

James Daly, Mayor

BOROUGH COUNCIL MEETS
1st & 3rd Tuesdays @ 7:00 p.m.
Community Center
13 Asbury Avenue
Farmingdale, NJ 07727



MUNICIPAL BUILDING
11 Asbury Avenue
Farmingdale, NJ 07727

Borough Office Hours
8:30 a.m. to 4:00 p.m.
Phone: 732-938-4077
Fax: 732-938-2023

HOW TO MAKE AN APPLICATION FOR DEVELOPMENT Planning Board/Zoning Board of Adjustment

This package is to help you complete the administrative requirements that are necessary to bring your application to the Planning Board/Zoning Board of Adjustment. We cannot give you legal advice or information as to how to prove the merits of your case. You may want to seek outside professional assistance in that regard.

NOTES:

- (1) You are not required to obtain a list of variances from the Zoning Officer. You may prepare this list yourself; however, if you need help, it is recommended that you contact the Zoning Officer. Farmingdale's Zoning Officer is available at Borough Hall on Wednesday evenings from 5:00 to 7:00 p.m.
- (2) You may prepare the list of property owners within 200 feet of the subject property yourself; however, it is recommended that you ask the Tax Collector to prepare this list.

MAKE SURE THAT YOUR APPLICATION FORMS, MAPS AND DRAWINGS ARE CLEAR, LEGIBLE AND DESCRIBE PRECISELY WHAT YOU WANT TO BUILD. AT THE PUBLIC HEARING, YOU MAY WANT TO BRING PHOTOGRAPHS AND OTHER MATERIALS TO HELP YOU TO PRESENT YOUR CASE. YOU MAY ALSO WANT TO PREPARE A LARGE POSTER BOARD EXHIBIT SHOWING ALL EXISTING AND PROPOSED STRUCTURES ON YOUR PROPERTY SO THAT ALL BOARD MEMBERS CAN CLEARLY SEE WHAT YOU ARE PROPOSING AS YOU PRESENT YOUR CASE.

INSTRUCTIONS FOR AN APPLICATION FOR DEVELOPMENT

1. Most applicants receive a **NOTIFICATION OF DENIAL FROM** the Zoning Officer indicating that a variance is required. If you have not received a Notification of Denial Form, you may request that the Zoning Officer review your proposed development and notify you in writing as to what variance(s) or other approval(s) may be required, and what the application fees are to seek these approvals.
2. If you wish to proceed with an application before the Board, you must submit the following:
 - a. Three (3) copies of the completed **APPLICATION FORM**;
 - b. Application fees (check or money order made payable to the Borough of Farmingdale). Application fee list is contained in Chapter 25, Section 5.2 as listed in the Borough of Farmingdale Code Book.
 - c. Escrow fees (check or money order made payable to the Borough of Farmingdale). Escrow fee list is contained in Chapter 25, Section 5.10 as listed in the Borough of Farmingdale Code Book.
 - d. If you do not own the property, the owner must sign the **CONSENT OF OWNER FORM** so that you can submit an application to the Zoning Board;
 - e. One (1) copy of the completed **RIGHT OF ENTRY CONSENT FORM** signed by the owner of the property (this will allow members of the Zoning Board/Board of Adjustment, employees and consultants to inspect your property).
 - f. Fourteen (14) copies of a property survey or plan drawn to scale, clearly showing the location and dimensions of the property and all existing and proposed structures (buildings, swimming pools, sheds, fences, driveways, garages, etc.)
3. The Planning Board Secretary will review the items submitted and let you know if the application is complete or incomplete or if additional items are required.
4. When all submittal requirements have been fulfilled, the application will be declared complete and scheduled for a hearing. **NOTE:** No application will be scheduled until it is complete. The application must be completed at least ten (10) business days prior to a meeting's agenda. If that agenda is filled, the application will be placed on the next open agenda.)
5. *All Applications Require Public Notice.* After your application is scheduled for a public hearing, you must:
 - a. Arrange for publication of the notice in the *Asbury Park Press* at least ten (10) business days prior to the date of the hearing. **NOTE:** The newspaper requires several days advance notice before it will print the ad.)
 - b. Request an **AFFIDAVIT OF PUBLICATION** from the newspaper and send it to the Planning Board Secretary at least three (3) business days prior to the hearing.
 - c. Serve notice by personal service or certified mail at least ten (10) days prior to the date of the hearing to the following parties where applicable:
 - (1) **Owners** of all real property located within 200 feet in all directions of the subject property. **NOTE:** The Tax Collector will provide you with a certified list of property owners for a small fee. If properties in other municipalities are within 200 feet of

the subject property, you must contact the Tax Collector in these areas to obtain a certified list.

(2) **Clerks** of adjoining municipalities where the subject property is within 200 feet of another municipality.

(3) **Monmouth County Planning Board** where the subject property is adjacent to an existing county road or proposed road, adjoining other county land, or situated within 200 feet of another municipality.

d. You must return the **Affidavit of Proof of Service Form and Notice of Hearing Form**, the list of persons served and an **Affidavit of Publication** from the newspaper to the Planning Board Secretary at least three (3) business days prior to the meeting. If notice was served by certified mail, the receipts must also be submitted to the Planning Board Secretary.

NOTE: No action will be taken on any application unless you have demonstrated that all affected parties have been properly notified.

6. Applicants must appear at the meeting and may be represented by an attorney at law. If the applicant is a corporation, then it must be represented by an attorney at law. They should be prepared to testify regarding reasons for requesting the variance.

IT IS THE APPLICANT'S RESPONSIBILITY TO DEMONSTRATE THAT THE VARIANCE CAN BE GRANTED IN ACCORDANCE WITH THE REQUIREMENTS OF THE NEW JERSEY MUNICIPAL LAND USE LAW (N.J.S.A. 40:55D-1 et seq.).

The applicant may wish to consult an attorney for guidance in preparing for a public hearing. The staff of the Planning Board/Zoning Board of Adjustment cannot provide any advice or information as to how to prove the merits of the applications