

BOROUGH OF HARVEY CEDARS
Land Use Board Variance Application

The Land Use Board meets the third Thursday of every month at 7:00 p.m. in the Municipal Meeting Room located at 7606 Long Beach Blvd., Harvey Cedars, NJ.

A complete application must be submitted at least twenty-one (21) days before a regular scheduled meeting.

CHECKLIST

- _____ Eighteen (18) copies of the formal written application completed upon forms provided

- _____ Escrow, fees receipt indicating payment of application and escrow fees in accordance with the Borough's Ordinance.
- _____ Certification from the Borough Tax Collector that all taxes and assessments are paid to date.
- _____ Sketch plats or plans -18 copies showing:
 - _____ Title Block
 - _____ Name, title, address and telephone number of applicant;
 - _____ Name, title, address and license number of professional or professionals who prepared the plot or plan if applicable;
 - _____ Name, title, and address of the owner or owners of record;
 - _____ Scale (written and graphic);
 - _____ Date of original preparation and each subsequent revision thereof and a list of specific revisions entered on each sheet.
 - _____ Block and Lot numbers as shown on the tax map.
 - _____ Dimensions of lot, existing percentage of lot occupied by all structures over twelve (12) inches in height and proposed lot coverage.
 - _____ Total square footage and percentage of existing and proposed floor area.
 - _____ Dimensions of any and all present and proposed structures showing elevation of the same (front and side) drawn to scale. Include all accessory buildings, shower houses, garages, sheds, porches, etc.
 - _____ Location of all adjoining properties, owner names, property block and lot numbers and distance of any structure to applicant's property line (streets must be properly identified and the north point shown)
 - _____ Description of all buildings on the plot at the time of this application.
 - _____ The zoning schedule showing required, existing and proposed dimensions (setbacks) and calculations.
- _____ Building elevations & floor plans - 18 copies
- _____ Current photo(s) of property - 18 copies

Notification Requirements

- I Applicant shall at least ten (10) days before the scheduled hearing date serve notice of the application using certified mail to the following:
 - ✚ All persons owning property within 200 feet of the property affected by the application in Harvey Cedars.
 - ✚ Serve notice to the Ocean County Planning Board if property is situated within 200 feet of Long Beach Blvd. or West 80th St.
 - ✚ Serve notice to Long Beach Township Municipal Clerk if property is situated within 200 feet of North Beach or Loveladies.
 - ✚ Serve notice to all persons owning property within 200 feet of the property in Long Beach Township (North Beach/Loveladies).

Postal receipts and an Affidavit of Proof Service shall be provided to the Board Secretary at least two days before the hearing.

- II Publish a notice of the application in the Beach Haven Times, Asbury Park Press or Atlantic City Press , at least two (2) weeks before hearing date.

An Affidavit of Publication issued by the newspaper shall be submitted to the Board Secretary at least two days before the hearing.

The Board will render a decision on the application at the end of the public hearing. Said decision will be memorialized (a written resolution adopted) at the next regularly scheduled meeting of the Zoning Board of Adjustment. A notice of the said decision will be published in the Beach Haven Times.

Following variance approval, a zoning permit must be secured from the Zoning Office and a building permit (if construction is planned), from the Building Department.

An appeal process is available to anyone who believes that the Board's decision is not valid under the pertinent laws and regulations. Appeal must be filed within 45 days following publication of the memorialized resolution.

HELPFUL INFORMATION FOR PUBLIC HEARINGS

The following may be helpful in your presentation to the Zoning Board

In seeking relief from the existing regulations established by the Municipal Land Use Ordinance, you must tell the Board what it is you are requesting, and you must present evidence to enable the Board to make a determination that you are entitled to the relief requested. This process, by law is in the nature of a judicial hearing, and accordingly, your cooperation and respect will be appreciated. Any questions you may have during the hearing may be addressed to the Chair or the Board attorney.

It is your burden to meet the legal criteria for entitlement to that relief. This means you must prove the "special reasons" for granting your application, as well as the "negative criteria", that granting will not be substantially detrimental to the public good, nor to the intent of the zoning plan and ordinance.

All testimony is presented under oath. A tape recording is made of these proceedings; so please speak into the microphone. You may present a brief description of the nature of your application, and then you are to present whatever testimony, witnesses, and exhibits you wish the Board to consider. The Board members may ask questions of you and your witnesses. Other persons, including members of the public, also have the right to ask questions, make statements, or present testimony for the Board's consideration.

Upon completion of the testimony and related questions, the Board will close the public portion of the hearing and enter a deliberative session, during which there will be no further testimony or argument unless the Board directs it. The deliberation and decision of the Board will take place in public. To confirm a decision taken by vote of the Board, a formal resolution will be prepared by the Board attorney for memorialization at the next regular meeting, which concludes the Board's action at that time.