

## Zoning Application Packet

The following pages comprise the zoning application packet. It contains the zoning office forms necessary to obtain a zoning permit. Not all forms will be required for all requests. It is the responsibility of the property owner, applicant or agent to submit a completed application and provide all fees, applicable information and documentation needed to process the application. Instructions and definitions are included to assist you in completing the application.

If after reading the instructions you require information that was not included please feel free to contact the Zoning Office at 732-244-7400x1254 or via e-mail at [zoning@twp.berkeley.nj.us](mailto:zoning@twp.berkeley.nj.us) for further assistance.

### 35-131.2 Zoning Permits and Procedures.

- a. No construction, alteration or excavation for any building or other structure nor any use of building or land shall be begun without the issuance of a permit by the Zoning Officer indicating the proposal is in compliance with the provisions and requirements of this chapter.
- b. All applications for permit shall be made on forms provided by the Zoning Officer. Each such application shall be accompanied by a plan drawn to such scale as required to show exact dimensions and locations of all buildings, yards, lot lines, off-street parking and such other appropriate details and information as may be necessary to provide for the administration of this chapter. All dimensions shown on these plans relating to the lot to be used or built upon shall be based on actual survey, deed description or an approved subdivision plat. Should the application for zoning permit involve the construction, addition or enlargement of a building or structure regulated by maximum height provisions of this chapter, or where a two-dimensional drawing is insufficient for determining compliance with certain provisions of this chapter, the Zoning Officer may require building elevation drawings and cross sections be submitted prior to the issuance of a zoning permit. Where the approval of a site plan is required, submittals shall meet the requirements of the provisions of this chapter which deal with site plans. One (1) copy of the approved site plan shall be returned to the applicant, together with the permit issued by the Zoning Officer and with such conditions as may have been attached thereto by an official body of the Township of Berkeley acting under this chapter. In those instances where permits are not granted, the applicant shall be advised in writing as to the specific reasons involved.
- c. Before a certificate of occupancy is issued for any new construction, including residential, industrial or commercial, a certified location survey must be submitted to the Zoning Officer showing that the location of the completed structure complies with all setback, side yard and back yard provisions of this chapter.
- d. *Permission or Denial.*
  1. In reviewing an application for a zoning permit, the Zoning Officer may, in his discretion, permit or deny the issuance of a zoning permit in those instances where the following circumstances occur in a residential zone:
    - (a) Where the existing front or rear setback does not conform to the present zoning and the proposed repair or addition to the front or rear of the structure will not increase the degree of nonconformity, or where the repair or addition is made to a structure on an undersized lot, same may be permitted if the repair or addition does not violate any present setback requirements; and
    - (b) Where the proposed addition or repair will not tend to violate the purposes and intent of the chapter, which include but are not limited to safety, health, aesthetics, light, air and ventilation or otherwise tend to cause any health problems.
  2. In any event, should the Zoning Officer have any doubt whatsoever as to the effect of the application upon any of the foregoing zoning criteria, he shall deny the application for a zoning permit.  
(Ord. No. 94-29 § 118-19.1; Ord. No. 09-15-OA §8)

#### Answers to frequently asked questions:

- A setback is the distance the proposed structure will be from a property line.
- Corner lots have two front setbacks, 1 rear setback and one side setback. The rear line is opposite the narrower front line.
- A structure that abuts the principal structure is considered attached and shall comply with principal structure setbacks.
- Any detached structure over 120sf shall comply with accessory setback requirements.
- Accessory structures or uses cannot exceed the principal structure or use in size or scope.
- Detached structures shall not be placed nearer to any street than the principal structure.
- Lot Coverage % is the square footage (LxW) of all buildings divided by the square footage of the lot.
- Impervious coverage includes buildings, driveways, patios, and other similar surfaces.

TOWNSHIP HALL  
Pinewald-Keswick Road  
P.O. Box B  
Bayville, NJ 08721

**BERKELEY TOWNSHIP ZONING PERMIT APPLICATION**

DIVISION OF ZONING  
Phone: (732) 244-7400  
Ext. 1254  
Fax: (732) 557-0214

**TO AVOID UNNECESSARY DELAYS, PLEASE PROVIDE ALL DOCUMENTS & FEES AS LISTED ON THE NEXT PAGE AND THE INFORMATION REQUESTED BELOW. DEFINITIONS AND NOTES ARE LISTED ON THE NEXT PAGE. APPLICATIONS ARE PROCESSED WITHIN TEN BUSINESS DAYS.**

Date Submitted \_\_\_\_\_ Block \_\_\_\_\_ Lot(s) \_\_\_\_\_ Zone \_\_\_\_\_

Site Address \_\_\_\_\_

**PROPERTY OWNER INFORMATION**

Name \_\_\_\_\_ Phone \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Fax \_\_\_\_\_ E-mail \_\_\_\_\_

**APPLICANT / AGENT INFORMATION**

Name \_\_\_\_\_ Phone \_\_\_\_\_

Address \_\_\_\_\_

Fax \_\_\_\_\_ E-mail \_\_\_\_\_

If Planning Board or Board of Adjustment approval was received, enter Board and Application # \_\_\_\_\_

Describe proposed activity. Include the type of building or structure and its dimensions if not noted on the required survey or plot plan.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
**Signature of Owner or Applicant**

Zoning Personnel Use:

Submitted Forms: Plot Plan/Survey/Diagram \_\_\_\_\_ Grading \_\_\_\_\_ H/O Assoc. Approval \_\_\_\_\_ Resolution # \_\_\_\_\_

Zoning Control # \_\_\_\_\_

**Required documents and fees for zoning review.**

A Completed application and fee - \$30 residential, \$60 commercial.

A Homeowner Association approval letter for Planned Retirement Resort Communities (PRRC) zones.

If the Planning Board or Board of Adjustment approved the request, a copy of the resolution is needed.

A plot plan or survey of property showing location, setbacks, floor area, elevation and height of proposed structure, all impervious surfaces, and lot coverage percentage.

For fences, or sheds less than 100sf, a diagram drawn by the property owner or applicant, and subject to approval by the Zoning Officer, may be acceptable. The street and all existing and proposed structures showing setbacks shall be included on the diagram. The diagram shall be signed and notarized certifying its accuracy at the time the application is submitted. For fences no other items are required for zoning review.

For signs, a diagram showing the dimensions and placement of the proposed sign is required.

Except for single or two family dwellings, site plan approval is required if Zoning and Construction permits are to be issued and for a change of use of land or structure where the standards are more restrictive.

A Grading Plan, a plan that shows storm water drainage, as per the following:

- A Grading Exception (attached) is allowed, for pools and hot tubs, or if one of the conditions stated on the form are met and property is not in a flood zone (no fee).
- A Grading Waiver (attached) for additions or accessory structures (\$150 fee) with four copies of a plot plan or survey is allowed if the total impervious coverage % does not exceed maximum lot coverage % and all other zone requirements are met. The plot plan or survey must show all existing and proposed structures and all impervious coverage.
- Four sealed copies of a grading plan and a sealed copy of the Engineer's Certification (attached) are required for all other proposals. The review fee is \$175.00 for additions and \$475.00 for new main structures.

Four copies of a Foundation As-Built Plan are required prior to framing, placing the modular unit or prefabricated unit on the foundation.

The above are general requirements and information. Additional documents and information may be necessary in some cases.

**35-95 SCHEDULE 1. SCHEDULE OF REQUIREMENTS  
TOWNSHIP OF BERKELEY**

| Zone                                         | Setbacks <sup>10</sup>               |                            | *15 feet is minimum rear yard setback on lagoon waterfront lots with existing bulkheads for all structures except decks. |            |                   |                    |                                             |            | Minimum Floor Area (sq. ft.) | Maximum Lot Coverage (%) | Maximum Principal Structure and Detached Structure Height (ft.) |
|----------------------------------------------|--------------------------------------|----------------------------|--------------------------------------------------------------------------------------------------------------------------|------------|-------------------|--------------------|---------------------------------------------|------------|------------------------------|--------------------------|-----------------------------------------------------------------|
|                                              | Minimum Lot Area (sq. ft.)           | Minimum Lot Frontage (ft.) | Minimums Setbacks for Principal Structures                                                                               |            |                   | Both Sides (ft.)   | Minimum Setbacks For Accessory <sup>9</sup> |            |                              |                          |                                                                 |
|                                              |                                      |                            | Front <sup>7</sup> (ft.)                                                                                                 | Rear (ft.) | Side (ft.)        |                    | Rear (ft.)                                  | Side (ft.) |                              |                          |                                                                 |
| R-MF                                         | 200,000                              | 200                        | 50                                                                                                                       | 50         | 50                | 100                | 25                                          | 25         | See Note 1.                  | 25                       | 35/15                                                           |
| R-31.5                                       | 3,150 <sup>7</sup>                   | 45                         | 20                                                                                                                       | 10/15*     | 5                 | 15                 | 5                                           | 5          | 720                          | 35                       | 35/15                                                           |
| R-50                                         | 5,000 <sup>7</sup>                   | 50                         | 35 <sup>8</sup>                                                                                                          | 20         | 5                 | 15                 | 5                                           | 5          | 720                          | 35                       | 35/15                                                           |
| R-60                                         | 6,000 <sup>7</sup>                   | 60                         | 35 <sup>8</sup>                                                                                                          | 20         | 7                 | 18                 | 5/15*                                       | 5          | 864                          | 30                       | 35/15                                                           |
| R-64                                         | 6,400 <sup>7</sup>                   | 80                         | 25                                                                                                                       | 20         | 7                 | 18                 | 5                                           | 5          | 864                          | 30                       | 35/15                                                           |
| R-90                                         | 9,000                                | 75                         | 30                                                                                                                       | 25         | 7                 | 20                 | 5                                           | 5          | See Note 3.                  | 30                       | 35/15                                                           |
| R-100                                        | 10,000                               | 100                        | 35                                                                                                                       | 30         | 10                | 30                 | 10                                          | 10         | See Note 3                   | 25                       | 35/15                                                           |
| MPRPD                                        | 6,000                                | 60                         | 25                                                                                                                       | 30         | 10                | 10                 | 5                                           | 5          | See Note 3.                  | 25                       | 35/15                                                           |
| R-125                                        | 12,500                               | 100                        | 35                                                                                                                       | 30         | 10                | 25                 | 7                                           | 7          | See Note 3.                  | 25                       | 35/15                                                           |
| R-150                                        | 15,000                               | 100                        | 35                                                                                                                       | 30         | 10                | 25                 | 7                                           | 7          | See Note 3.                  | 25                       | 35/15                                                           |
| R-200/ R-200A <sup>4</sup>                   | 20,000                               | 125                        | 40                                                                                                                       | 30         | 15                | 35                 | 15                                          | 15         | See Note 3.                  | 20                       | 35/15                                                           |
| R-200C                                       | 8,250                                | 65                         | 20                                                                                                                       | 35         | 5                 | 20                 | 5                                           | 5          | See Note 3.                  | 30                       | 35/15                                                           |
| R-400/R-400A <sup>4</sup>                    | 40,000                               | 200                        | 40                                                                                                                       | 40         | 25                | 50                 | 15                                          | 15         | See Note 3.                  | 20                       | 35/15                                                           |
| R-400PRRC <sup>5</sup>                       | 5,000                                | 50                         | 20                                                                                                                       | 20/14**    | 5                 | 15                 | 5                                           | 5          | See Note 2.                  | 35                       | 35/15                                                           |
| Conservation/<br>Residential Zone            | 3ACRES<br>130,680sf                  | 200                        | 75                                                                                                                       | 50         | 25                | 50                 | 15                                          | 15         | See Note 3                   | 10                       | 35/15                                                           |
| Public<br>Preservation/<br>Conservation Zone | 3ACRES<br>or 5ACRES if no<br>sewers  | 200                        | 100                                                                                                                      | 50         | 50                | 100                | 15                                          | 15         | See Note 3                   | 10                       | 35/15                                                           |
| NB                                           | 5,000                                | 50                         | 25                                                                                                                       | 20         | 5 - <sup>11</sup> | 15 - <sup>11</sup> | 5                                           | 5          | 400                          | 60                       | 25/15                                                           |
| HB                                           | 15,000                               | 150                        | 50                                                                                                                       | 40         | 15                | 40                 | 10                                          | 10         | 700                          | 50                       | 35/15                                                           |
| RHB                                          | 40,000                               | 200                        | 50                                                                                                                       | 40         | 20                | 40                 | 20                                          | 15         | 400                          | 50                       | 35/15                                                           |
| RB                                           | 434,600                              | 400                        | 100                                                                                                                      | 50         | 50                | 100                | 50                                          | 50         | 25,000                       | 20                       | 35/15                                                           |
| IP <sup>6</sup>                              | 434,600                              | 400                        | 100                                                                                                                      | 50         | 50                | 100                | 50                                          | 50         | 5,000                        | 25                       | 35/15                                                           |
| LI                                           | 43,560                               | 200                        | 50                                                                                                                       | 40         | 40                | 80                 | 40                                          | 40         | 5,000                        | 30                       | 35/15                                                           |
| GI                                           | 200,000                              | 200                        | 50                                                                                                                       | 40         | 40                | 80                 | 40                                          | 40         | 5,000                        | 30                       | 40/15                                                           |
| R-2F                                         | 15,000                               | 125                        | 35                                                                                                                       | 30         | 10                | 30                 | 10                                          | 10         | See Note 1.                  | 25                       | 35/15                                                           |
| R-4F                                         | See standards in subsection 35-96.6  |                            |                                                                                                                          |            |                   |                    |                                             |            |                              |                          |                                                                 |
| R-TH                                         | See standards in subsection 35-96.7  |                            |                                                                                                                          |            |                   |                    |                                             |            |                              |                          |                                                                 |
| R-LR                                         | See standards in subsection 35-96.8  |                            |                                                                                                                          |            |                   |                    |                                             |            |                              |                          |                                                                 |
| RC                                           | See standards in subsection 35-106.4 |                            |                                                                                                                          |            |                   |                    |                                             |            |                              |                          |                                                                 |
| BR                                           | See standards in subsection 35-96.9  |                            |                                                                                                                          |            |                   |                    |                                             |            |                              |                          |                                                                 |

\*Notes, definitions explanations and examples are on reverse side. These are general requirements. Other restrictions may apply. Zoning decisions cannot be made until all required zoning documents, specifications, and fees are submitted.

\*\*The required rear yard setback is reduced to 14 feet for attached sunrooms/three-season rooms without heat.

**Notes to Schedule 1, Section 35-95.**

- 1 See subsection 35-96.7**
- 2 PRRC: One (1) bedroom, eight hundred (800) square feet; two (2) bedrooms, nine hundred (900) square feet; three (3) bedrooms, one thousand (1,000) square feet.**
- 3 One (1) bedroom, nine hundred fifty (950) square feet; two (2) bedrooms, one thousand one hundred (1,100) square feet; three (3) bedrooms and larger, one thousand two hundred fifty (1,250) square feet.**
- 4 See Section 35-103 requirements.**
- 5 See Section 35-101 requirements.**
- 6 See subsection 35-107.4 for requirements.**
- 7 See subsection 35-89.5.**
- 8 Front setback requirements in the R-50 and R-60 Residential Zones may be reduced to twenty-five (25) feet, provided that the lot in question is served by a municipal or public water and sewer system and that the setback distance for any new structure will not be less than the average setback of the existing structures within the same block face.**
- 9 Sheds of one hundred twenty (120) square feet and less may be constructed and placed not less than three (3) feet from the rear property line and three (3) feet from any side line in any zone of the Township, except that in all circumstances where the rear property line of a building lot is a bulkheaded lagoon area, the aforesaid shed shall not be less than five (15) feet from any such bulkhead.**
- 10 The following shall be exceptions to the setback requirements under this chapter:**
  - A. Roof eaves may project not more than three (3) feet into the required yard area.**
  - B. Architectural features. Windowsills, belt courses and similar architectural features, rain leaders and chimneys may project not more than two (2) feet into the required yard area.**
  - C. Exterior stairways and fire escapes. Exterior stairways going to a second story, smokeproof towers, balconies, fire escapes or other required elements of a means of egress may not project more than four (4) feet beyond the face of the wall. This exception shall apply only to rear and side yards and to those structures which presently comply with the minimum sideyard requirements under this chapter.**
  - D. Entrance stoops and stairways are excepted as long as same are not more than six (6) feet in height above the average finished grade within ten (10) feet of their perimeters and are no less than twelve (12) feet from the property line when same are located in the front yard and no more than six (6) feet from the structure and not less than one (1) foot from the property line when located in a side yard or rear yard.**

**Definitions and Notations:**

- A setback is the distance the proposed structure will be from a property line.
- Corner lots have two front setbacks, 1 rear setback and one side setback. The rear line is opposite the narrower front line
- Front setbacks apply to any property line that abuts a public street, whether paved or unpaved.
- Lot Frontage is the length of a property line on a paved street. The property shall abut at least one paved street.
- A structure that abuts the principal structure is considered attached and shall comply with principal structure setbacks.
- Accessory structures and uses shall not exceed the principal structure or use in size or scope.
- Any detached structure over 120sf shall comply with accessory setback requirements.
- Detached structures shall not be placed nearer to any street than the principal structure.
- A carport, garage or any off-street parking area shall have a driveway constructed to township standards.
- Lot Coverage % is the lot area covered by all buildings divided by the total lot area.