TOWNSHIP OF LITTLE EGG HARBOR
ZONING BOARD OF ADJUSTMENT

665 Radio Road, Little Egg Harbor, New Jersey 08087
Telephone No.: 609-296-7241 ext. 221

INSTRUCTIONS

Once you complete the Application & Appeal Form please follow these directions in order to commence your appeal:

1. Return the completed Application and Appeal form together with thirteen (13) copies AND ONE DIGITAL COPY (via email or flash drive) to the:

Little Egg Harbor Township
Attn. Zoning Board Secretary
665 Radio Road
Little Egg Harbor Township, NJ 08087

2. The following fees are required with each application, unless otherwise noted:

a. Non-Refundable Application Fee - Per Land Use and Development Ordinance Section 215-16.1

b. Resolution Preparation Fee - $150.00; and

c. Escrow Fee - Per Land Use and Development Ordinance Section 215-16.3

Please note that three (3) separate checks or money orders made payable to "Little Egg Harbor Township" are required. Please note the application fee is non-refundable in the event that you do not proceed with your application.

3. The Application will be sent to the board's engineer for review and determine if any additional information or escrow fees are required based on the request for relief set forth in the application. In accordance with Municipal Land Use Law, the engineer has 45 days from the date the Application is filed to deem an application complete or incomplete.

4. In order for your application to be considered by the Zoning Board of Adjustment all fees and information required by the board secretary and engineer must be received in the board secretary prior to the hearing. (A separate check or money order is required for fees and required escrows. Fees are non-refundable.)

5. <u>It is very important to remember that municipal employees and representatives (such as the board engineer or attorney) cannot provide you legal advice or advise you which form of relief to seek</u>

from the Zoning Board of Adjustment.

Instructions for Application & Appeal Form

Do not submit these instructions with your application or appeal. Maintain these with your records.

The Application & Appeal Form is a critical part of your application or appeal to the Zoning Board of Adjustment. Therefore, it is important for you to take care in completing your responses to each of the questions in the form.

Q. ***Should I hire an attorney?***

A. Although it *generally is not necessary for you to be represented by* an *attorney (unless, for example, you are a corporate applicant), you are strongly encouraged to consider hiring a competent land use* attorney *for purposes of guiding your application or appeal through the* maze *of procedural and substantive requirements of state law and local* ordinances. A recurring *complaint received* from *applicants whose requests for relief have been denied is* that they *were not familiar with the complex legal standards and burdens of proof when* preparing *for their hearing. Many applicants have left the hearing* room *disappointed and confused, feeling that an attorney could have made a difference.*

Q. *If I have a question, who do I contact?*

A. Depending upon the nature of *your* question, *we suggest* that prior to *filing an application* ***or appeal you should contact and speak with the Zoning Officer. This may require scheduling an appointment. Once you file an application or appeal, however, most questions should be raised in writing to the Zoning Board of Adjustment engineer and not the Zoning Officer. If the engineer does not have an answer for you, s/he will assist you with finding an answer. You should not rely on the clerical staff for assistance or advice. Additionally, municipal employees or representatives cannot provide you with legal advice***.

Q. *Can I find out in advance of the hearing whether the Board will grant my application?*

A. *Each application stands on its own merits. Until the Board members hear and consider the evidence it is* not proper *for them to pre-judge the* application or *appeal. Essentially, the Board is a quasi-judicial body and should be respected as you would a court of law. You can expect that your* application *or appeal* will *be considered fairly, but you should not expect that the result will be the same as in a similar case. No two zoning cases are exactly the same.*

PART A: This section of the application form generally is self-explanatory. Information about your property may be available from a number of different sources. For example, the Tax Assessor's Office maintains property records which include information such as zoning district, known lot dimensions, known lot area data, and property tax assessments for land and improvements. You may already have important information in your possession such as the information contained on a survey, in the deed to the property, in the title insurance binder and policy, or on your tax bills. Lastly, you should confirm whatever written data and information you find with a visual inspection of the property.

PART B: This section is the most important section of the Application & Appeal Form as it states the legal basis for your application or appeal. This is significant because the legal criteria for granting or denying your request for relief depends upon which statutory basis you select. The legal standard is not uniform for the many available types of applications and appeals. Thus, you must be careful to select the statutory basis which applies to your set of facts and gives your request the best opportunity for success. A brief example of the different types of request for relief is set forth below and is intended to help you understand their distinctions. However, these examples are not exclusive nor are they intended to substitute for the advice of a competent attorney. You may want to consider using the same valuable zoning reference guide used by attorneys, zoning boards, zoning officers and applicants throughout New Jersey entitled "New Jersey Zoning and Land Use Administration" written by William M. Cox. The book is published by Gann Law Books and is available in the reference section of the Ocean County Library.

EXAMPLE #1: N.J.S.A. 40:55D-70 (a.) This provision is known as the "Administrative Officer Error" appeal. For instance, if a use allegedly became nonconforming prior to the preceding year the zoning officer cannot issue a zoning permit confirming the existence of the nonconforming use. The owner of the nonconforming use must appeal the denial under this provision to the Zoning Board of Adjustment.

EXAMPLE #2: N.J.S.A. 40:55D-70(b.) "Interpretation of the Land Use Ordinance". For example, a zoning ordinance may state that a particular land use district permits "manufacturing" and defines that word with some examples of manufacturing uses. However, the applicant intends to operate a manufacturing establishment which is not specifically defined in the ordinance and does not fit easily into any of the provided for examples of "manufacturing". Nonetheless, there is no dispute that the activity constitutes manufacturing. The applicant could (and should) in this case file an application requesting relief in the form of an interpretation of the land use ordinance in order to determine whether the proposed use is permitted in that zoning district.

EXAMPLE #3: N.J.S.A. 40:55D-70(b.) "Special Questions Application". This application typically comes in the form of a question whether a proposed use is similar to or has the same general characteristics of any of the uses specifically permitted in the subject zoning district. This issue may involve an interpretation of the zoning ordinance, but it requires a noticeably more intense level of comparison between the proposed use and the permitted use than does an ordinary interpretation case. For example, a zoning district may specifically permit retail stores, hotels, hair salons, and bakeries, but does not list a bowling alley as a permitted use. The applicant could apply for relief under this section requesting a determination that a bowling alley is characteristically similar to the enumerated permitted uses.

EXAMPLE #4: N.J.S.A. 40:55D-70(c.) (1) "Hardship Variance". This variance may be sought where an applicant can show that strict application of the ordinance, where there are unique and exceptional characteristics of the subject property, would result in undue hardship to the applicant. In Ric-Cic Co. vs. Bassinder, 252 N.J. Super. 334 (App. Div. 1991), the court held that denying setback and off-street parking variances would create hardship where they would make development of applicant's property impossible

under the circumstances. The applicant was rebuilding a restaurant on an ocean pier which had no space for parking or for the required setbacks. Note: Personal hardship *is* not grounds for granting the variance. Nor is a self-created hardship grounds for granting the variance, such as when an applicant constructs a dwelling in ignorance and in violation of the required setbacks. Negligence or flagrant violation of the zoning laws will not be rewarded with a variance. The proper analysis focuses upon the hardship arising out of the conditions peculiar to a specific piece of property.

EXAMPLE #5: N.J.S.A. 40:55D-70(c.) (2) "Substantial Benefit" variance. Undue hardship is not a criteria under this variance. Rather, in addition to other enumerated criteria, the applicant must demonstrate that a purpose of the Municipal Land Use Law would be advanced by a deviation from the zoning ordinance. For example, where a stream crosses a rear yard a (c.) (2) variance may be approved to allow for adjustment of setbacks in order to protect the stream and prevent the "degradation of the environment through improper use of land" (i.e., one of the purposes of the MLUL).

EXAMPLE #6: N.J.S.A. 40:55D-70(d.) (1) "Use Variance." In addition to other criteria, the applicant must demonstrate that there are special reasons to deviate from the zoning ordinance. For example, a marina use might be found suited for waterfront property in a residential zone. Likewise, a private hospital for the emotionally disturbed might be found suited for property in a residential zone. Generally, there may be special reasons for the grant of a (d.) (1) variance where the development advances a purpose of the Municipal Land Use Law or refusal of the variance might impose on the applicant an undue hardship.

EXAMPLE #7: N.J.S.A. 40:55D-70(d.) (2) "Expansion of a Nonconforming Use." A nonconforming use is one which was a conforming use prior to enactment of a zoning ordinance or prior to a change in an existing zoning ordinance. Such a situation arises, for instance, where an auto repair business is conforming under an existing zoning ordinance but a subsequent amendment changes the district from general business to residential. A (d.) (2) variance would be required before the owner can construct additional garage space to accommodate more cars. By way of further example, consider a business which is located in a conforming three-story building but a zoning amendment later limits building height in that zone to two stories. In this case, the owner of the building would require a (d.) (2) variance to construct a fourth floor.

EXAMPLE #8: N.J.S.A. 40:55D-70(d.) (3) A (d.) (3) variance would allow a deviation from the conditions imposed with respect to a conditional use. For example, an apartment complex may be designated as a conditional use in a residential zone upon meeting certain design elements such as off-street parking. A deviation from these design elements requires a (d.) (3) variance.

The Municipal Land Use Law contains other forms of relief and you are encouraged to consider all of the choices available to you.

PART C: This section of the form must be completed if you are seeking one or more of the following in conjunction with a "D" variance: subdivision approval, site plan approval, or conditional use approval. This is known as the ancillary jurisdiction of the Zoning Board of Adjustment because under regular circumstances, in the absence of a request for a "D" variance, the municipal Planning Board would entertain these three types of applications. This is permissive rather than mandatory. In other words, an applicant may decide to file a request for a "D" variance to the Zoning Board of Adjustment and a request for subdivision, site plan and/or conditional use approval to the Planning Board.

PART D:

1. For example, "Seeking a (c.) (2) variance to permit construction of a home with 20' sideyard setbacks where 30' is required".

2. You must specify the municipal ordinance number. A copy of the land use ordinance and design regulations is on file in the Office of the Municipal Clerk. Copies are also sold by the Municipal Clerk's Office for a *fee* of $50.00.

3./4. Applicant controls this information and must provide this information.

5. Generally, the owner of record would be in control of this information. However, some information may be available from municipal files.

6./7. This information specifically relates to the legal standard your application must meet.

8. This information is available to the owner of the property and may not be contained in municipal files.

9. The telephone number for the Little Egg Harbor Township Municipal Utilities Authority is 296-1168.

10. Self-explanatory.

11. This information is available from the Tax Collector's Office.

PART E: We appreciate receiving basic contact information pertaining to your professionals to assist us in the processing of your application or appeal.

CERTIFICATIONS: *Please note the special signature requirements for corporations and partnerships. Also, it is important for you to provide the Tax Assessor sufficient notice that you will need an appointment to obtain his/her signatures. The Tax Assessor spends a good part of the day in the field doing inspections so s/he may not be available unless you make an appointment.*

Last revised October 2023

TOWNSHIP OF LITTLE EGG HARBOR
ZONING BOARD OF ADJUSTMENT

APPLICATION & APPEAL
PART A

Use additional sheets if necessary.

Applicant's Name: _____

Applicant's Telephone Number: _____

Applicant's E-mail Address: _____

Applicant's Street Address: _____

Applicant is an (check one): Individual ☐ Corporation ☐ Partnership ☐ LLC ☐ Other (describe) _____

Owner's Name: _____

Owner's Telephone Number: _____

Owner's Mailing Address: _____

Relationship of Applicant to Owner (check all that apply): Same ☐ Tenant ☐ Agent ☐

Contract Purchaser ☐ Other (describe): _____

Location of Property which is the subject of this Application or Appeal:

Tax Map Reference (Block & Lot): _____

Street Address: _____, Little Egg Harbor Township, New Jersey

Zoning District for the Subject Property: _____
(For example: R50, R200, GB)

Lot Size: _____ Lot Area: _____ sq. ft.

Indicate and Describe any Structures Presently Situated on the Property: _____

_____
(For example: Shed, Barn, Detached Garage or Residential Dwelling)

State the Present Use of any Structures Noted Above: _____

PART B

REASON FOR THE APPLICATION OR APPEAL (This Information is Required):

_____ Appeal to the Zoning Board of Adjustment where it is alleged that there is error in any order, requirement, decision or refusal made by the administrative officer based on or made in the enforcement of the land use ordinance. [N.J.S.A. 40:55D-70(a.)]

_____ Request that the Zoning Board of Adjustment render a decision upon the interpretation of the land use ordinance or zoning map. [N.J.S.A. 40:55D-70(b.)]

_____ Request that the Zoning Board of Adjustment render a decision upon a special question(s) where the board is authorized to do so by ordinance. [N.J.S.A. 40:55D-70(b.)]

_____ Request or appeal to the Zoning Board of Adjustment for a "hardship variance". [N.J.S.A. 40:55D-70(c.) (1)]

_____ Request or appeal to the Zoning Board of Adjustment for a variance under the "substantial benefit" provisions of NJ.S.A. 40:55D-70(c.) (2).

_____ Request or appeal to the Zoning Board of Adjustment for a "special reasons" variance. [N.I.S.A. 40:55D-70(d.)] If you checked this item please read carefully and choose from the following options:

_____ (d.) (1). Variance to permit a *use* or principal structure in a zoning district restricted against such use or principal structure (commonly known as an "use variance").

_____ (d.) (2). Variance to permit expansion of a nonconforming use.

_____ (d.) (3). Variance to permit deviation from a specification or standard pertaining to a conditional use pursuant to N.J.S.A. 40:55D-67.

_____ Other: (d.) (4) _____ (d.) (5) _____ (d.) (6) _____

_____ Request that the Zoning Board of Adjustment direct the issuance of a permit pursuant to N.J.S.A. 40:55D-34 for a building or structure in the bed of a mapped street or public drainage way, flood control basin or public area reserved pursuant to N.J.S.A 40:55D-32. [N.J.S A. 40:55D-76 (a.) (1)]

_____ Request that the Zoning Board of Adjustment direct the issuance of a permit for a lot lacking street frontage. [N.J.S.A. 40:55D-76 (a.) (2)]

_____ Request that the Zoning Board of Adjustment issue a Certificate of Nonconformity for a nonconforming use or structure. [N.J.S.A. 40:55D-68]

PART C

To be completed only if applicant is seeking a "D" variance together with site plan, subdivision and/or conditional use approvals from the Zoning Board of Adjustment. Otherwise proceed directly to Part D below.

SUBDIVISION APPROVAL:

_____ Minor Subdivision

_____ Preliminary Major Subdivision

_____ Final Major Subdivision

Number of Lots to be Created: _____ Number of Proposed Dwelling Units: _____

SITE PLAN APPROVAL:

____ Minor Site Plan Approval _____ Site Plan Approval (Preliminary)
____ Phases (if applicable)

_____ Site Plan Approval (Final) _____ Amendment or Revision to Site Plan
_____ Phases (if applicable)

Area to be disturbed: _____ Number of Proposed Dwelling Units: _____

Request for waiver from site plan review and approval _____

CONDITIONAL USE APPROVAL: Request for conditional use approval (N.J.S.A. 40:55D-67J) _____

PART D

This section will provide Zoning Board of Adjustment members and the professional staff with important background information related to the relief you are seeking. This information is required. Please answer each and every question which applies to your application in full and with as much detail as possible.

1. Describe in clear, concise and general terms the nature of the relief you are seeking and/or the proposed use of the premises:

2. Identify which section(s) of the land use ordinance from which you are seeking relief:

3. Setbacks of the proposed structure:_____ Front _____Rear ___Side

4. Percentage of building coverage of the proposed structure _____%.

5. Has there been any previous appeal, request or application for relief to this or any other municipal board or the Construction Official involving these premises? YES _____ NO _____

If yes, state the nature, date and the disposition of said matter:

6. Supply a statement of facts showing why relief can be granted without substantial detriment to the public good and will not substantially impair the intent and purpose of the zone plan and land use ordinance. Use additional sheets if necessary.

7. What are the exceptional conditions of property preventing you from complying with the land use ordinance?

8. Are there any existing or proposed deed restrictions, covenants, easements, or association by-laws affecting the premises? YES _____ NO _____ If yes, please describe and attach copies.

9. Public Water? YES_____NO _____ Public Sanitary Sewer? YES _____ NO _____

10. Are you proposing a well and/or septic system? YES _____ NO _____

11. Are all taxes and/or assessments due on the property paid in full YES _____ NO _____

PART E

Please provide the following:

1. Applicant's Attorney with Address, Telephone & E-mail:

   _____

   _____

   _____

   _____

2. Applicant's Engineer with Address, Telephone & E-mail:

   _____

   _____

   _____

   _____

3. Applicant's Planner with Address, Telephone & E-mail:

   _____

   _____

   _____

   _____

4. List the Names, Addresses, Telephone Numbers, and E-mail of any expert who will submit a report or who will testify for the applicant:

   _____

   _____

   _____

   _____

CERTIFICATIONS

I. I, _____, being duly sworn according to law hereby certifies that the information presented in this application is true and accurate. I further certify that I am the individual applicant, or that I am an officer of a corporate applicant and that I am authorized to sign the application for the corporation, or that I am a general partner of a partnership applicant, or that I am an authorized person for any other form of business entity. [If the applicant is a corporation the certification must be signed by an authorized corporate officer. If the applicant is a partnership the certification must be signed by a general partner.]

Sworn to and subscribed before me this

_____day of_____ ___
(DATE) (MONTH) (YEAR)

_____
NOTARY PUBLIC

_____
(Signature of Applicant)

II. I, _____, hereby certify that I am the owner of the property which is the subject of this application, that I have authorized the applicant to make this application, and that I agree to be bound by the application, the representations made herein or during this proceeding, and the final decision in the same manner as if I were the applicant. [If the owner is a corporation the certification must be signed by an authorized corporate officer. If the owner is a partnership the certification must be signed by a general partner.]

Sworn to and subscribed before me this

_____ day of_____ ___
(DATE) (MONTH) (YEAR)

_____
NOTARY PUBLIC

_____
Signature of Owner (s)

III. A search of municipal property tax records for Block _____, Lot(s) _____ maintained in the Office of the Tax Assessor of Little Egg Harbor Township confirms

_____

to be the owner(s) of record.

DATE: _____ _____
(Signature of Tax Assessor or Agent)

IV. All taxes and/or special assessments, if any, for Block _____, Lot(s) _____on the subject property or properties have been paid.

DATE: _____ _____
(Signature of Tax Collector or Agent)

V. I understand that an escrow account is established to reimburse the municipality's cost of professional services including engineering planning, legal, and other expenses associated with the review of the submitted materials and publication of the decision by the Zoning Board of Adjustment. Sums not utilized in the review process shall be returned. I further understand that should additional escrow funds be deemed necessary as this application proceeds, I will be responsible for adding the additional funds to the escrow account before the review process continues.

DATE: _____ _____
(Signature Applicant)

AFFIDAVIT OF NON-COLLUSION

STATE OF NEW JERSEY :
SS:
COUNTY OF OCEAN:

_____ (Applicant / Affiant), being duly sworn according to law, upon his or her oath, hereby deposes and says:

1. I am the applicant in connection with an application filed with the Little Egg Harbor Township Zoning Board of Adjustment pertaining to Block ____ Lot(s) _____ as shown on the Little Egg Harbor Township Tax Map; and

2. There has been no collusion between the undersigned affiant and any members of the Little Egg Harbor Township Zoning Board of Adjustment or any other employee or official of Little Egg Harbor Township with regard to the subject application or appeal.

Subscribed and sworn to
before me this _____
day of _____, 20___

_____
Signature
Please print name below

_____
Notary Public of New Jersey

_____

STOCKHOLDER/PARTNERSHIP DISCLOSURE STATEMENT

In accordance with N.J.S.A. 40:55D-48.1 and 40:55D-48.2 the following disclosure statement is submitted in support of an application made to the Little Egg Harbor Township Zoning Board of Adjustment:

I. N.J.S.A. 40:55D-48.1 [Names and addresses of all stockholders or individual partners owning at least 10% of the applicant's stock, or any class, or at least 10% of the interest in the partnership, as the case may be. This requirement shall be followed when the applicant seeks to subdivide a parcel of land into six (6) or more lots, applies for a variance to construct a multiple dwelling of 25 or more family units, or seeks approval for a site to be used for commercial purposes.]

Name	Address	Percentage Owned

Use additional sheets if necessary.

II. N.J.S.A. 40:55D-48.2 [If a corporation or partnership owns 10% or more of the stock of a corporation, or 10% or greater interest in a partnership, subject to disclosure pursuant to N.J.S.A. 40:55D-48.1, that corporation or partnership shall list the names and addresses of its stockholders holding 10% or more of its stock or of 10% or greater interest in the partnership, as the case may be. This requirement shall be followed by every corporate stockholder or partner in a partnership, until the names and addresses of the noncorporate stockholders and individual partners, exceeding the 10% ownership criterion established herein, have been listed.]

Entity Name	Address	Percentage Owned

Use additional sheets if necessary.

Check here if N.J.S.A. 40:55D-48.1 and 40:55D-48.2 do not apply:

I hereby certify that the foregoing disclosure is truthful and accurate.

_____	_____
Secretary	President
OR	
_____	_____
Witness	General Partner or Authorized Partner

TOWNSHIP OF LITTLE EGG HARBOR
BOARD OF ADJUSTMENT
APPLICANT(S) CERTIFICATION(S)

SITE INSPECTION CONSENT

_____hereby give permission to the Members of the Board of Adjustment of the Township of Little Egg Harbor, and its authorized representatives, consultants and other Township Officials, to enter onto the premises located at _____, Little Egg Harbor Township for the purposes of evaluation of the application for development presently pending before that Board.

_____ Date

_____ Signature of Applicant/Owner/Representative

_____ PRINT NAME HERE

REQUEST FOR CERTIFIED LIST OF PROPERTY OWNERS

N.J.S.A. 40:55D-12.C

Please check below. Unchecked request will receive a 200 foot list.

	Adjoining Owners
	200' from perimeter
	500' from perimeter

NAME	
PROPERTY ADDRESS	
BLOCK	
LOT(S)	
TELEPHONE NUMBER	

Date: _____ _____

Applicant

PLEASE FORWARD TO THE LITTLE EGG HARBOR TOWNSHIP TAX ASSESSOR'S OFFICE, ALONG WITH A CHECK IN THE AMOUNT OF $10.00

Township of Little Egg Harbor Zoning Board
Completeness Checklist

1. Plat clearly and legibly drawn or reproduced at a scale not smaller than 1" = 100 Feet.

2. Sheet size, 8 1/2x 11, 8 l/2 x 14, 11 x 17, or 24 x 36.

3. Plans (Land Development, Survey, Architectural) shall be prepared by an architect, planner, engineer, land surveyor or the applicant, where appropriate.

4. Deed description shown on plot plan.

5. Metes and bounds description based on a current survey.

6. Key map showing location of tract to be considered in relation to surrounding area at a scale not less than 1" = 2,000 Feet.

7. Title block containing name of applicant, preparer, lot and block numbers, date prepared, date of last amendment and zone district.

8. Existing Block and Lots are to be in conformance with the Municipal Tax Map.

9. Graphic scale and north arrow.

10. Space for signatures of chairman, secretary, and board engineer of Municipal Agency.

11. Names of all property owners within 200 Feet of subject property.

12. Location of existing and proposed property lines.

13. Existing lot lines to be eliminated should be labeled.

14. Zoning District chart indicating all existing and proposed setbacks, lot coverage, height, floor area ratio, and density.

15. Acreage of parcel(s).

16. Provide at least 4 photographs of the site for an accurate description on- site.

17. Flood plain designation.

18. Natural and artificial water courses, streams, shorelines, water boundaries, wetlands, and stream encroachment areas.

19. Limits of clearing.

20. Location of existing structures and their setbacks from existing and proposed property lines.

21. Location and type of existing easements.

22. Construction of existing storm drains/pipes, water and sewer mains.

23. Location of existing wells and septic systems.

24. Elevation of seasonal highwater table (If and where required).

25. R.O.W. width of existing roads.

26. Existing and proposed sight easements (If and where required).

27. Proposed landscaping (If and where required).

28. Soil erosion and sediment control plan (If and where required).

29. Design calculations showing proposed drainage facilities to be in accordance with ordinance run-off requirements (if and where required).

30. Any proposed easement of land reserved or dedicated to public or common use shall be designated and the proposed use of sites other than residential shall be noted.

31. Existing street names.

32. Driveway material to be shown.

33. Driveway dimension to be shown.

34. Adjoining lot numbers to be shown.

35. Driveway apron to be shown (if and where required).

36. Original Application, plus 13 copies.

37. Fourteen (14) copies of survey/plan.

38. Three (3) copies of certified property owners list.

39. Three (3) copies of affidavit of non-collusion

40. One (1) copy of Notice of Publication.

CHECKLIST

1. AT LEAST FORTY-FIVE (45) DAYS PRIOR TO A SCHEDULED ZONING BOARD MEETING:

	An original and 13 copies of the completed application form must be delivered to the Municipal Clerk's Office.
	Fourteen (14) prints of the plat plan if you are seeking site plan or subdivision approval with your variance.
	Three (3) copies, for certain types of applications or appeals, of notarized statements from adjacent property owners confirming that you offered to purchase the adjoining land. You will be required to submit the testimony of adjoining property owners at the hearing in the event you fail to submit the notarized statements with your application.
	Three (3) copies of the Certified List of Property Owners obtained from the Tax Assessor's Office (N.J.S.A 40:55D-12 and Ordinance 15-5.8).
	Three (3) copies of the Affidavit of Non-Collusion.
	Three (3) copies of the Shareholder / Partner Disclosure Statement when required by N.J.S.A. 40:55D-48.1, 48.2. Be advised that New Jersey law may require your corporation or partnership to be represented by an attorney throughout the application or appeal procedure. Please seek legal advice accordingly.

2. AT LEAST TEN (10) DAYS PRIOR TO THE SCHEDULED MEETING, THE APPLICANT IS REQUIRED TO PUBLISH NOTICE IN ONE OF OFFICIAL NEWSPAPERS OF THE TOWNSHIP (THE ASBURY PARK PRESS, ATLANTIC CITY PRESS OR TUCKERTON BEACON), AND NOTICE ALL PROPERTY OWNERS WITHIN 200 FEET OF THE SUBJECT PROPERTY, AND ANY AND ALL OTHER INDIVIDUALS OR AGENCIES REQUIRED TO BE NOTICIED.

3. AT LEAST THREE (3) DAYS PRIOR TO THE SCHEDULED ZONING BOARD MEETING, APPLICANT MUST SUBMIT TO THE BOARD SECRETARY THE FOLLOWING:

	Proof of Publication in the Tuckerton Beacon, Atlantic City Press or Asbury Park Press confirming that you published the required Notice of Hearing, when public notice is required, in one of the above official newspapers (see N.J.S.A 40:55D-12 and Ordinance 15-5.6) at least ten (10) days prior to the hearing date.
	Affidavit of Proof of Service to owners to owners of property within 200 feet of the subject property and others entitled to similar notice (see N.J.S.A. 40:55D-12, et seq. and Ordinance 15-5.6) at lease ten (10) days prior to the hearing date.
	Copies of other documents which may be required by statute or ordinance.

**You must submit the information requested above in complete packages. Incomplete or partial packages will not be accepted.*

***Be aware that you may have to apply separately with the Ocean County Planning Board, New Jersey Department of Transportation or some other county, state or federal agencies (see N.J.S.A 40:55D-12 and Ordinance 15-5.6).*

****We strongly encourage you to seek the assistance of a land use attorney or land use engineer to prepare your application and guide you through the application process. Municipal employees are not permitted to assist you in preparing an application or appeal.*

EXAMPLES FOR USE BY APPLICANT

(DO NOT RETURN EXAMPLES WITH YOUR APPLICATION)

EXAMPLE
NOTICE TO PROPERTY OWNERS WITHIN 200 FEET
(Must be published at least 10 days prior the scheduled meeting date.)

DATE: _____

TO: _____
_____

RE: _____
Block _____, Lot _____

PLEASE TAKE NOTICE:

That an application has been made to the Zoning Board of Adjustment, Township of Little Egg Harbor, in the County of Ocean, State of New Jersey, affecting the property known as Block _____, Lot _____ ___also known as [insert street address]. This notice is being sent to you as an owner of property within 200 feet of the subject property.

The purpose of this application is as follows: [Describe the purpose of the application including the approvals sought and the variances requested. Conclude with the language: "**and all other necessary variances and waivers**."]

All documents pertaining to this application are on file in the Municipal Clerk's Office, Township of Little Egg Harbor, Municipal Building, 665 Radio Road, Little Egg Harbor, New Jersey, and may be inspected during normal business hours.

This application has been set on the Board's calendar which will be called on [day], [date] at [time] P.M., at the Municipal Building, Township of Little Egg Harbor, 665 Radio Road, Little Egg Harbor, New Jersey, and when the calendar is called you may appear in person or by your attorney and present any objection which you may have to the granting of this application.

Respectfully,

_____
[Name of Attorney/Applicant]
[Name of Firm] Attorneys for applicant
[Name of Applicant]

EXAMPLE LEGAL NOTICE

(Must be published at least 10 days prior the scheduled meeting date.)

Please take notice that an application has been made to the Zoning Board of Adjustment, Township of Little Egg Harbor, in the County of Ocean, State of New Jersey, affecting the property known as Block _____, Lot _____, also known as _____. This notice is being sent to you as an owner of property within 200 feet of the subject property.

The purpose of this application is as follows: [Describe the purpose of the application including the approvals sought and the variances requested. Conclude with the language: "**and all other necessary variances and waivers."]**

All documents pertaining to this application are on file in the Municipal Clerk's Office, Township of Little Egg Harbor, Municipal Building, 665 Radio Road, Little Egg Harbor, New Jersey, and may be inspected during normal business hours.

For the purpose of hearing objections to or protests against the granting of said application, the Township of Little Egg Harbor Zoning Board of Adjustment will hold a public hearing on [date] at [time] P.M. sharp at the Municipal Building, 665 Radio Road, Little Egg Harbor, New Jersey, and when the calendar is called you may appear in person or by your attorney and present any objection which you may have to the granting of this application.

Respectfully,

_____
Name of Applicant / Attorney

EXAMPLE AFFIDAVIT OF SERVICE

STATE OF NEW JERSEY:
SS:
COUNTY OF_____ :

[Name and address of the person who served notices] of full age, upon his/her oath being duly sworn deposes and says:

1. Attached hereto is a list of the names and addresses of all of the owners within 200 feet of Lot _____, Block _____ as said lot is shown on the Tax Map of the Township of Little Egg Harbor, and the Lot and Block number of the property of such owners, all as shown on the most recent tax lists of the Township of Little Egg Harbor and the following municipalities: (whichever is applicable).

2. A copy of the attached notice was served on all property owners, as shown on the list referred to in paragraph one above, by either (1) serving a copy of said notice on the owner of such property, or his agent or (2) mailing a copy thereof by certified mail to the property owner at his address as shown on the current tax duplicate.

3. A copy of the attached notice was served on the Municipal Clerk of the Township of Little Egg Harbor. [This paragraph must be filled out if the subject property is within 200 feet of an adjoining municipality. If this paragraph is applicable, list the municipal clerk on the list of property owners served with notice.]

4. A copy of the attached notice was served on the _____County Planning Board. [This paragraph is applicable only if the subject property is adjacent to an existing County road or proposed road shown on the official county map or on the County master plan, or adjoins other County land or is situated within 200 feet of another municipality. If this paragraph is applicable, list the _____ County Planning Board on the list of property owners served with a notice.]

5. A copy of the attached notice was served on the New Jersey Commissioner of Transportation. [This paragraph is applicable only if the subject property is adjacent to a State Highway. If this paragraph is applicable, list the New Jersey Commissioner of Transportation on the list of property owners served with a notice.]

6. A copy of the attached notice and a copy of any maps or documents required to be on file with the Municipal Clerk pursuant to the Municipal Land Use Law were served on the State Planning Commission. [This paragraph is applicable if the application is for the development of property which exceeds 150 acres or 500 dwelling units. If this paragraph is applicable, list the State Planning Commission on the list of property owners served with a notice.]

7. All notices were served either personally or by certified mail at least ten days prior to the date fixed for the hearing.

[Name of Firm]

Attorneys for Applicant

[Name of Applicant]

BY: _____
[Signature of Attorney]

Sworn and subscribed to before me
this _____ day of _____, 20____.

_____
Attorney or Notary Public of
New Jersey

Once an application is approved, a Notice of Decision must be published by the Applicant and Proof of Service must be provided to the Board Secretary. This Notice of Decision must be published in 1 of the 3 official township newspapers: the Asbury Park Press, Atlantic City Press or Tuckerton Beacon.

FORM NOTICE OF DECISION

NOTICE OF ACTION TAKEN BY BOARD
TOWNSHIP OF LITTLE EGG HARBOR
ZONING BOARD OF ADJUSTMENT

TAKE NOTICE that on _____, the Zoning Board of Adjustment of the Township of Little Egg Harbor, County of Ocean took the following action:

Application No. _____ for _____, for the subject property located at _____ a/k/a Block ____, Lot ____ was granted Variances for _____.