

Submitted Application must meet all of the requirements of Articles IV, V & VI of the Revised General Ordinances of the City of Asbury Park Volume II, Chapter 30 Land Development Regulations.

<sup>1</sup>Adopted by Ordinance #2684 by the City of Asbury Park May 19, 2004.

<sup>2</sup>Adopted by Ordinance #2680 by the City of Asbury Park April 7, 2004.

**DISCLOSURE OF POLITICAL CONTRIBUTIONS  
CERTIFICATION**

\_\_\_\_\_, of full age, does hereby certify as follows:

(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 to the

(applicant's name)

Asbury Park (Zoning Board of Adjustment or Planning Board) for \_\_\_\_\_

(variances, site plan, etc.)

associated with \_\_\_\_\_ located at \_\_\_\_\_

(proposed uses)

\_\_\_\_\_ Block \_\_\_\_\_ Lot \_\_\_\_\_, Asbury Park, NJ, 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 elected officials of the City of Asbury Park)\_\_\_\_\_.

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

\_\_\_\_\_  
(Print Name)

\_\_\_\_\_  
(Signature)

Dated: \_\_\_\_\_

## THE PROCESS

After you submit your application, fees and supporting documents to the Zoning Office, when your application is deemed complete, you will receive a letter in the mail in approximately two (2) weeks confirming your hearing date. (Please be aware that it may take as long as one to three months before you are scheduled for a public hearing. This will depend on the volume of applications that require scheduling and how complete your application is when filed).

In your letter, you will also receive further instructions regarding the process of notifying the public of your application and publishing a notice in the newspaper. You will receive a copy of the Public Notice and Notice of Determination form to be used in this process.

Your contractor may 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 that 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 prosecuted 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 (2) year 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 memorialized at the following meeting. Approximately 10 days after the memorialization of the resolution, the resolution will be made available to you to either pick up from the Zoning Office or to be mailed to you. At that time, you may apply to the Construction Department for your building permits.

You are also required to publish a Notice of Determination in the newspaper (with one of the following: The Coaster or the Asbury Park Press) regarding your application.

Also, please be aware that an objector to 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 will issue your permit for construction; However, you build at your own risk!

The application fees are non-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) 775-2100, and ask for Zoning.

**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 / variance)*: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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 Tuesday \_\_\_\_\_

at 7:00 PM.

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 hours of 9:00 AM and 4:00 PM.

Applicant: \_\_\_\_\_

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



# 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 Determination 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.

**AFFIDAVIT OF SERVICE**

**CITY OF ASBURY PARK**

STATE OF NEW JERSEY:

COUNTY OF MONMOUTH:

I, \_\_\_\_\_ of full age, being duly sworn according to law, on oath deposes and says they are making an application for property described as \_\_\_\_\_, Asbury Park, New Jersey, 07712 in the municipality of Asbury Park, New Jersey 07712 in the municipality of Asbury Park, County of Monmouth and State of New Jersey and did on \_\_\_\_\_, 2017, at least ten (10) days prior to hearing date give personal notice to all property owners within 200 feet of the 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- as required by law.

There is also an attached copy of the proof of publication of notice in the official newspaper of the municipality.

\_\_\_\_\_  
Applicant (print name)

\_\_\_\_\_  
Applicant (signature)

Sworn and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
Notary Public / Attorney

My commission expires: \_\_\_\_\_, 20\_\_\_\_.

**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 the \_\_\_\_\_ formally adopt a resolution memorializing the  
(resolution date)

action of the Board taken at its \_\_\_\_\_ hearing approving \_\_\_\_\_ with  
(hearing date) (type of application)

\_\_\_\_\_ variances to applicant \_\_\_\_\_ for premises known as Block \_\_\_\_\_  
(bulk/use) (name)

Lot \_\_\_\_\_ on the official tax map of the City of Asbury Park, New Jersey. The Project 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.