

CERTIFICATION IN LIEU OF OATH

I. OWNER SECTION (to be completed if the applicant is the owner in fee)

I hereby certify that I am the owner in fee of the property listed on Page 1.

Mark the following applicable boxes:

- A. () I further certify that a new home (private residence) will be constructed on this property for my own use and occupancy. This dwelling is to be occupied by myself and is not to be used for any purpose other than single family residential use. I attest that all construction, plumbing, or electrical work will be done, in whole or in part, by me or by subcontractors under my supervision, in accordance with all applicable laws; and, I further acknowledge that said new home is not covered under the New Home Warranty and Builders Registration Act (N.J.S.A. 46:3B-1 et seq.) and that such fact shall be disclosed to any person purchasing this property within ten years of the date of issuance of a certificate of occupancy.

I UNDERSTAND THAT IN MARKING BOX A, I ACKNOWLEDGE THAT I AM ASSUMING RESPONSIBILITY FOR THE WORK DONE ON SAID PROPERTY, THE CONDITION OF THE PROPERTY PRIOR TO, DURING, AND AFTER ANY WORK PERFORMED, AND FOR THE PERFORMANCE OF THE SUBCONTRACTORS I HIRE, EMPLOY, OR OTHERWISE CONTRACT OR WITH WHOM I MAKE AGREEMENTS TO PERFORM WORK. I AM VOLUNTARILY AND KNOWINGLY ASSUMING THIS RESPONSIBILITY.

- B. () I further certify the following as required by the New Jersey Uniform Construction Code, N.J.A.C. 5:23-2.15(e)1.vii:

I personally prepared the plans submitted for: 1) the new home referred to in A.; or, 2) an addition, alteration, renovation, or repair to an existing single family residence owned and occupied by myself and located on the property listed on Page 1; or, 3) a new structure that will be physically separate from, but that will be deemed part of, an existing single family residence that is owned and occupied by myself and located on the property listed on Page 1.

- C. () I further certify that I will perform or supervise the following work:

C.1. () Building C.2. () Fire Protection

I further certify that I will perform the following work:

C.3. () Electrical C.4. () Plumbing

- D. () I agree to advise all contractors on this project that they are required to be registered with the New Jersey Division of Taxation and to comply with all New Jersey tax laws.

I further certify the following as required by the Uniform Construction Code, N.J.A.C. 5:23-2.15(a)5: All required State, county, and local prior approvals have been given, including such certification as the construction official may require.

I understand that if any of the above statements are willfully false, I am subject to punishment.

Signature _____ Date _____

II. AGENT SECTION

(to be completed if the applicant is not the owner in fee)

I hereby certify the following as required by the New Jersey Uniform Construction Code, N.J.A.C. 5:32-2.15(d): the proposed work is authorized by the owner in fee; and I have been authorized by the owner in fee to make this application as his agent.

I further certify the following as required by the Uniform Construction Code, N.J.A.C. 5:23-2.15(a)5: All required State, county, and local prior approvals have been given, including such certification as the construction official may require.

I agree to advise all contractors on this project that they are required to be registered with the New Jersey Division of Taxation and to comply with all New Jersey tax laws.

I understand that if any of the above statements are willfully false, I am subject to punishment.

() Check if contractor.

Agent Name _____

Address _____

Telephone (____) _____

Signature _____ Date _____

OFFICE DATE RECEIVED: _____

VIII. PRIOR APPROVALS CHECKLIST (office use only)	LOCAL APPROVAL		COUNTY APPROVAL		REGIONAL APPROVAL		STATE APPROVAL		COMMENTS
	Prelimin. Initial	Final Date	Prelimin. Initial	Final Date	Prelimin. Initial	Final Date	Prelimin. Initial	Final Date	
☐ Planning Board									
☐ Zoning Board									
☐ Sewer Authority									
☐ Water Authority									
☐ Fire Department									
☐ Police Department									
☐ Health Department									
☐ Soil Conservation									
☐ N.J. Dept. of Community Affairs									
☐ N.J. Department of Transportation									
☐ N.J. Dept. of Environmental Protection									
☐ Utility Dig No.									
☐ Other									
☐									
☐									

IX. SUBCODES AND SPECIAL REGULATIONS APPLICABLE (office use only—optional)

Name of Code & Edition	Name of Code & Edition	Other
Building _____	Energy _____	
Electrical _____	Barrier Free _____	
Plumbing _____	Flood Hazard _____	
Fire Protection _____	As Built Elevation Cert. _____	
Mechanical _____	Other _____	

X. CERTIFICATES ISSUED (office use only)	DATE EXPIRED
☐ Temporary Certificate of Occupancy	No. _____
☐ Temporary Certificate of Occupancy	No. _____
☐ Continued Certificate of Occupancy	No. _____
☐ Certificate of Occupancy	No. _____
☐ Certificate of Approval	No. _____
☐ None	



CONSTRUCTION PERMIT

Date Issued 12-4-90
Control #
Permit # 2231-90

IDENTIFICATION Block 537 Lot 11
Work Site Location 981 MIDVALE Ave Contractor C. C. Consta.
Owner in Fee John R. Cottrell Address _____
Address (same) Tele. (____) _____
Tele. (____) _____ Lic. No. or Bldrs. Reg. No. _____ Exp. Date **0002**
Federal Emp. No. _____ or Social Security No. 2231-90

is hereby granted permission to perform the following work:

☒ BUILDING ☐ PLUMBING ☐ OTHER _____
☐ ELECTRICAL ☐ FIRE PROTECTION

DESCRIPTION OF WORK:

repair garage

NOTE: If construction does not commence within one (1) year of date of issuance, or if construction ceases for a period of six (6) months, this permit is void.

Estimated Cost of Work \$ 1500.

U.C.C. Form F-170A

CONSTRUCTION OFFICIAL

A. J. Carzo

BLOCK		0.00
PAYMENTS (Office Use Only) 537 #		
Building	LOT	0.00
Plumbing	11 #	
Electrical	BUILDING	15.00
Fire Protection	PLAN RWV	5.00
Other	C / O	20.00
Other	TOTAL	40.00
DCA Training Fee	CHECK	40.00
Cert. of Occ.	CHANGE	0.00
Other	12/04/90 NO. 5 0038A005	10.32
Total		
Check No.		
Cash		
Collected By:		



**BUILDING
SUBCODE
TECHNICAL SECTION**



Date Received
Date Issued
Control #
Permit #

12-4-90
2231-90

A. IDENTIFICATION—APPLICANT: COMPLETE ALL APPLICABLE INFORMATION. WHEN CHANGING CONTRACTORS, NOTIFY THIS OFFICE. CALL UTILITY DIG NO: 1-800-272-1000.

Block 537 Lot 1
Work Site Location 981 MIDWAY AVE, BRICK

Owner in Fee JEFF R. CETERA & MARGARET SCHIMMELBOSCH
Address 981 MIDWAY AVE, BRICK

Tele. [REDACTED]

Contractor CONSTRUCTION (NOTE: NOT YET
Address 12 SOUTH AVE CONTACTED REGARDING
WORKING OUT OF

Tele. (201) 291-3818 ATTORNEY: CHAMBERS, NO 07716 DETAIL 9)

Lic. No. or Bldg. Reg. No. _____ or Social Security No. _____
Federal Emp. No. _____

JOB SUMMARY (Office Use Only)

PLAN REVIEW	Date	Initial	INSPECTIONS	Dates (Month/Day)	Initial
☐ No Plans Req.			Type:	Failure	Approval
☒ All	12/3/90	JS	Footing		
☐ Footing			Foundation		
☐ Foundation			Slab		
☐ Frame			Frame		
☐ Other			Insulation		
Joint Plan Review Required:			Finishes:		
☐ Elec. ☐ Plumb. ☐ Fire			Energy		
SUBCODE APPROVAL			Mechanical		
☐ CO ☐ CCO ☐ CA			TCO		
Date:			Other		
Approved By:			Final		

B. BUILDING CHARACTERISTICS

Use Group	Present	Proposed	Est. Cost of Bldg. Work:
Constr. Class	<u>R-3</u>		1. New Bldg. \$ _____
No. of Stories			2. Alteration \$ _____
Height of Structure			3. Total (1+2) \$ _____
Area—Largest Floor			
Total Bldg. Area/All Floors			
Volume of Structure			
Total Land Area Disturbed			

C. CERTIFICATION IN LIEU OF OATH

I hereby certify that I am the (agent of) owner
of record and am authorized to make this application.

Signature Jeff R. Cetera

D. TECHNICAL SITE DATA

DESCRIPTION OF WORK
1) INSTALL THREE ADDITIONAL 4" x 4" VERTICAL
SUPPORTS UNDER RIDGE LINE
2) 4 ADDITIONAL HORIZONTAL CASS 2x4 MEMBERS
(SIDE WALL TO SIDE WALL)
3) INSTALL COLLAR BEAM SUPPORTS ON ROOF RAFTER
4) RESIDE EXTERIOR WITH 4 PLYWOOD OR VINYL SIDING
ON THREE OR FOUR SIDES (SEE ATTACHED COPY
OF LTR.)

OF LTR.

TYPE OF WORK:

☐ New Building	
☐ Addition	
☐ Alteration	
☐ Roofing	
☐ Siding	
☐ Other	
☐ Demolition	
☐ Miscellaneous	
☐ Fence	Height _____
☐ Sign	Sq. Ft. _____
☐ Pool	
☐ Elevator	
☐ Asbestos Abatement	
☐ Other	

(Office Use Only)
FEE

Paid ☐ Check # _____	Administrative Surcharge \$ _____
Collected by: _____	Minimum Fee \$ _____
	TOTAL FEE \$ _____



Date Received
Date Issued
Control #
Permit #

12-4-90
2231-90

A. IDENTIFICATION—APPLICANT: COMPLETE ALL APPLICABLE INFORMATION. WHEN CHANGING CONTRACTORS, NOTIFY THIS OFFICE. CALL UTILITY DIG NO: 1-800-272-1000.

Block 537 Lot 11
Work Site Location 981 MIDWAY AVE, BRICK

Owner in Fee JANUARY FRIEDL & MARILYN SCHMIDT
Address 981 MIDWAY AVE, BRICK

Tele [REDACTED]
Contractor 12 SOUTH AVE ALFRED. NOT YET
CONTACTED RECENTLY

Address ALFRED. NOT YET
CONTACTED RECENTLY
Tele. (201) 291-3818

Lic. No. or Bldgs. Reg. No. 07216 DET 119
Federal Emp. No. _____ or Social Security No. _____

JOB SUMMARY (Office Use Only)

PLAN REVIEW	Date	Initial	INSPECTIONS	Dates (Month/Day)	Initial
			Type:	Failure	Approval
☒ All	<u>6/3/90</u>	<u>JK</u>	Footing		
☐ Footing			Foundation		
☐ Foundation			Slab		
☐ Frame			Frame		
☐ Other			Insulation		
Joint Plan Review Required:			Finishes:		
☐ Elec.	☐ Plumb.	☐ Fire	Energy		
SUBCODE APPROVAL			Mechanical		
☐ CO	☐ CCO	☐ CA	TCO		
Date:			Other		
Approved By:			Final		

B. BUILDING CHARACTERISTICS

Use Group	Present	Proposed	Est. Cost of Bldg. Work:
Constr. Class	<u>P.3</u>		1. New Bldg. \$ <u>_____</u>
No. of Stories			2. Alteration \$ <u>_____</u>
Height of Structure			3. Total (1+2) \$ <u>_____</u>
Area—Largest Floor			Sq. Ft. <u>_____</u>
Total Bldg. Area/All Floors			Sq. Ft. <u>_____</u>
Volume of Structure			Cu. Ft. <u>_____</u>
Total Land Area Disturbed			Sq. Ft. <u>_____</u>

C. CERTIFICATION IN LIEU OF OATH

I hereby certify that I am the (agent of) owner of record and am authorized to make this application.

Signature [Signature]

D. TECHNICAL SITE DATA

DESCRIPTION OF WORK
1) INSTALL THREE ADDITIONAL 6" x 6" VERTICAL
SUPPORTS UNDER RIDGE LINE
2) W/ APPROXIMATE HORIZONTAL CLEARS 2 X 4 MEMBERS
(SEE WALL TO SIDE WALL)
3) INSTALL CEILING BEAM SUPPORTS ON ROOF RAFTER
4) RESINE EXTERIOR WITH PLYWOOD OR VINYL SIDING
ON ~~THREE~~ FOUR SIDES (SEE ATTACHED COPY

all sides OF LTR.

TYPE OF WORK:	(Office Use Only)
☐ New Building	\$ <u>_____</u>
☐ Addition	\$ <u>_____</u>
☐ Alteration	\$ <u>_____</u>
☐ Roofing	\$ <u>_____</u>
☐ Siding	\$ <u>_____</u>
☐ Other	\$ <u>_____</u>
☐ Demolition	\$ <u>_____</u>
☐ Miscellaneous	\$ <u>_____</u>
☐ Fence	Height <u>_____</u> Sq. Ft. <u>_____</u>
☐ Sign	Sq. Ft. <u>_____</u>
☐ Pool	\$ <u>_____</u>
☐ Elevator	\$ <u>_____</u>
☐ Asbestos Abatement	\$ <u>_____</u>
☐ Other	\$ <u>_____</u>

Paid ☐ Check # _____ Minimum Fee \$ _____
Collected by: _____ TOTAL FEE \$ _____

Administrative Surcharge \$ _____

Brick Town, NJ
November 17, 1990

Mr. John Chussler
Division of Inspections
Township of Brick
401 Chambers Bridge Road
Brick Town, New Jersey 08723
Re: Block 537, Lot 11; 981 Midvale Ave.

Dear Sir:

In response to your notice of unsafe structure, Aug. 29, we, the owners of the property cited above had the garage privately inspected, and were provided with a list of suggested repairs (copy attached), a copy of which was sent to you. Following a reinspection, you indicated to Margaret Schimmelbusch, a co-owner, that performance of those repairs would render the condition of the garage satisfactory.

The rear of the garage extends, for less than one yard, onto Lots 21 and 22, owned by James and Theresa Kennedy. Without attempting to delineate legal technicalities, the owners of Lots 21 and 22 have no remedy in law for this condition, simply because of elapsed time since the garage was constructed. John Cottrell informed Theresa Kennedy that in order to perform repairs to the garage, it would be necessary to enter upon her property. It was not a request for permission; under the circumstances, we have the legal right to such entry. She declared that she would not allow such entry, and "I want my land back!"

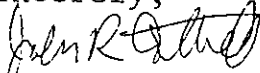
Cottrell then conferred with his attorney (Richard Weber of Madnick, Milstein, Mason, Weber and Collazo, Asbury Park), on Nov. 3. Mr. Weber's advice was, that since the only portion of the repairs necessitating entry upon the Kennedys' property was the re-siding of the rear of the garage, your approval be sought for all repairs to be performed with that sole omission. That is the purpose of this letter.

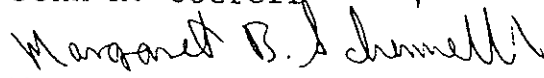
The reasoning is:

1. The township complaint was that the structure is unsafe, not unsightly.
2. The only part of the structure conventionally considered unsightly would be prominently visible only to persons on the Kennedys' property, which situation would be, after all, a result of their choice. (They would be given another opportunity to desist from their opposition, short of litigation, which it would not survive.)

We are sure that you find these complications irksome, as we do, but they are not of our making. By complaining of the condition of the garage, and then opposing the very measures to remove the grounds of their complaint, they are attempting to use the statutes in a way that is far removed from the legislative intent.

Sincerely,

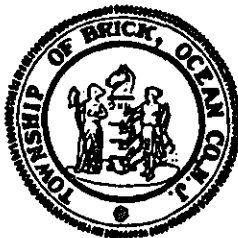

John R. Cotrell


Margaret B. Schimmelbusch

TOWNSHIP OF BRICK
OCEAN COUNTY, NEW JERSEY
401 CHAMBERS BRIDGE ROAD, BRICK, N. J. 08723

Stevan J. Zboyan, Mayor

Township Council:
Andrew R. Ciesla, President
Albert Chrobocinski
Helen Fayad
Lee Hartman
Thomas G. Maiorine
Warren H. Wolf
David W. Wolfe



Department of Administration & Finance

Division of Inspections
A.J. Cierzo
Construction Official
(201) 477-3000, Ext. 260
Fax: (201) 920-4850

December 4, 1990

John Cottrell
Margaret Schimmelbush
981 Midvale Avenue
Brick, New Jersey 08723

Re: Block 537, Lot 11

Dear Sir/Madam,

Regarding the unsafe notice issued on 8/10/90 for the garage at 981 Midvale Avenue, please be advised of the following. On 9/9/90 Mr. Cottrell submitted an inspection report with proposed repairs in order to comply with the notice. On 9/28/90 I made an inspection of the interior of the garage, and found that the proposed repairs will correct the situation. On 10/22/90 I received a letter from Mr. Cottrell's neighbors the Kennedy's stating that Mr. Cottrell had requested permission to enter their property to make the repairs. The Kennedy's however, refused to grant this permission. On 11/17/90 Mr. Cottrell sent me a letter requesting that he be exempt from re-siding the rear wall of the garage because of this disagreement.

On 11/26/90 Mr. Cottrell made application for a permit to repair his garage in order to make it safe. In his application he proposes to reside 3 of 4 sides. On 12/3/90 I approved the permit for the repairs, the issue of residing on the rear wall does not come into consideration here because the structure can be made safe without this being done. If the Kennedy's wish to allow Mr. Cottrell to enter their property to reside the rear wall and Mr. Cottrell is willing to do so the Building Department has no objection to this work being included in the job.

Very truly yours,

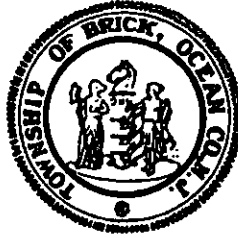
John Chussler
Building Inspector

cc: James/Theresa Kennedy

TOWNSHIP OF BRICK
OCEAN COUNTY, NEW JERSEY
401 CHAMBERS BRIDGE ROAD, BRICK, N. J. 08723

Stevan J. Zboyan, Mayor

Township Council:
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David W. Wolfe



Department of Administration & Finance

Division of Inspections
A.J. Cierzo
Construction Official
(201) 477-3000, Ext. 260
Fax: (201) 920-4850

November 20, 1990

John R. Cottrell
Margaret Schimmelbusch
981 Midvale Avenue
Brick, New Jersey 08724

Dear Sir/Madam,

Regarding your notice of the unsafe garage located on your property please be advised of the following. You were required to make application for permits to remedy the situation. As of this no application has been received, therefore, you are still in violation.

If we do not receive an application by Monday, November, 26, 1990, a summons will be issued.

Very truly yours,

John Chussler
Building Inspector

JC/t1