

ADMINISTRATIVE MINOR SUBDIVISION APPROVAL

APPLICATION FEE = \$450.00
ESCROW FEE = \$ 1,500.00

If the subject premises previously received approval from the Planning Board or Zoning Board, a copy of the plan and approval resolution should be provided.

LAKWOOD TOWNSHIP PLANNING BOARD APPLICATION

TO BE COMPLETED BY TOWNSHIP STAFF ONLY:

DATE FILED _____ APPLICATION NUMBER _____

TO BE COMPLETED BY APPLICANT:

1. APPLICANT'S NAME: _____

ADDRESS _____

EMAIL ADDRESS () _____ PHONE NUMBER () _____

TAX IDENTIFICATION NUMBER _____

FEDERAL TAX EXEMPTION NUMBER _____

2. OWNER'S NAME _____

ADDRESS _____

EMAIL ADDRESS () _____ PHONE NUMBER () _____

3. APPLICANT'S ATTORNEY _____

ADDRESS _____

EMAIL ADDRESS () _____ PHONE NUMBER () _____

4. APPLICANT'S ENGINEER _____

ADDRESS _____

EMAIL ADDRESS () _____ PHONE NUMBER () _____

5. APPLICANT REPRESENTS A REQUEST FOR THE FOLLOWING:

BLOCK _____ **LOT** _____ **ZONE** _____

SUBDIVISION:

MINOR SUBDIVISION APPROVAL (2 LOTS) _____

MAJOR SUBDIVISION APPROVAL (PRELIMINARY) _____

MAJOR SUBDIVISION APPROVAL (FINAL) _____

NUMBER OF LOTS TO BE CREATED _____

ADMINISTRATIVE MINOR SUBDIVISION _____

SITE PLAN:

PRELIMINARY SITE PLAN APPROVAL _____

FINAL SITE PLAN APPROVAL _____

SITE PLAN INVOLVING LESS THAN ONE (1) ACRE _____

SITE PLAN INVOLVING ACCESSORY BUILDING _____

CHANGE OF USE SITE PLAN

EXISTING/LAST USE _____ PROPOSED USE _____

AMENDMENT OR REVISION TO APPROVED SITE PLAN _____ **S/P #** _____

WAIVER REQUESTED OF DEVELOPMENT STANDARDS AND/OR SUBMISSION REQUIREMENTS: _____

VARIANCE FROM THE PROVISIONS OF CHAPTER _____ **SECTION** _____ **OF THE LAKEWOOD TOWNSHIP CODE**

SETBACK VARIANCES:

FRONT SETBACK PROPOSED: _____ REQUIRED: _____
SIDEYARD SETBACK PROPOSED: _____ REQUIRED: _____
REARYARD SETBACK PROPOSED: _____ REQUIRED: _____
LOT AREA: _____ LOT FRONTAGE: _____

PARKING VARIANCES:

AMOUNT OF SPACES PROPOSED: _____ REQUIRED: _____
PROPOSED: SIZE _____ REQUIRED: _____
VARIANCE PREVIOUSLY GRANTED: _____ DATE: _____

BRIEF NARRATIVE OF PROPOSED PLAN:

- 6. NAME & LOCATION OF DEVELOPMENT: _____
- 7. LOCATION OF NEAREST INTERSECTION: _____
- 8. MAP DATED: _____ PREPARED BY: _____
- 9. PRESENT USE: _____
- 10. PROPOSED USE: _____
- 11. LOT AREA: _____ BUILDING AREA (GROUND FLOOR) _____
- 12. BUILDING AREA(TOTAL) _____ # OF PARKING SPACES _____
- 13. AREA IN ACRES OF ANY ADDITIONAL ADJOINING LAND OWNED BY OWNER OR APPLICANT _____
- 14. ATTACH A COPY OF ANY DEED RESTRICTIONS OR COVENANTS THAT APPLY

SIGNATURE OF APPLICANT: _____

APPLICANT OR AUTHORIZED AGENT **MUST BE** PRESENT AT REGULAR MEETING AT WHICH ACTION IS TAKEN. IF A CORPORATION, APPLICANT **MUST BE** REPRESENTED BY AN ATTORNEY.

AFFIDAVIT OF OWNERSHIP

STATE OF NEW JERSEY
COUNTY OF _____ } ss.

_____ of full age, being duly sworn according to law on oath deposes and says, that the deponent resides at

_____ in the municipality of _____

in the County of _____ and the State of _____;

that _____ is the owner in fee of all that certain lot, piece or parcel of land situated, lying, and being in the municipality aforesaid, and known and designated as

Block _____ Lot(s) _____

(Owner to Sign Here)

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

A Notary Public of New Jersey

AUTHORIZATION

(If anyone other than above owner is making this application, the following authorization must be executed.)

TO THE PLANNING BOARD

_____ is hereby authorized to make the within application.

Dated: _____ 20__ _____
(Owner to Sign Here)

CERTIFICATE OF OWNERSHIP OF APPLICANT
AS REQUIRED BY NEW JERSEY LAW
(P.L. 1977, CHAPTER 336)

Listed below are names and addresses of all owners of 10% or more of the stock/interest* in the undersigned applicant corporation/partnership.

<u>NAME</u>	<u>ADDRESS</u>
1. _____	_____
2. _____	_____
3. _____	_____
4. _____	_____
5. _____	_____

Please check the appropriate box:

CORPORATION OF N.J.	_____
PARTNERSHIP	_____
LLC OF NEW JERSEY	_____
OTHER	_____

* Where corporation/partnerships owns 10% or more of the stock/interest in the undersigned or in another corporation/partnership so reported, this requirement shall be followed until the names and addresses of the non-corporate stockholders/individuals partners exceeding the 10% ownership criterion have been listed.

Signature of Officer/Partner

Date

Name of Applicant Corporation/Partnership

REAL ESTATE AFFIDAVIT

STATE OF NEW JERSEY

COUNTY OF OCEAN

RE: BLOCK: _____ LOT: _____

PROPERTY ADDRESS: _____

NAME OF APPLICANT: _____

TYPE OF APPLICATION: _____

Pursuant to the Revised General Ordinance of the Township of Lakewood, Chapter 2, Section 15A10, the applicant and/or owner of the aforesaid properties must show proof that all outstanding real estate taxes are current on the aforementioned properties.

Pursuant to the Township of Lakewood regulations, the Tax Collector's Office for the Township of Lakewood, certifies that all real estate taxes assessed against the above-mentioned properties are: **CURRENT:** _____

NOT CURRENT: _____ Taxes are open for _____ year-quarters _____

Outside Tax Liens: _____, subject to Tax Sale: **YES** _____ **NO** _____

The Collector's Office further certifies that the tax records of the Township of Lakewood reflect that the above-mentioned properties are not subject to any municipal tax liens as of this date.

Tax Collector's Office Certification

Signature of person attending

TITLE: _____

DATE: _____

Request for Taxpayer Identification Number and Certification

**Give Form to the
 requester. Do not
 send to the IRS.**

▶ Go to www.irs.gov/FormW9 for instructions and the latest information.

Print or type. See Specific Instructions on page 3.	<p>1 Name (as shown on your income tax return). Name is required on this line; do not leave this line blank.</p> <p style="text-align: right;">email address: _____</p>	
	<p>2 Business name/disregarded entity name, if different from above</p>	
	<p>3 Check appropriate box for federal tax classification of the person whose name is entered on line 1. Check only one of the following seven boxes.</p> <p> <input type="checkbox"/> Individual/sole proprietor or single-member LLC <input type="checkbox"/> C Corporation <input type="checkbox"/> S Corporation <input type="checkbox"/> Partnership <input type="checkbox"/> Trust/estate </p> <p> <input type="checkbox"/> Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=Partnership) ▶ _____ </p> <p>Note: Check the appropriate box in the line above for the tax classification of the single-member owner. Do not check LLC if the LLC is classified as a single-member LLC that is disregarded from the owner unless the owner of the LLC is another LLC that is not disregarded from the owner for U.S. federal tax purposes. Otherwise, a single-member LLC that is disregarded from the owner should check the appropriate box for the tax classification of its owner.</p> <p> <input type="checkbox"/> Other (see instructions) ▶ _____ </p>	<p>4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3):</p> <p>Exempt payee code (if any) _____</p> <p>Exemption from FATCA reporting code (if any) _____</p> <p style="font-size: small;">(Applies to accounts maintained outside the U.S.)</p>
	<p>5 Address (number, street, and apt. or suite no.) See instructions.</p>	<p>Requester's name and address (optional)</p>
	<p>6 City, state, and ZIP code</p>	
	<p>7 List account number(s) here (optional)</p>	

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the instructions for Part I, later. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN*, later.

Note: If the account is in more than one name, see the instructions for line 1. Also see *What Name and Number To Give the Requester* for guidelines on whose number to enter.

Social security number											
				-			-				
or											
Employer identification number											
				-							

Part II Certification

Under penalties of perjury, I certify that:

1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
2. I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
3. I am a U.S. citizen or other U.S. person (defined below); and
4. The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions for Part II, later.

Sign Here	Signature of U.S. person ▶	Date ▶
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General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

Future developments. For the latest information about developments related to Form W-9 and its instructions, such as legislation enacted after they were published, go to www.irs.gov/FormW9.

Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following.

- Form 1099-DIV (interest earned or paid)

- Form 1099-DIV (dividends, including those from stocks or mutual funds)
- Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
- Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
- Form 1099-S (proceeds from real estate transactions)
- Form 1099-K (merchant card and third party network transactions)
- Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)
- Form 1099-C (canceled debt)
- Form 1099-A (acquisition or abandonment of secured property)

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See What is backup withholding, later.

ESCROW AGREEMENT

I understand that the sum of \$_____ has been deposited in an escrow account. In accordance with the Ordinances of the Township of Lakewood, I further understand that the escrow account is established to cover the cost of professional services including engineering, planning, legal and other expenses associated with the review of submitted materials. Sums not utilized in the review process shall be returned. Upon notification by the Board Secretary, if additional sums are deemed necessary, I understand that I shall add that sum to the escrow account within fifteen (15) days of the receipt of request.

SIGNATURE OF APPLICANT

DATE

Please provide the name, address and telephone number of a contact person who will be notified if additional escrow is necessary.

PRINT NAME

ADDRESS

PHONE

EMAIL ADDRESS***

******this is required by the Township in order to return excess escrow funds after project completion***

DEAR ENGINEER:

PLEASE COMPLETE CHECKLIST AS IT PERTAINS TO THE SUBJECT APPLICATION. PLEASE CIRCLE THE ITEMS THAT HAVE BEEN ADDRESSED.

FOR ANY ITEM THAT HAS NOT BEEN ADDRESSED, LEAVE BLANK AND ADVISE INTENTION/REMARKS ON THE BACK PAGE. (I.E. WAIVER REQUEST, ETC.)

IN ADDITION, ON THE BACK PAGE, PRINT THE PREPARER'S NAME WITH SIGNATURE ABOVE AND THE DATE PREPARED.

Thank You

Land Development Checklist

Administrative Minor Subdivision

CHECK LIST

A. PLAT SPECIFICATIONS	Minor Subdiv	Prelim MajSub	Final MajSub	Major Site Plan	Minor Site Plan
1. Plat clearly and legibly drawn or produced at a scale not smaller than one inch equals 50 feet.	X	X	X	X	X
2. Sheet size either 8.5" x 11", 11 by 17, 15 by 21, 18 by 24, 24 by 36, or 30 by 42.	X	X	X	X	X
3. Plans shall be prepared by an architect or engineer if application involves only the location of proposed buildings and their relationship to the site and the immediate environs.				X	X
4. Plans shall be prepared by an architect, planner, or engineer if application involves only the location of drives, parking layout, pedestrian circulation, and means of ingress and egress.				X	X
5. Plans shall be prepared by an engineer if application involves only drainage facilities for site plan of ten acres or more, or involving storm water detention facilities, or traversed by water course.				X	
6. Plans shall be prepared by a licensed land surveyor which shows existing conditions and exact location of physical features including metes and bounds, drainage, waterways, specific utility locations and easements. Survey information may, however, be transposed to a site plan if the date of the survey and by whom and for whom it was prepared is noted on the site plan, and a signed sealed copy of the survey prepared by a licensed land surveyor must accompany the site plan submission.	X	X	X	X	X
7. Property line shown in degree, minutes, and seconds.	X	X	X	X	X
8. Key map or tax map showing location of tract to be considered in relation to surrounding area.	X	X	X	X	X
9. Title block containing name of preparer, lot and block numbers, tax map sheet number, date prepared, and date of last amendment.	X	X	X	X	X
10. Each block and lot numbered in conformity with the municipal Tax map as determined by the municipal tax assessor. Attach copy of letter from Tax Assessor.	X	X	X	X	
11. Scale of map, both written and graphic.	X	X	X	X	X

CHECK LIST

	Minor Subdiv	Prelim MajSub	Final MajSub	Major Site Plan	Minor Site Plan
12. North arrow giving reference meridian.	X	X	X	X	X
13. Space for signatures of chairman, secretary, and engineer of the approving authority and all required certifications pursuant to the NJ Map Filing Law.	X	X	X	X	X
14. Names of all property owners within 200 feet of subject property attached thereto. Show Adjacent Blocks & Lots	X	X		X	X
15. Location of existing and proposed property lines with dimensions in feet to the nearest two decimal places.	X	X	X	X	X
16. Zoning district in which parcel is located and a zoning schedule listing all requirements of the zone district and a notation of any variances.	X	X	X	X	X
17. General notes identifying the name and address of the property and applicant, acreage of affected parcel to the nearest hundredth of an acre, and the existing and proposed use.	X	X	X	X	X
18. Number and size of lots after subdivision to be designated.	X	X	X	X	X

B. SITE FEATURES

1. Topography of the site.	X	X		X	X
2. Topography within 200 feet thereof.		X		X	
3. Contours on the site to determine the natural drainage of the land.	X	X		X	X
4. Contours of the area within 200 feet of the site boundaries.		X		X	
5. Flood plains, wetlands, wetland buffers. If any portion of the project contains wetlands or wetland buffers, proof of submission of a letter of interpretation to the NJDEP shall be required.	X	X	X	X	X
6. Natural and artificial water courses, streams, shore lines, water boundaries, and encroachment lines.	X	X	X	X	X
7. Wooded areas.	X	X		X	X
8. Areas in which construction is precluded due to presence of stream corridors and/or steep slopes.	X	X	X	X	X

CHECK LIST

	Minor Subdiv	Prelim MajSub	Final MajSub	Major Site Plan	Minor Site Plan
B. SITE FEATURES					
9. Man-made features on-site.	X	X	X	X	X
10. Man-made features within 200 feet thereof.		X		X	
C. IMPROVEMENTS					
1. Location of existing and proposed structures and their set backs from existing and proposed property lines.	X	X	X	X	X
2. Location of all existing and proposed easements or rights of way, including power lines.	X	X	X	X	X
3. Location of existing railroads, bridges, culverts, drain pipes, water and sewer mains, and other man-made installations affecting the tract.	X	X	X	X	X
4. Location of existing and proposed wells and septic systems.	X	X	X	X	X
5. When applicant intends to use conventional septic disposal system, location of test holes, test results and approximate location of the intended disposal field.		X		X	
6. Plans and profiles of proposed utility layouts such as sewers, storm drains, and water, showing feasible connection to existing proposed utility systems.		X		X	X
7. Location and description of monuments and other survey markers whether set or to be set.	X		X		
8. Location, names, and widths of all existing and proposed streets on the property and within 200 feet of tract.	X	X	X	X	X
9. Required road dedication or road widening easements.	X		X	X	X
10. Shade trees.		X	X	X	X
11. Proposed or existing easements (i.e., utility, sight triangle, access).	X	X	X	X	X
12. Proposed drainage easements where required.	X	X	X	X	X
13. Environmental Impact Statement.		X		X	
14. Tree Protection Management Plan.		X		X	

CHECK LIST

	Minor Subdiv	Prelim MajSub	Final MajSub b	Major Site Plan	Minor Site Plan
15. Landscaping plan including the types, quantity, size and location of all proposed vegetation. The scientific and common names of all vegetation shall be included.				X	
16. Soil erosion and sediment control plan consistent with requirements of the local soil conservation district.		X		X	
17. Design calculation showing proposed drainage facilities to be in accordance with the appropriate drainage runoff requirements.		X		X	
18. The purpose of any proposed easement of land reserved or dedicated to the public or common use shall be designated and the proposed use of sites other than residential shall be noted.		X	X	X	X
19. Identification of nearest street intersection of existing public utilities.				X	
20. Shade tree easement, if necessary.	X	X	X	X	
21. Architectural drawings of the proposed structures — generalized elevations (all four sides of non-residential) and floor plans.				X	X

PLANS PREPARED BY:

Print Company & Preparer's Name

Preparer's Signature

Date

WAIVER REQUESTS:
(Submit Reasons)

Prepared By:

Name:

OWNER DECLARATION

THIS OWNER DECLARATION ("Declaration") made as of the ____day _____, 20__ and by _____ ("Owner"), with an address of _____, _____, New Jersey _____.

WITNESSETH:

Owner is the record owner of the "Property described below:

Block: _____
Lot: _____
Street Address: _____
Lakewood, New Jersey

Owner has applied to the Planning Board of the Township of Lakewood pursuant to Section 18-911 of the Unified Development Ordinance of the Revised General Ordinances of Lakewood ("Ordinance") for approval to: (a) construct a duplex dwelling that is intended to be divided into two (2) separately owned dwelling units and lots, or (b) convert an existing duplex into two (2) separately owned dwelling units and lots,

The Dwelling Units and Lots will be created pursuant to a minor subdivision map to be approved by the Lakewood Township Planning Board and recorded in the Ocean County Clerk's office.

As a condition of the approval, Owner is required to record an Owner Declaration in the Ocean County Clerk's office that establishes for the mutual benefit of all future owners or occupants of each Dwelling Unit certain easements and rights in, over and upon the Property, the Lots and adjoining Dwelling Unit and certain mutually beneficial restrictions and obligations with respect to the proper use, conduct and maintenance of each Dwelling Unit and Lot.

NOW THEREFORE, Owner, as the record owner of the above described real estate and for the purposes above set forth, hereby declare as follows:

1. Definitions. For the purpose of this Declaration, the following terms shall have the meanings here ascribed to them:

(1) "Dwelling Unit" shall mean and refer to either one of the two (2) separately owned dwelling units that make up a duplex located on the Property and intended for use and occupancy as a residence.

(2) "Lot" shall mean and refer to that portion of the Property intended to be separately

owned along with the Dwelling Unit.

(3) "Owner" shall mean and refer to the record owner, whether one or more persons or entities, of a fee simple title to any Dwelling Unit and Lot.

(4) "Zero Lot Line Building" shall mean a duplex building that is being divided into two (2) Dwelling Units.

2. **Use.** The zero lot line dwelling is intended for residential purposes only as is currently or hereafter defined and permitted by the Ordinance and is restricted to that use.

3. **Maintenance and Repair.**

a. The owners of the each Dwelling Unit shall maintain and repair the exterior surface of their Dwelling Unit and the driveway leading to their Dwelling Unit, including without limitation, the painting of the same as often as necessary, the replacement of siding, trim and caulking, and the maintenance and repair of the roof and driveway, and to be liable for the cost of any such maintenance or repairs made on their Dwelling Unit. If any Dwelling Unit owner considers the adjoining Dwelling Unit to be in need of any such repair or maintenance, hereinafter referred to as "work", they shall give written notice thereof to the other Dwelling Unit owner. Such notice shall specify the nature and extent of the work considered to be needed.

b. Notwithstanding the above, in the event that repair a Dwelling Unit, including all utility connections and laterals and sewer lines in case of backup, is required on an emergency basis and failure to make such repairs would result in further damage to the said zero lot line building or result in the untenability of the same, either Dwelling Unit owner may repair the damage and be entitled to compensation from the other Dwelling Unit owner for the cost of any repairs made to the other Dwelling Unit.

c. In order to gain access to a Dwelling Unit in case of an emergency situation, each Dwelling owner shall provide to the other Dwelling Unit owner a person to contact other than the Dwelling Unit owner that has access to the Dwelling Unit, or the location of a key to gain access to Dwelling Unit. Said access shall only be used in an emergency situation.

4. **Style, Color and Miscellaneous.**

a. Any repairs or maintenance performed or allowed to be performed by a Dwelling Unit owner to the exterior of his/her or its Dwelling Unit shall employ materials uniform or consistent with those materials already incorporated into the building and improvements.

b. No Dwelling Unit owner shall change the color of the siding, trim or roof of his/her or its Dwelling Unit at any time without prior written agreement of the owner of the adjoining Dwelling Unit. Homogeneous roof, siding and trim colors shall be required at all times.

5. **Party Wall.** Any portion of a wall or roof of the zero lot line building placed on the dividing line between the respective Dwelling Units shall constitute a party wall and the general rules of law regarding party walls and of liability for damage due to negligent or willful acts or omissions shall apply thereto.

6. **Easement.** The owners of each of the Dwelling Units are granted and shall have an easement over and across those portions of the Lot occupied by each of the Dwelling Units for the purpose of access to the underground electrical and, in addition, access to any curb boxes, water and sewer laterals, which together or separately service their respective Dwelling Units, for the purpose of maintenance, repair and if necessary, replacement. The property shall be restored to the same condition as at the outset of any such maintenance, repair or replacement all at the cost to the Dwelling Unit owner causing such repair, maintenance or replacement.

7. **Loss or Destruction.** In the event all or part of the Dwelling Unit is destroyed, the only building that may be constructed in the Property or either Lot is an attached zero lot line building that is exactly the same dimensions and located on the Property as the original zero lot line building.

8. **Insurance.** Each Owner shall maintain fire and extended coverage insurance on his/hers/its Dwelling Unit in the full replacement/construction cost thereof, and shall, in the event of damage to or destruction of the Dwelling Unit, restore it to the condition in which it was prior to the damage or destruction.

9. **Invalidity.** The invalidity or unenforceability of any particular provision of this Declaration shall not affect the other provisions hereof and the Declaration shall be constructed in all respects as if such invalid or unenforceable provision was omitted.

10. **Other Provisions.**

11. **Binding.** The Dwelling Unit owners shall, for themselves and for their respective successors, assigns, heirs and personal representatives and agents, each to and with the other, his or their successors, assigns, representatives and heirs, be bound by and observe this Declaration and the covenants and restrictions herein contained which shall be perpetual and run with the land, but no owner is to be responsible except for his acts or defaults while owner.

12. **Signatures.** The Owner signs this Agreement as of the date set forth above.

Witnessed by:

**ACKNOWLEDGMENT
INDIVIDUAL**

STATE OF NEW JERSEY)
) ss
COUNTY OF OCEAN)

BE IT REMEMBERED that on this _____ day of _____, 20__, before me, the undersigned authority, personally appeared _____ who, I am satisfied, is/are the person[s] named in the foregoing instrument, and I having first made known to him/her/them the contents thereof, he/she/they acknowledged that he/she/they signed, sealed and delivered the same as his/her/their voluntary act and deed. All of which is hereby certified.

[Notary Public]

**ACKNOWLEDGEMENT
LIMITED LIABILITY COMPANY**

STATE OF NEW JERSEY)
)SS.:
COUNTY OF OCEAN)

I CERTIFY that on _____, 20__, _____ personally came before me and acknowledged, under oath, to my satisfaction that:

- (a) He/she/they signed, sealed and delivered the attached document as the only members of _____ LLC, a New Jersey limited liability company, which is the Owner named in this document;
- (b) This document was signed and delivered by the limited liability company as its voluntary act and deed by virtue of authority from its members.

(Notary Public)

ORDINANCE NO. 2009-38

AN ORDINANCE OF THE TOWNSHIP OF LAKEWOOD, COUNTY OF OCEAN, STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER XVII (UNIFIED DEVELOPMENT ORDINANCE), ARTICLE IX (ZONING DISTRICTS AND REGULATIONS) OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF LAKEWOOD

BE IT ORDAINED by the Township Committee of the Township of Lakewood, County of Ocean, State of New Jersey, that Chapter XVII (UNIFIED DEVELOPMENT ORDINANCE), ARTICLE IX (ZONING DISTRICTS AND REGULATIONS) of the Revised General Ordinances of the Township of Lakewood is amended and supplemented by the addition of new Section 18-911 entitled "Zero Lot Line Development" as follows:

SECTION 1.

18-911 Zero Lot Line Residential Development

A. Purpose

The zero lot line residential development provisions of this ordinance are designed to provide a more affordable ownership housing opportunity for a wide range of income groups while assuring compatibility with, and maintaining the stability and quality of, existing neighborhoods; to provide the opportunity for lower development costs and lower per-unit land costs that subsequently lower the cost of housing for the consumer; to provide an economical and logical response to high-cost infill properties; to promote a more efficient utilization of land; and to promote energy conservation.

B Applicability

The provisions of this Article are intended to serve as conditions required for approval of zero lot line residential dwelling, as they may be permitted within the R-10, R-7.5, R-M, B-1, and B-2 zoning districts. It is not intended that this article apply to townhouse developments involving no side yard setbacks on either side, or condominium developments.

C. Buildings and Activities Allowed

Within the R-10, R-7.5, R-M, B-1, and B-2 zones established by this Ordinance, the following duplex uses are permitted, subject to other applicable provisions of this Ordinance.

1. A newly constructed or proposed duplex, where the duplex is constructed to the development standards provided in this article and intended to be divided into two (2) separately owned structures and lots, thereby creating two zero lot line dwellings.

2. Conversion of an existing duplex to a zero lot line dwelling, provided that the other provisions of this Article are met.

D. Property Development Standards

1. Area:

a. Unless otherwise modified by other provisions of this Article, a minimum of fifty percent (50%) of the required lot area for duplex structures in the respective zone shall be provided.

b. In the case of an existing irregular shaped lot that meets the minimum lot of the zone, a zero lot line duplex may be permitted where the two (2) lots may not each be 50% in area of the requirement of the zone, provided that other development standards of this Article are met.

c. In the case of an existing approved duplex on an undersized lot, a zero lot line dwelling may be permitted where the two (2) lots are each 50% in area, provided that other development standards of this Article are met.

2. Setbacks:

a. Front yard – per the zone requirements.

b. Side yard - Except for the zero lot line setback on the line per the Zone requirements

c. Rear yard – per the Zone requirements.

3. Height: per the Zone

4. Coverage: per the Zone

5. Parking: Off-street parking shall be provided in accordance with as if each unit were a single-family dwelling.

6. Street frontage: It is the legislative intent of this provision of the Ordinance to provide zero lot line residential development with clear, unencumbered public street frontage and vehicular access to each unit. The minimum public street frontage requirements for each zero lot line parcel shall be fifty percent (50%) of the frontage requirements of the Zone.

E. Procedures for Review

1. The application shall include such information and documentation as required by the Planning Board and shall meet all the requirements of

Minor Subdivision Plats set forth in Section 18-608.

2. The application shall be accompanied by such application and escrow fees established by the Planning Board.
3. Applications for development or conversion of zero lot line dwellings shall be processed, reviewed, and approved by the Planning Board or subdivision committee of the planning board appointed by the chairman administratively in accordance with the provisions of N.J.S.A. 40:55D-47 without the requirement of public notice and public hearing.

F. Criteria for Approval of Development

In review of a proposed zero lot line residential development, the following criteria shall be met.

1. The proposed development complies with all other applicable provisions of this ordinance.
2. *A written agreement signed by the owner of the property*, "Owners Agreement", shall be filed with application for approval, and shall include provisions as determined to be appropriate by the Planning Board, for resolving the following items associated with the use, maintenance and repair of common areas and facilities:
 - a. Assurance that the building and surrounding property will be used for residential purposes only;
 - b. Provisions for mutual consent prior to making structural, paint, or decorative changes to the building exterior;
 - c. Provisions granting access or easement to each owner for the purpose of maintaining or repairing the structure and related facilities;
 - d. Assurance that the owner(s) will obtain insurance coverage in an amount not less than the full replacement value of the structure;
 - e. Provisions for liability and equitable treatment in the event of damage or destruction of the building due to fire or other casualty;
 - f. Provision for emergency action by one party in the absence of the other where an immediate threat exists to the property of the former; and
 - g. *Provision that in the event all or part of the structure is destroyed, the only structure that may be constructed on*

the property is an attached zero lot line structure that is exactly the same dimensions in the same location on the lot as the original structure.

Such Owners Agreement shall be filed with the County Clerk upon approval of the proposed development and shall become perpetual deed restrictions to the property.

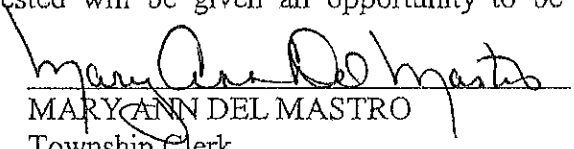
SECTION 2. All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

SECTION 3. If any section, subsection, paragraph, sentence or any part of this Ordinance is adjudged unconstitutional or invalid, such judgment shall not affect, impair or invalidate the remainder of this Ordinance not directly involved in the controversy in which such judgment shall have been rendered.

SECTION 4. This Ordinance shall take effect immediately upon final passage and publication as required by law.

NOTICE

PUBLIC NOTICE is hereby given that the foregoing ordinance was introduced at a meeting of the Township Committee of the Township of Lakewood, in the County of Ocean and State of New Jersey on the 6th day August 2009, and was then read for the first time. The said Ordinance will be further considered for final passage by the Township Committee in the Town Hall at 7:30 p.m. on Aug. 20, 2009. At such time and place or any time or place to which said meeting may be adjourned, all persons interested will be given an opportunity to be heard concerning said ordinance.


MARYANN DEL MASTRO
Township Clerk