

Borough of West Cape May
732 Broadway
West Cape May, New Jersey 08204
(609) 884-1005
www.westcapemay.us

Norman Roach
Zoning Official
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Zoning Official: Norman Roach Phone: (609) 884-1005 ext. 105
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Office Hours: Monday - Friday 10am – 2pm
1st Saturday of the Month: 10am - Noon

INSTRUCTIONS FOR ZONING PERMIT APPLICATION

On the reverse side is the Application for Zoning Permit for the Borough of West Cape May. Attached is the Historic Preservation District Map and Zoning Map. Please use these maps to determine the property's zoning district and whether the property is located in the Historic District. All applications must be accompanied by the following:

1. Completed Application for Zoning Permit
2. Complete set of plans to scale, showing proposed structures or alterations *
3. Current Survey
4. Pictures of property where work is going to occur, even if lot is vacant *
5. Property Taxes must be current.
6. If new construction, water and sewer application and COAH fee are required. For additions, COAH fees are also required, along with final "as built" plans.
7. Landscape Plan, as per West Cape May Code, inclusive of an existing tree inventory. *
8. Grading Plan with application (2 copies), Completed signed W-9, and escrow fees, in accordance with Section 10-10. See Ordinance attached for requirements. *
9. Compliance Letter from Cape Atlantic Soil, per New Jersey State Soil and Sediment Control Act, Chapter 251, NJSA 4:24-39

* These items are required for **additions** and **new construction** only.

Return ONLY Application page along with necessary items on checklist

REST OF PACKET IS FOR YOUR INFORMATION ONLY

Borough of West Cape May

Application for Zoning Permit

Applicant/Contractor Name: _____
 Address: _____
 Phone #: _____
 E-Mail: _____

Owner's Name: _____
 Address: _____
 Phone #: _____

Subject Property Street Address: _____
 Block _____ Lot: _____



_____ hereby applies to the zoning officer of the Borough of West Cape May, New Jersey for a zoning permit to do the following work:

- | | | | |
|---|---|------------------------------------|--------------------------------|
| <input type="checkbox"/> Accessory Structures | <input type="checkbox"/> Landscaping | <input type="checkbox"/> Sidewalks | <input type="checkbox"/> Other |
| <input type="checkbox"/> Additions | <input type="checkbox"/> Minor Repairs | <input type="checkbox"/> Siding | |
| <input type="checkbox"/> Decks | <input type="checkbox"/> New Construction | <input type="checkbox"/> Windows | |
| <input type="checkbox"/> Fences | <input type="checkbox"/> Roofing | <input type="checkbox"/> Grading | |

Description of work:

- The subject premises is located within the _____ Zoning District.
- The subject premises IS IS NOT within the Historic Preservation District.
- Attached hereto, as schedule I, is a detailed description of the premises, including lot and building size, location and character of the land, and improvements (if any), and a detailed description of the proposed structure or use for which approval is sought.
- Attached hereto, as schedule II, are plot plans, maps and other documents, if required, upon which this application relies.

Applicant/Contractor Signature _____ Dated _____



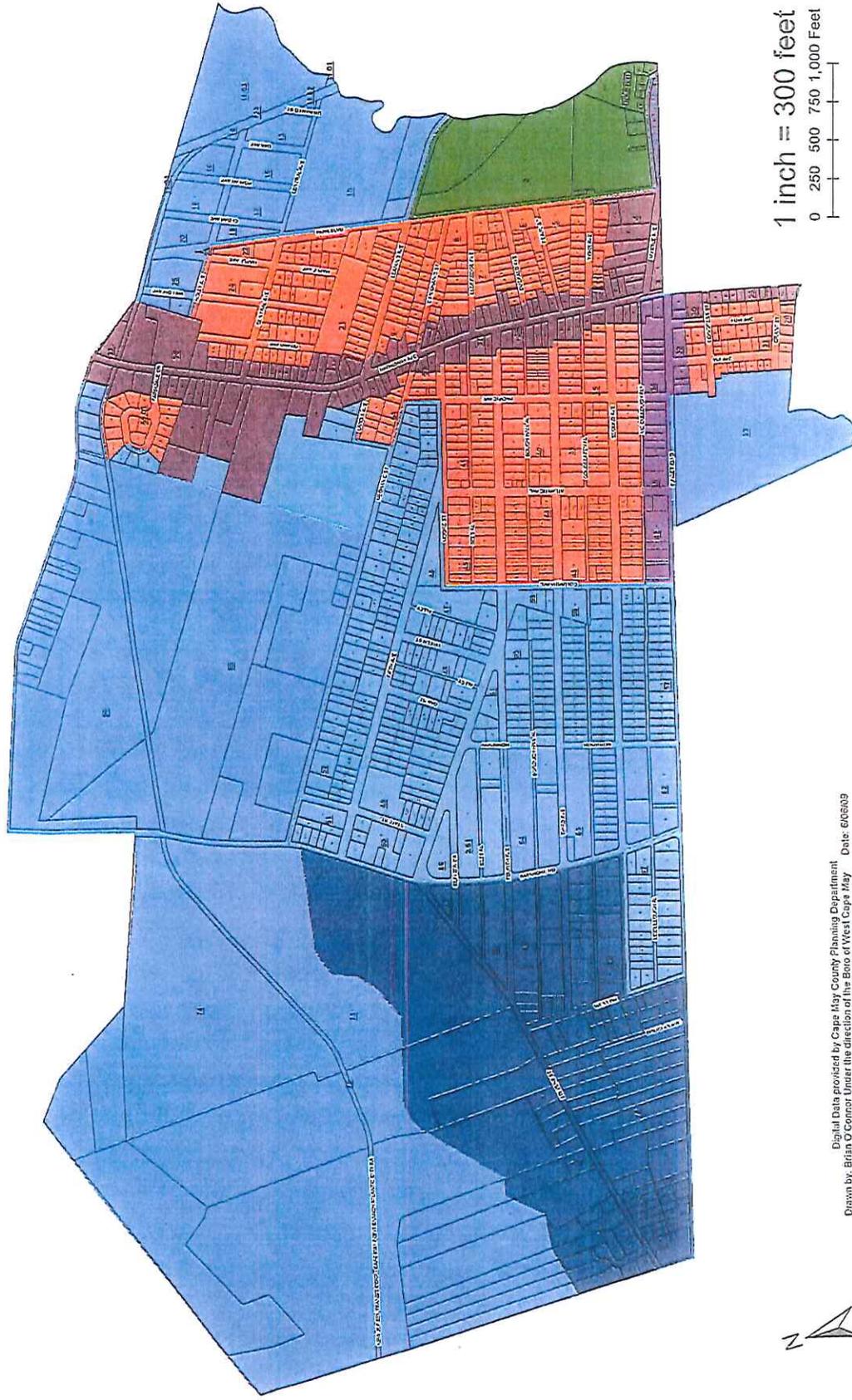
DECISION

The within application is: Approved
 Denied, for the following reasons:

Date Issued: _____ by _____
 Zoning Officer

Value of work \$ _____ Application Fee \$ _____ Date Paid: _____

West Cape May Zoning Map



1 inch = 300 feet
 0 250 500 750 1,000 Feet

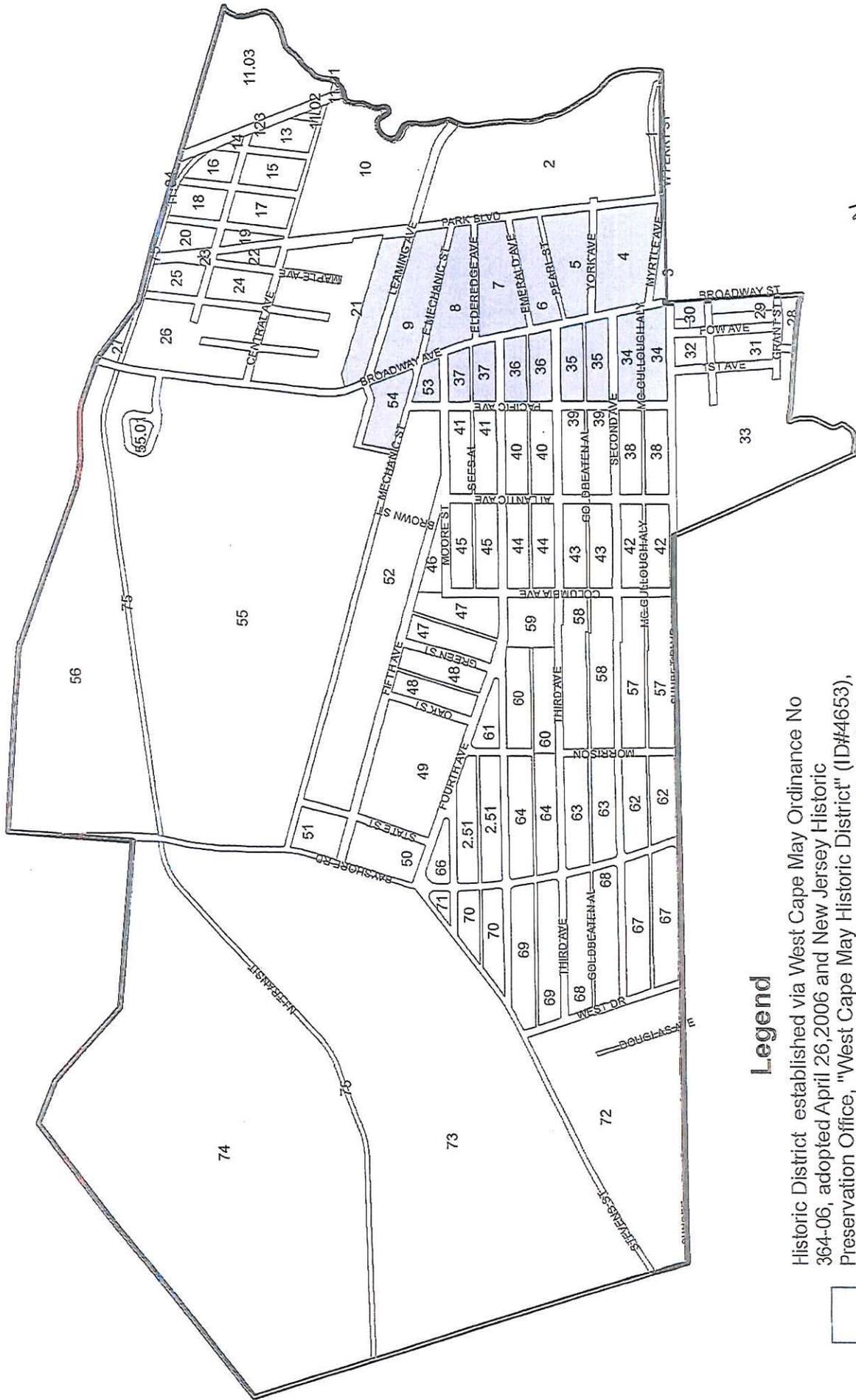
ZONING

- C1
- C2
- C3
- R1
- R2
- R3
- R4
- R5
- R5 Split

Digital Data provided by Cape May County Planning Department
 Drawn by: Brian O'Connor Under the direction of the Board of West Cape May Date: 6/6/09



"West Cape May Historic District"



1 inch = 900 feet

Legend

Historic District established via West Cape May Ordinance No 364-06, adopted April 26, 2006 and New Jersey Historic Preservation Office, "West Cape May Historic District" (ID#4653), dated 10/26/2006. Status of properties must be verified with the Borough of West Cape May



9/13/2011

West Cape May Residential Permitted Uses and Requirements (See back for R-2; no R-3 zone)

	R-1 (Borough Code Section 27-10)		R-4 (Borough Code Section 27-13)		R-5 (Borough Code Section 27-14)		
	Single family	2-family	Single family	Farm	Single family	Farm	Mobile Home Park
Lot Area	5,000 sf	7,500 sf	15,000	5 acres	35,000 sf	5 acres	4 acres
Frontage	50'	75'	100'		150'		
Lot Width	50'	75'	100'		150'		
Lot Depth	100'	100'	150'		200'		
Front setback	20'	20'	20'		20'		
Side setback	6' min 16' total	6' min 16' total	6' min 16' total		15' min 30' total		
Rear setback	20'	20'	20'		20'		
Lot coverage	40%	40%	20%		10%		
Building Height	35'	35'	35'		35'		
FAR	45%	45%	30%		17%		
Max GFA	2,250	3,375 total 1,688 per unit	5,000		6,500 sf		
GFA deduction For front porch	200 sf	200 sf per unit 400 sf total	n/a		n/a		
Accessory Uses Permitted	G, S, SP, TC, H, F, P, A, RS		G, S, SP, TC, F, P, A, RS, HP	FB	G, S, SP, TC, F, P, A, RS, FB	FB	RF
Accessory Requirements	6' side, rear, and from principal structure; 15' height		6' side, rear, and from principal structure; 5% lot coverage; 15' height; ½ acre per horse; horse barns-12' side and rear	40' side; 20' rear; 10' from principal structure; 15% lot coverage; 25' height	6' side, rear, and principal structure; 5% lot coverage; 15' height; ½ acre per horse; horse barns-12' side and rear	40' side; 20' rear; 10' from principal structure; 15% lot coverage; 25' height; Silo-60' height	6' side, 6' rear, 10' from principal structure, 15% lot coverage, 25' height

West Cape May R-2 Permitted Uses and Requirements (Borough Code Section 27-11)

	Single family	2-family	3-dwelling	4-dwelling	Farm	Mobile Home Parks	Campgrounds
Lot Area	7,500 sf	10,000 sf	12,500 sf	15,000 sf	5 acres	4 acres	4 acres
Frontage	50'	75'	100'	125'			
Lot Width	50'	75'	100'	125'			
Lot Depth	150'	133'	125'	120'			
Front setback	20'	20'	20'	20'			
Side setback	6' min. 16' total	6' min. 16' total	6' min. 16' total	6' min. 16' total			
Rear setback	20'	20'	20'	20'			
Lot coverage	40%	40%	40%	40%			
Building Height	35'	35'	35'	35'			
FAR	45%	45%	45%	45%			
Max GFA	3,375	4,500 total 2,250 per unit	5,625 total 1,875 per unit	6,725 total 1,688 per unit			
GFA deduction For front porch	200 sf	400 sf	600 sf	800 sf			
Accessory Uses Requirements	G, S, SP, TC, H, F, P, A, RS						
	6' side, 6' rear, 6' from principal structure, 5% lot coverage, 15' height				FB 40' side; 20' rear; 10' from principal structure; 15% lot coverage; 25' height	RF 6' side, 6' rear, 10' from principal structure, 15% lot coverage, 25' height	RF 6' side, 6' rear, 10' from principal structure, 15% lot coverage, 25' height

FAR-Floor Area Ratio shall mean the sum of the gross floor area of all floors of buildings or structures compared to the total area of the site.
 GFA-Gross Floor Area shall mean the total habitable floor area contained within the outermost surfaces of the house structure, including hallways, closets, stairs, columns and wall thickness.

- (G) Detached garages,
- (S) Tool and storage sheds
- (SP) Swimming pools
- (TC) Tennis courts
- (H) Home occupations as a conditional use
- (F) Fences and walls
- (P) Off-street parking
- (A) Animal shelters,
- (RS) Roadside stands
- (FB) Farm buildings
- (HP) Horses for personal recreational use
- (RF) Recreational facilities for mobile home park or campground

<u>C-1 Broadway</u>	<u>C-2 Park</u>	<u>C-3 Sunset</u>
<p>Broadway from Stimpson Lane to Grant Street, N side Myrtle from Broadway to Park. Retail, rest., office, residential, mixed. Incentives for ground floor retail with office and/or residential above. No drive-thru, parking rear/side.</p> <p>Permitted Uses</p> <ul style="list-style-type: none"> a. B&Bs/Hotel and Motel b. Retail stores, specialty food stores, retail repair and dry cleaning shops, self-service laundry (Laundromats); roadside markets and stands c. Personal and financial services d. Restaurants e. Professional offices f. Single family & two-family residential g. Mixed Use - Residential units above ground floor commercial uses h. Churches and other charitable, educational, civic or nonprofit uses or facilities i. Public rec. and parking facilities 	<p>East side of Park from Learning to Perry. Commercial and mixed use. No residential except above commercial, no B&Bs. Drive-thru banks permitted, parking permitted in front.</p> <p>Permitted Uses</p> <ul style="list-style-type: none"> a. Retail stores, specialty food stores, retail repair and dry cleaning shops, self-service laundry (Laundromats); roadside markets and stands b. Personal and financial services c. Restaurants d. Professional offices e. Residential units above ground floor commercial units. f. Churches and other charitable, educational, civic or nonprofit uses or facilities g. Public recreational and parking facilities 	<p>Sunset between Columbia & Atlantic to end of Perry. High traffic, pedestrian-friendly retail. Residential and offices above stores. No drive-thru, parking in rear.</p> <p>Permitted Uses</p> <ul style="list-style-type: none"> a. Retail stores, specialty food stores, retail repair and dry cleaning shops, self-service laundry (Laundromats) b. Personal and financial services c. Restaurants d. Residential units above ground floor permitted uses e. Professional offices above ground floor permitted uses f. Churches and other charitable, educational, civic or nonprofit uses or facilities g. Public recreational or parking facilities

<u>C-1 Broadway</u>	<u>C-2 Park</u>	<u>C-3 Sunset</u>
<p>Bulk and Area Requirements</p> <p>Residential use follow area, bulk and accessory regulations of R-1 zone, (except for 10' front) 20' rear, 6'/16' side, 40% lot coverage, 35' height, 45% FAR.</p> <p>B&B / hotel/motel follows existing regs (100' frontage, 20' front and rear setbacks, 10' side, 50% lot coverage, 35' height.)</p> <p>Commercial and mixed use: 10' front, 6'/16' side, 20' rear, 60% lot coverage, 35' height, no FAR, min floor area 650 sf residential above commercial.</p> <p>Incentives for affordable housing.</p>	<p>Bulk and Area Requirements</p> <p>Minimum lot area -7,500 sf</p> <p>Setbacks - 20' front, 6' side/16' side, 20' rear</p> <p>Lot coverage 60%</p> <p>Height: 2 story, 35'</p> <p>Minimum floor area 650 sf residential above commercial</p> <p>Height, stories and min floor area incentives for affordable housing.</p>	<p>Bulk and Area Requirements</p> <p>Minimum lot area - 5,000 sf.</p> <p>Setbacks - 0' front, 0' side, 10' rear</p> <p>Lot coverage 80%</p> <p>Height: 2 story, 35'</p> <p>Minimum floor area 650 sf residential above commercial</p> <p>Height, stories and min floor area incentives for affordable housing.</p>
<p>Parking</p> <p>Commercial: per 27-27.3 Parking Requirements</p> <p>Residential: One (1) space per unit</p>	<p>Parking</p> <p>Commercial: per 27-27.3 Parking Requirements</p> <p>Residential: One (1) space per unit</p>	<p>Parking</p> <p>Commercial: per 27-27.3 Parking Requirements</p> <p>Residential: One (1) space per unit.</p>

Borough of West Cape May

Fence Regulations

Borough Code 27-27.6 **Fences, Walls and Sight Triangles.** Any fence construction or installation, including replacement, requires a zoning permit. Non-conforming fences must conform at time of replacement.

a. All permitted fences shall be situated on a lot in such a manner that the finished side of the fence shall face adjacent properties. All poles, posts, etc., shall be erected on the inside of the fence. No electrified or barbed wire fences shall be allowed except for farms when necessary to contain livestock.

b. On any lot in any district, no wall or fence shall be erected or altered so that the wall or fence shall be over four (4') feet in height in front and side yards and six (6') feet in any rear yard which has no principal structure adjacent to same within fifteen (15') feet with the following provisions and exceptions:

1. A dog run may have fencing a maximum of six (6') feet in height provided such area is located in rear yards only and is set back from any lot line the distance required for accessory buildings in the zoning district as stipulated.

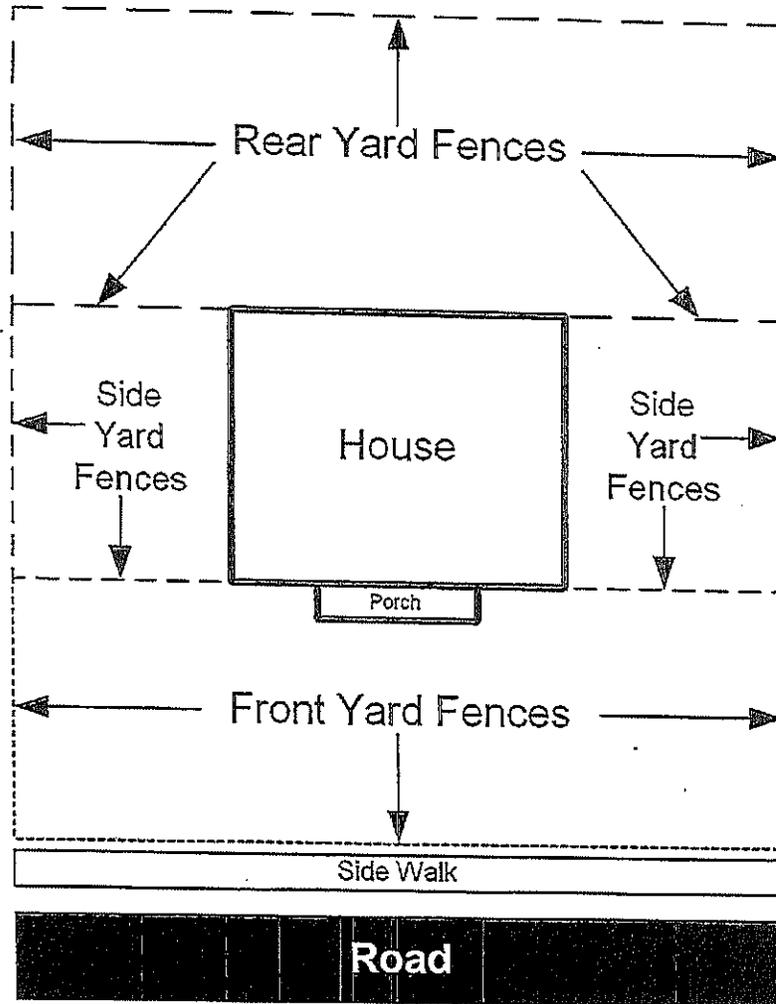
2. A private residential swimming pool area must be surrounded by a fence at least four (4') feet, but no more than six (6') feet in height. Swimming pool areas shall be located in side and rear yards only.

3. A tennis court area, located in rear yards only, may be surrounded by a fence a maximum of fifteen (15') feet in height; the fence to be set back from any lot line the distance required for accessory buildings in the zoning district as stipulated.

4. Schools, playgrounds and parks in any district and commercial and industrial uses may erect security fences to control ingress and egress to all or part of the lot. The fence shall be no more than ten (10') feet in height and constructed with a ratio of the open portion to the solid portion being not less than six to one (6:1).

5. Chain link fence is permitted in side and rear yards only.

6. Sight triangle areas shall be required at intersections and driveways entering public streets, in addition to the specified right-of-way widths, in which no grading, planting, or structure shall be erected or maintained more than thirty (30") inches above the street centerline, except for utility poles, street signs, fire hydrants and light standards. The sight triangle is defined as that area outside of the curb line and the straight line connecting "sight points," one (1) located on each curb line or driveway centerline at a distance of twenty-five (25') feet or one (1') foot for each mile of allowed street speed limit, whichever is greater, or fifteen (15') feet along the centerline of a driveway.



(Ord. No. 130-88 A16 § 6)

**BOROUGH OF WEST CAPE MAY
COUNTY OF CAPE MAY
STATE OF NEW JERSEY**

ORDINANCE NO. 518-17

**AN ORDINANCE AMENDING THE BUILDING AND
HOUSING CODE TO INCLUDE REQUIREMENTS FOR
GRADING FOR ALL DEVELOPMENT**

WHEREAS, Chapter 10 of the Revised General Ordinances of the Borough of West Cape May establishes the regulations for building and housing; and

WHEREAS, the Borough of West Cape May Commission has determined Chapter 10 should be amended to include regulation of grading for all development within the Borough; and

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of the Borough of West Cape May as follows:

Section 1. The averments of the preamble are incorporated herein.

Section 2. Section 10 of the West Cape May Code shall be amended to include the following:

10-10 Grading

10-10.1 Purpose

The requirements set forth in this section shall apply to the development of all single-family and two-family dwellings within the Borough of West Cape May, it being the intention that other development will be reviewed by one of the Borough's development review boards.

10-10.2 General Requirements

(a) A zoning permit or building permit shall not be issued until a grading plan, including a sealed survey, has been reviewed and approved by the Municipal Engineer, or other Borough official designated by the Borough Commission, which grading plan shall be in accordance with the provisions of this section.

(b) The application fee is \$35. The escrow fee for grading plan review is \$500. Additional escrow may be required if recommended by the Borough Engineer. Application and escrow fees shall be paid separately in cash or certified check made out to "Borough of West Cape May." The Municipal Engineer, or other Borough official

designated by the Borough Commission, may waive the requirements of this section if substantial compliance with the purposes and terms of this section are demonstrated to the satisfaction of the Engineer or official.

(c) All development shall be graded to direct storm water away from adjacent properties and towards on-site storm water facilities or towards the street. If impossible to drain directly to the street, it shall be directed to a system of interior yard drainage approved by the Municipal Engineer, or other Borough official designated by the Borough Commission.

(d) All lots, open spaces and planting areas shall be graded to secure proper drainage and to prevent the collection of storm water. The grading shall be performed in a manner which will minimize the damage to or destruction of trees growing on the land. Topsoil shall be provided and/or redistributed on the surface as cover and shall be stabilized by seeding or planting and shall comply with the standards for soil erosion and sediment control in New Jersey. All provisions shall be approved by the Cape Atlantic Conservation District.

(e) No topsoil shall be removed from the site or used as topsoil. Topsoil moved during the course of construction shall be redistributed so as to provide at least six inches or spread cover to all seeding and shall comply with the standards for soil erosion and sediment control in New Jersey. In the event that the quantity of topsoil at the site is insufficient to provide six inches of cover for all seeding and planting areas, the owner shall provide and distribute a sufficient quantity of topsoil to provide such a cover in accordance with the standards for soil erosion and sediment control in New Jersey. All provisions shall be approved by the Cape Atlantic Soil Conservation District.

(f) The ground immediately adjacent to the foundation shall be sloped away from the building at a slope of not less than 5% for a minimum distance of 10 feet measured perpendicular to the face of the wall. If physical obstructions or lot lines prohibit 10 foot horizontal distance, a 5% slope shall be provided to an approved alternate method of diverting water away from the foundation. Swales used for this purpose shall be sloped a minimum of 2% where located within 10 feet of the building foundation. Impervious surfaces within 10 feet of the building shall be sloped a minimum of 2% away from the building.

(g) The minimum slope for lawns and disturbed areas shall be 1 1/2 %, measured from the rear lot line to the top of the curb or sidewalk whichever is highest. For smooth, hard-finished surfaces other than roadways and parking lots, the minimum slope shall be a minimum of 0.04%.

(h) All topographic information shall be based on NAVD 88 vertical datum.

(i) Prior to applying for final inspections in reference to obtaining a certificate of occupancy, an as-built survey showing final grades and matching the approved plan

must be submitted to the Zoning Office for approval by the Zoning Official or Municipal Engineer.

(j) Failure to adhere to these standards shall subject violators to citation and on conviction, the general penalties of Section 1-5 of the West Cape May Code. In addition, violators may be required to comply with these standards.

Section 3. Repealer. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed to the extent of that conflict.

Section 4. Severability. Should any portion of this ordinance be declared unconstitutional or invalid, the remaining portion of this ordinance shall not be affected thereby and shall remain in full force and effect, and to that end the provisions of this ordinance are declared to be severable.

Section 5. Effective Date. This ordinance shall take effect 20 days after passage and publication, according to law.

absent
Pamela M. Kaithern, Mayor
Peter C. Burke
Peter C. Burke, Deputy Mayor
Carol E. Sabo
Carol E. Sabo, Commissioner

Suzanne Stocker
Suzanne Stocker, RMC
Municipal Clerk

Introduced: March 8, 2017
Adopted: March 22, 2017

I hereby certify that the foregoing is a true copy of an Ordinance duly passed and adopted by a majority of full membership of the Board of Commissioners of the Borough of West Cape May, County of Cape May, New Jersey, at a meeting held on March 22, 2017.

Municipal Clerk