ZONING BOARD OF ADJUSTMENT

(v)

THE BOROUGH OF NEPTUNE CITY
MONMOUTH COUNTY, NEW JERSEY · 07753
TELEPHONE 776-7224

APPLICATION OR APPEAL TO BOARD OF ADJUSTMENT

NAME OF APPLICANT T.F.H.Publications, Inc.

ADDRESS Corner of Route #35 and W. Sylvania Avenue, Neptune City, New Jersey

PHONE (201) 988-8400 Attorney (201) 974-1200

BLOCK 67 LOT 1,2,14,15,16 & 18 ZONING DISTRICT RC

Office Use Only

Application #

Received by

Date Submitted ____ Date Application Completed ____

Action ____ HEARING DATE:

FEE PAID		PLEASE CHECK	
Appeal	$ 40.00	10 copies of plat plans	____
Interpretation	$	10 copies of survey	____
Hardship Variance N.J.S.A. 40:55D-70c	$	10 copies of map showing property owners within 200 feet of property	____
USE VARIANCE N.J.S.A. 40:55D-70d	$		

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1. INTEREST OF APPLICANT IF OTHER THAN LANDOWNER

Applicant is owner.

(v

APPLICATION OR APPEAL TO BOARD OF ADJUSTMENT
(Continued)

2. STATEMENT OF LANDOWNER WHERE THE APPLICANT IS NOT THE LANDOWNER

I, N/A ______________________, the owner of lot(s)__________ in block(s)______________, Borough of NEPTUNE CITY, Monmouth County, New Jersey, hereby acknowledge that the application of______________ ______________________________for development on said lot(s) is made with my complete understanding and permission in accordance with an agreement entered into between me and the applicant herein stated.

____
Signature of Owner

Name______________________________

Address______________________________

____

Phone (   )______________________________

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3. GENERAL

	Yes	No
Are taxes paid through date?	(X)	( )
Are there deed restrictions, convenants or easements effecting tract?	( )	(X)
Does the applicant have any interest in any lands within 1000 Yards of the tract? For these purposes "Applicant" shall include any entity in which the	(X)	( )

APPLICATION OR APPEAL TO BOARD OF ADJUSTMENT
(Continued)

	Yes	No
applicant or any officer, director, partner or shareholder of applicant has an interest. If the answer is the affirmative, explain:		
211 W. Sylvania Avenue, Neptune City, NJ		
1 T.F.H. Plaza, Neptune, NJ		
Is the application for a new building or an undeveloped lot?	( )	(X)
Is the application for additional buildings or improvements to a lot having existing buildings or improvements?	(X)	( )
Is the application for a new tenant or new occupant of an existing building?	( )	(X)
Is there a previously approved site plan for this property? If so attach an approved copy.	( )	(X)
Has there been any previous appeal involving this property? If so, state character of appeal and date of disposition. Applicant presently has pending an Application before the Planning Board for site plan approval.	(X)	( )

4. IS THIS A CORNER LOT? (X) ( )
If no, distance from nearest intersection is _____ feet.

5. LOT DIMENSIONS:

	Existing		Zoning Requirements	
Frontage	561	ft.	75	ft.
Depth	345	ft.	75	ft.
Area	175,721	sq.ft.	10,000	sq.ft.
	4.034	acres	approx. 1 qtr.	acres

APPLICATION OR APPEAL TO BOARD OF ADJUSTMENT
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6. SUBJECT BUILDING LOCATION:

Show Minimum Distance To		Zoning Requirements
Front Lot Line	30 ft.	20 ft.
Side Lot Line	30 ft.	8' min. (20' total) ft.
Rear Lot Line	51 ft.	20 ft.

7. SIZE OF BUILDINGS: Existing Building

Front Width 69.27 ft.; Depth 143(irreg.) ft.; Height ______ ft.

Proposed New Ediltion 254 ft. 162 feet (irregular)

8. LOT COVERAGE: 30.7 %

Zoning Requirements 50 % Maximum

9. The proposed building or use thereof is contrary to Article(s) Unknown ______ Section(s) ______ of the Development Regulations Ordinance of the Borough of NEPTUNE CITY in the following particulars: Applicant proposes an expansion of the existing use of the building. The question has arisen as to whether the same may be the expansion of a non-conforming use.

10. The reasons for this request and the grounds urged for the relief requested are as follows: Applicant wishes to place an addition on an existing building which edition will be in complete conformity with the zoning regulations as it relates to size, setbacks, lot coverage, etc. The useage of the building or proposed expansion of the building does not provide any adverse impact upon

APPLICATION OR APPEAL TO BOARD OF ADJUSTMENT
(Continued)

If more space is needed for any section attach additional pages)

7/25/86
DATE

SIGNATURE OF APPLICANT/APPELLANT
DOUGLAS M. CALHOUN
Attorney for T.F.H. Publications

(Applicant shall execute the following affidavit)

STATE OF NEW JERSEY
COUNTY OF MONMOUTH SS

Douglas M. Calhoun, attorney for T.F.H. Pub. of full age,

being duly sworn, upon his oath, deposes and says:

I am the ~~appellant in the above~~ attorney for Applicant matter and the information as set forth therein is true to the best of my knowledge and belief.

Sworn and subscribed to
before me this 25th
Day Of July, 1986

Patricia Goodman

PATRICIA GOODMAN
A Notary Public of New Jersey
My Commission Expires Nov. 15, 1990

DOUGLAS M. CALHOUN

NOTICE OF HEARING

TO WHOM IT MAY CONCERN:

PLEASE TAKE NOTICE that T.F.H. Publications, Inc. has appealed to the Board of Adjustment of the Borough of Neptune City for a use variance, (to expand non-conforming use) and other variances if deemed necessary by the Borough Engineer or the Board of Adjustment together with site plan approval.

The applicant does propose to construct an addition upon its already existing building located at 85 West Sylvania Avenue, Neptune City, New Jersey (also known as Block 67, Lots 1, 2, 14, 15, 16 & 18).

Any person affected by this application may be heard at the meeting to be held Tuesday evening the 23rd day of September, 1986 in the Municipal Building at 106 West Sylvania Avenue, Neptune City, New Jersey at 7:30 p.m.

A copy of the application has been filed in the office of the Secretary of the Board of Adjustment and may be inspected by the public between the hours of 9:00 a.m. and 4:30 p.m. at the Municipal Building located at 106 West Sylvania Avenue, Neptune City, New Jersey.

D M Calhoun

DOUGLAS M. CALHOUN, ESQ.
Attorney for Applicant
T. F. H. Publications, Inc.
900 State Highway #71
Spring Lake Heights, NJ 07762
(201) 974-1200

Zoning Board
February 26, 1985

The meeting was called to order by Vice Chairman Charles Eberly at 7:45 p.m. Sunshine Law was read.

Roll Call was taken:
Present: Eberly, Reynolds, Marsh, Hempsted, Clay, Tango; Atty. O'Hagan
Absent: Palmer, Walsh, Pantaleo.

MINUTES: A motion was made and seconded (Tango/Reynolds) to dispense with the reading of the minutes of the previous meeting.

RE-ORGANIZATION:
Mrs. Madonna Hempsted and Mr. Joseph Marsh were sworn in as members of the Board for another term by Attorney O'Hagan.
The secretary read a letter of resignation from William Walsh; Mr. Walsh's resignation was accepted with regret. The Mayor will be notified of this vacancy.
Nominations for offices: Mr. Tango nominated Charles Eberly for the position of Chairman, seconded by Mr. Reynolds. There being no other nominations for this position and the Board having stated its unanimous approval, Mr. Charles Eberly was named as the Chairman of the Board for 1985.
Mr. Tango nominated Vito Pantaleo for the position of Vice Chairman, second by Mr. Marsh. There being no other nominations for this position, the Board unanimously approved same.
Mr. Tango moved to appoint Mr. Robert W. O'Hagan as the Board's attorney for the year 1985; second by Mr. Reynolds; so moved.
Mr. Tango moved to appoint Mrs. Linda Dellett as secretary to the Board for the year 1985; second by Mrs. Hempsted; so moved.
There being no further positions to fill, the re-organization meeting was closed.

The Board reconvened at 8:00 p.m. to hear the application of Dr. Herbert and Evelyn Axelrod. The Sunshine Law was again read into the record.

APPLICATION No. 1-85: Dr. Herbert & Evelyn Axelrod
Lot 17 in Block 75
(Former Two Guys building)

The applicant is represented by Malcolm V. Carton, Esq. Mr. Carton submitted his Application of Publication and Service which were marked in evidence as A-1 and A-2 respectively.
Mr. O'Hagan advised the applicant of Mr. Reynolds wish to disqualify himself from the hearing of this application as Mr. Reynolds is occasionally employed by the applicant's business T.F.H. to make rubber stamps. Mr. O'Hagan further stated that another board members, Mrs. Madonna Hempsted works for a tenant T.F.H. as a bookkeeper, but her position is such that she is not directly effected by her employer's relationship with the

applicant and therefore she will remain on the board for this hearing.

Mr. O'Hagan advised the applicant that for a use variance such as they are requesting, it will be necessary for them to receive 5 affirmative votes and that there are only 5 members of the board sitting this evening. The applicant's attorney stated they wished to proceed with the hearing this evening.

Mr. Carton submitted a survey prepared by Williard & Yorkanis which was marked as A-3 in evidence.

Mr. Robert Earl Cook of 44 First Avenue, Atlantic Highlands, New Jersey, was sworn in and stated that he is a licensed architect and planner and stated his qualifications. He gave testimony concerning the survey and the premises in question. Mr. Cook described the proposed cosmetic changes to be made to the outside of the building and the proposed use and parking facilities. He also described the traffic flow pattern which will exist for deliveries and employees.

Mr. Paul Kapalko of 1702 Grand Avenue, Asbury Park, was sworn in and stated that he is an assistant vice president of T.F.H. Publications and familiar with the proposed use of the building and the operation of the business to be conducted therein. He further described the proposed number of employees and hours of operation.

The meeting was open to the public and Mr. Randy Reynolds questioned the use of a buffer around the perimeter of the premises which abutts residential properties. The applicant stated that they planned to provide landscaping buffers and a fence around the perimeter of the premises.

Mr. Richard Cottrell of 110 Hawthorne Avenue, Neptune City, was sworn in and stated that he is in favor of the proposed use. ~~[illegible]~~

Mr. Carton requested the Board waive site plan review with reference to the exterior cosmetic improvements to be made by the applicant.

Mr. O'Hagan advised the Board members that a waiver of site plan review would mean the Board would have no control over the plans for the renovation of the Two Guys Building, but that the applicant would still have to comply with all building codes, etc. Due to the applicant's previous site improvements in the Boro, the Board members stated their willingness to waive site plan approval for this applicant.

Discussion and questions by the board.

A motion was made and seconded (Marsh/Tango) to grant the use variance and site plan waiver requested by the applicant.

Mr. O'Hagan read the resolution into the record. Same was moved and seconded (Marsh/Tango). A roll call vote was taken; unanimous approval.

There being no further business before the Board, a motion was made and seconded (Marsh/Clay) to adjourn; the meeting was adjourned at 9:15 p.m.

Respectfully submitted,

Linda O. Dellett

LINDA O. DELLETT, Secretary.