

BOROUGH OF MANTOLOKING

Synopsis of Municipal Zoning Permit Requirements

When Applications for Zoning Permits Are Required

Application shall be made to the Borough Land Use Officer by any person wishing to undertake any of the following activities on their property.

1. Subdivision of land;
2. Construction of a new building or structure;
3. Addition to, or structural alteration of, any existing structure;
4. Change of the use of any land or change of use within any building or structure;
5. Placement of a dumpster, portable sanitary facility, construction trailer on the property;
6. Construction, addition or alteration of any parking area, fence, decks, signs, lighting, drainage facility or any other site improvement above and/or below ground level;
7. Alteration of the existing grade of any parcel of land;
8. Erection of a tent;
9. Garage sales;
10. Installation of concrete, asphalt or pavers;
11. Installation of pools, sheds, A/C units.

Initial Review of Application by Land Use Officer

1. If the Land Use Officer has legal authority to approve the application and determines that the application conforms to the requirements of the Land Use Ordinance and all applicable laws, the Land Use Officer shall issue a zoning permit to the applicant. The applicant may then request that the Construction Official issue a building permit. Prior to construction, the applicant must obtain both a zoning permit and a building permit.
2. If the Land Use Officer reviews the application and determines that it does not comply with the Borough Land Use Ordinance and it should be denied, the Land Use Officer shall issue a written denial

of the application and shall advise the applicant of the applicant's right to appeal the denial or file a variance application with the Planning Board. If approval of an application is granted by the Planning Board, the applicant may request that the Construction Official issue a building permit.

Submission Requirements for Zoning Permits

All applications for zoning permits shall be submitted to the Land Use Officer in triplicate and shall be accompanied by at least three (3) copies of the required maps and supporting attachments, exhibits and other information. Maps must clearly illustrate the proposed improvements and their location on the property. Applications shall not be accepted by the Land Use Officer unless they are accompanied by the required fees set forth in the Ordinance.

Applications to Planning Board for Variances

If a person receives notice that a variance for a planned improvement is required from the Joint Planning Board/Board of Adjustment, it is necessary that specific documents be submitted to the Land Use Officer. The required documents, at a minimum, are as follows;

1. Application Form, completely filled in with all signatures and raised seals, one (1) original and fifteen (15) copies, all sealed (forms are available in the Engineering Office in the Borough Hall).
2. Property Survey Map, current to within one (1) year prior to date of application, depicting actual improvements on property and outbound survey data, fifteen (15) copies, all sealed.
3. Flood Elevation Certificate for existing buildings. See the Borough Flood Damage Prevention Ordinance, #452.
4. Certification by the Municipal Tax Collector that all taxes relating to the subject property have been paid. (Applicant must contact Borough Hall and request a Certification).
5. Certification by the Applicant's Attorney that the applicant is the owner of the lot in question and for which development approval is being sought.
6. Fifteen (15) copies of plans and any other documents Applicant intends to present at the public hearing, in support of the application.

- Plan shall include a Zoning Schedule which identifies the Bulk Standards, in table form, under the headings “Required, Existing, and Proposed”, and under a “Remarks” column, identify if proposed condition complies, or requires a variance, or was a pre-existing condition.
 - The area of the structure or property for which the variance (s) sought shall be clearly identified on the plan by shading, crosshatching, or other plan preparation technique so as to make it totally clear as to where on the property the variance would occur.
 - The plan shall include an index map on which all properties within 200 feet of the property in question are identified, and certified property owners list received from the Borough Clerk shall be included on the plan as well.
7. Application Fees, Escrow Fees.
 8. A copy of the Notice to appear in an official newspaper of the Borough shall also be attached.
 9. A copy of the Denial notice received from the Land Use Officer.

The Land Use Officer will review the documents as submitted. If the submitted documents are found to be complete, a Certificate of Completeness will be issued to the applicant by the Land Use Officer. Shortly thereafter, the applicant will be notified of the scheduled date that a hearing will be held with the Joint Planning Board/Board of Adjustment. Certain procedures must be followed as it relates to a variance application. These procedural guidelines are as follows;

The following is provided for guidance only. The applicant, or professional representative(s) of the applicant must familiarize themselves with the provisions of the Municipal Land Use Law of the State of New Jersey, together with all notice requirements therein, and the Borough of Mantoloking Ordinances, such as, but not limited to, the Land Use Ordinance, and the Dune Ordinance.

1. Submit a written request to the Borough Clerk for a certified list of property owners within two hundred (200) feet in all directions of the property accompanied with appropriate fee.
2. At least ten (10) days prior to the scheduled hearing date: publish Notice in the Asbury Park Press, and the Ocean Star, notify by Certified Mail, Return Receipt Requested, all property owners within 200 feet of subject property, and other entities as may be required to be notified, pursuant to law, e.g. adjoining Municipalities, property owners in said adjoining municipalities within 200 feet of subject property, etc.

3. The notice to property owners and others shall contain at least the following: (a) date, time and place of hearing: (b) nature of matter(s) and relief sought: (c) identification of property proposed for variance(s) or other approval(s) by lot and block number and street addresses: (d) the section(s) of the Land Use Ordinance from which a variance or other relief is requested; (e) the location and times at which maps and other documents are to be available for public inspection.
4. An affidavit of publication from the designated newspaper; a copy of the notice served on property owners and others; the certified mail receipts, if received, and copies of the deposit tickets with the postal service date-stamped thereon, must be submitted to the Secretary of the Joint Planning Board/Board of Adjustment at least three (3) business days prior to the scheduled hearing date.
5. If an individual other than an Attorney at Law of New Jersey is representing the applicant, a Power of Attorney must be filed with the Secretary of the Board at least five (5) business days prior to the scheduled hearing date. The applicant is cautioned against persons practicing law when they are not authorized to do so.
6. It is strongly recommended that the service of a professional architect be retained to prepare any plans which are to be submitted.

PLEASE NOTE THAT ALL PERMITS ARE UNIQUE AND THE LAND USE OFFICER MAY REQUIRE ADDITIONAL INFORMATION THAN WHAT IS ON THE LIST. THIS INFORMATION IS PRESENTED FOR GUIDANCE AND IT IS NOT A SUBSTITUTE FOR THE ACTUAL ORDINANCE.

PLEASE NOTE ALSO THAT THE INFORMATION PROVIDED ABOVE APPLIES TO ZONING PERMITS ONLY, NOT BUILDING PERMITS.