

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

g. List of Property Owners Furnished: (continued)

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 (10) 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.

CITY OF ASBURY PARK

PUBLIC NOTICE

In compliance with the Municipal Land Use of Law and the Land Development Ordinance of the City of Asbury Park, please take note that _____

_____ proposes to: _____

The proposed project will be located at _____

Block _____ Lot _____ which is located in the _____ zoning district.

The applicant seeks: _____

A public hearing will be held by the Asbury Park Zoning Board of Adjustment at the municipal Building, One Municipal Plaza, Asbury Park, NJ on Tuesday _____ at 7:00 p.m.

Any interested party may appear at said hearing and participate therein in accordance with the rules of the Zoning Board of Adjustment. All documents relating 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 a.m. and 4:00 p.m.

Applicant: _____

Date: _____

**CITY OF ASBURY PARK
NOTICE OF DETERMINATION**

PLEASE TAKE NOTICE that the Zoning Board of Adjustment of the City of Asbury Park did on the _____ formally adopt a resolution memorializing the action of the Board taken at it's _____ hearing approving a _____ Use Variance * to applicant, _____ for premises know as Block _____ Lot _____ on the official tax map of the City of Asbury Park (Description of Variance) _____

PLEASE TAKE FURTHER NOTICE that the Resolution and minutes of the meetings of _____ of the 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.

*Indicate if variance granted was a Bulk Use Variance or a Use Variance or both.