



KEYPORT UNIFIED PLANNING BOARD APPLICATION

BOROUGH OF KEYPORT
70 WEST FRONT STREET
KEYPORT, NEW JERSEY 07735

APPLICATION TO THE KEYPORT UNIFIED PLANNING BOARD

1. SUBJECT PROPERTY

Location: 222 Broadway, Keyport, New Jersey

Tax Map: _____ Block: 13 Lot(s) 13

Dimensions: Frontage 176 Depth 220 Total Area 20,000

Zone District: _____

Location of the property is approximately _____ feet from the intersection of _____ and _____

The property is located within 200 feet of another municipality: ☒ NO ☐ YES

If yes, name of municipality _____

The property fronts on a County Road or State Highway: ☐ NO ☐ YES

COUNTY ROUTE NUMBER _____ STATE HIGHWAY NUMBER _____

2. APPLICANT INFORMATION

Full Legal Name: Omer Investment, LLC / Mahmoud Abdel-Wahab

Address: 222 Broadway Keyport NJ 07735
(Street) (City) (State) (Zip)

Telephone Numbers: Day 973-960-9297 Evening 973-960-9297

Email: mwarda70@hotmail.com

Applicant is a ☐ Corporation ☐ Partnership ☐ Sole Proprietor ☐ Resident ☒ LLC

3. OWNER IF DIFFERENT FROM APPLICANT:

If the owner of the property is someone different from the Applicant, then please complete the following:

Owner's Name: _____

Address: _____
(Street) (City) (State) (Zip)

Telephone Numbers: Day _____ Evening _____

Email: _____

4. ADDITIONAL PROPERTY INFORMATION

Restrictions, covenants, easements, homeowners/condo association by-laws, existing or proposed on the property:

☐ YES (attach copies and/or copy of deed) ☐ PROPOSED (attach description) ☒ NONE

NOTE: All Deeds Restrictions, covenants, easements, association by-laws, either existing or proposed, must be submitted for review, and must be written in easily understandable English in order to be approved.

Present use of the premises and proposed use (describe in detail): Presently two units, proposed use is roof raising and fixing walls on second floor. To add a fourth bathroom on the second floor. Changing to an HVAC system, 2 condensers. Updating electric and plumbing. Repairing flooring and changing the siding

5. APPLICANT'S EXPERTS / REPRESENTATIVES

Applicant Attorney: Vincent E. Halleran, Jr.
(Name and Firm if Applicable)

Address: 56 West Main Street Freehold NJ 07728
(Street) (City) (State) (Zip)

Telephone: 732-462-0800 Fax 732-431-3561

Applicant Engineer: Omar Elsherif, StructureTech Engineering PC
(Name and Firm if Applicable)

Address: 9 Lee Place Paterson NJ 07505
(Street) (City) (State) (Zip)

Telephone: 973-523-9900 Fax 973-742-1818

Applicant Planning Consultant: _____
(Name and Firm if Applicable)

Address: _____
(Street) (City) (State) (Zip)

Telephone: _____ Fax _____

Applicant Traffic Engineer: _____
(Name and Firm if Applicable)

Address: _____
(Street) (City) (State) (Zip)

Telephone: _____ Fax _____

6. OTHER EXPERTS

List any other expert(s) who will submit a report and/or testify on behalf of the Applicant.

Name: _____ Field of Expertise: _____

Address: _____
(Street) (City) (State) (Zip)

Telephone: _____ Fax _____

7. RELIEF BEING REQUESTED

SUBDIVISION APPROVAL

_____ Minor Subdivision

_____ Major Subdivision

_____ Major Subdivision – Final

_____ Number of Lots to be Created

_____ Number of Proposed Dwelling Units

Note: A "Plan of Subdivision" must be submitted in accordance with the submission requirements set forth in the Submission Checklist and the Borough of Keyport Ordinance.

SITE PLAN APPROVAL

_____ Major Site Plan Approval _____ Minor Site Plan Approval

_____ Preliminary Site Plan Approval (phases – if applicable) _____

_____ Final Site Plan Approval (phases – if applicable) _____

_____ Amendment or Revision to an Approval Site Plan (Area to be disturbed – square feet)

_____ Request for a Waiver from Site Plan Review and Approval. Reason for Request: _____

OTHER

_____ Informal Review of _____

_____ Appeal Decision of the Zoning Officer (N.J.S.A. 40:55D-70.a.) Describe nature of appeal: _____

_____ Interpretation of Map or Ordinance, or Decisions upon Special Questions (N.J.S.A. 40:55D 70.b.) Explain: _____

_____ Variance Relief-Hardship (N.J.S.A. 40:55D-70c (1)) Provide Reasons: _____

_____ Variance Relief-Substantial Benefit (N.J.S.A. 40:55D-70c (2)) Provide Reasons: _____

X Variance Relief-Use (N.J.S.A. 40:55D-70cd) Provide Reasons: Expansion of a
pre-existing nonconforming use

	<u>EXISTING</u>	<u>PROPOSED</u>	<u>REQUIRED</u>
Minimum lot area:*	_____	_____	_____
Building coverage limit:*	_____	_____	_____
Front yard setback:*	_____	_____	_____
Side yard setback:*	_____	_____	_____
Rear yard setback:*	_____	_____	_____
Roadway setback:	_____	_____	_____
Impervious coverage limit:	_____	_____	_____
Parking spaces:*	_____	_____	_____
Building height:*	_____	_____	_____

*DENOTES ITEMS REQUIRED ON THE SITE PLAN.

7. SUBMISSION REQUIREMENTS

The Applicant is required to submit each of the following, unless otherwise noted:

- A. Application: An Original and nineteen (19) copies to the Board Secretary (Total 20) must be submitted (with attached site plan, plot plan, survey and/or other pertinent documents).
- B. Escrow Agreement (Form #1): Sign and submit with original copy of application
- C. Notice of Public Hearing (Form #2): DO NOT MAIL TO PROPERTY OWNERS UNTIL AUTHORIZED TO DO SO BY THE BOARD'S SECRETARY. Submit a draft copy (leaving date of hearing blank) and submit with original application. *(Not required for minor subdivision where no variances are requested)*
- C. Affidavit of Publication – Asbury Park Press: Evidencing that the Notice of Public Hearing (Form #3) was published at least ten (10) days prior to the hearing date: (DO NOT PUBLISH NOTICE IN NEWSPAPER UNTIL AUTHORIZED TO DO SO BY THE BOARD'S SECRETARY) Submit to the Board's Secretary as soon as received by the newspaper. *(Not required for minor subdivision where no variances are requested)*
- D. Affidavit of Service – with attachments (Form #4). Submit to the Board's Secretary along with Original copies of Certified Mail Receipts stamped by the US Post Office as to the date of mailing, and a copy of the Notice of Public Hearing (Form #2) with hearing date.
- E. Tax Payment Certification (Form #5). Submit with Original copy of Application.

8. OTHER APPROVALS, WHICH MAY BE REQUIRED, AND THE DATES THAT PLANS/APPLICATIONS WERE SUBMITTED:

AGENCY OR PERMIT	YES	NO	DATE PLANS SUBMITTED
Borough of Keyport Health Dept	_____	_____	_____
Borough of Keyport Planning Board	_____	_____	_____
Freehold Soil Conservation District	_____	_____	_____
NJ Dept. of Transportation	_____	_____	_____
JCP&L	_____	_____	_____
Other: _____	_____	_____	_____

*NJ Dept of Environmental Protection

*Check nature of approval(s) needed on next page:

_____ Sewer Extension Permit; _____ Sanitary Sewer Connection Permit; _____ Potable Water Construction Permit;
 _____ Stream Encroachment Permit; _____ Wetlands Permit; _____ Tidal Wetlands Permit; _____ Other _____

List of Maps, Reports and other materials accompanying this application (attach additional pages as required for complete listing): a site plan and blueprints

9. **OTHER INFORMATION ATTACHED IN SUPPORT OF YOUR APPLICATION.**
(List specific information attached and its importance/significance to your application): _____

10. CERTIFICATIONS

APPLICANT

I certify that the foregoing statements and the materials submitted are true. I further certify that I am the individual applicant or that I am an Officer of the Corporate applicant that I am authorized to sign the application for the Corporation, or that I am a general partner of the partnership applicant. (If the Applicant is a corporation, this application must be signed by an authorized corporate officer as indicated in a resolution of the corporation which must be attached hereto. If the applicant is a partnership, this must be signed by a general partner).

Sworn to and subscribed before me this

6 day of September, 2023

[Signature]
NOTARY PUBLIC

KAYLA HALLERAN
NOTARY PUBLIC OF NEW JERSEY
Commission # 50130818
My Commission Expires 7/17/2025

X [Signature]
SIGNATURE OF APPLICANT

Omer Investment, LLC / Mahmoud Abdel-Wahab
Applicant's Name (Print)

OWNER (IF DIFFERENT FROM APPLICANT)

I certify that I am the Owner of the property which is the subject of this application, that I have authorized the applicant to make this application and that I agree to be bound by the application, the representations made by the applicant, and the decision of the Board in this matter.

Sworn to and subscribed before me this

6th Day of September, 2023

[Signature]
NOTARY PUBLIC

KAYLA HALLERAN
NOTARY PUBLIC OF NEW JERSEY
Commission # 50130818
My Commission Expires 7/17/2025

X [Signature]
SIGNATURE OF OWNER

[Signature]
Owner's Name (Print)

ESCROW AGREEMENT

THIS AGREEMENT (the "Agreement") is entered into this 6th day of September 2023 by and between the KEYPORT UNIFIED PLANNING BOARD (the "Board") and Omer Investment, LLC / Mahmoud Abdel-Wahab (the "Applicant").

1. PURPOSE. The Board authorizes its professional staff to review, inspect, report to the Board, and study all plans, documents, statements, improvements and provisions submitted by the Applicant to the Board or pursuant to relief granted to the Applicant by the Board. The Board is entitled to reimbursement from an Applicant for all reasonable costs/fees incurred by the Applicants in accordance with N.J.S.A 40:55D-8, and N.J.S.A 40:55D-53 et seq. of the New Jersey Municipal Land Use Law ("MLUL").

2. ESCROW ESTABLISHED. The Board, Borough and Applicant, in accordance with the provisions of this Agreement, hereby create an escrow deposit account to be established with the finance office of the Borough of Keyport.

3. ESCROW FUNDED. The Applicant, by execution of this Agreement, shall pay to the Borough to be deposited in the account referred to in paragraph 2 above.

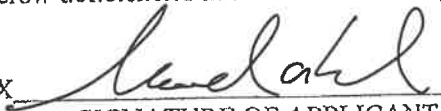
4. INCREASE IN ESCROW AMOUNT DEPOSITED. If, during the existence of this escrow agreement, the funds deposited into said escrow account are insufficient to cover any voucher or bill submitted by the Board's professional staff, the applicant shall, within fourteen (14) days of receipt of a notice from the Board or the Borough that a deficiency in the escrow exists, provide such funding as required to fund the existing deficit as well as to pay for projected costs and fees associated with the ongoing professional reviews, inspections, etc., pursuant to applicable Borough ordinances governing the same, as well as the MLUL.

5. DISPUTES AND APPEALS. Should any disputes arise by and between the applicant and the Borough and/or the Board with respect to either the funding of, or payment from, the escrow account established herein, then the settlement of any and all disputes, including appeals from any decisions made by the Borough and/or the Board regarding such escrow account shall be made as called for by the applicable ordinance of the Borough of Keyport and the provisions of the MLUL.

6. COLLECTION OF DELINQUENT ESCROW BALANCES. Should the Applicant fail to adequately and on a timely basis fail to fund its escrow account so that the payment of necessary fees of the Board's professionals can be made in accordance with the law, then the Borough and/or Board shall be entitled to pursue all remedies available at either law of inequity, including but not limited to all amounts due, and simple interest at a rate of 18% per annum on all sums unpaid, beginning from 30 days after the applicant received notice of such deficiencies, if permitted by law. The Borough and/or Board shall be permitted to place a lien against any and

all properties within the Borough owned by the Applicant until such time as all sums due and owed have been paid. The Borough shall also have the right to withhold and/or suspend any building permits, the conduct of construction inspections, the issuance of certificates of occupancy, and other actions, unless and until all escrow deficiencies have been satisfied by the Applicant.

Date: 9/6/2023

X 
SIGNATURE OF APPLICANT

Omer Investment, LLC / Mahmoud Abdel-Wahab
Owner's Name (Print)

Sworn to and subscribed before me this

6 day of September, 20 23


NOTARY PUBLIC



Date: _____

BOROUGH OF KEYPORT

Date: _____

BOROUGH OF KEYPORT
UNIFIED PLANNING BOARD

**FORM #2 – NOTICE SERVED ON PROPERTY OWNERS WITHIN 200 FEET OF
SUBJECT PROPERTY:**

**BOROUGH OF KEYPORT, COUNTY OF MONMOUTH
STATE OF NEW JERSEY
NOTICE OF PUBLIC HEARING**

TO: _____ OWNER OF PREMISES LOCATED AT:

Also known as Block _____ Lot _____ in the Borough of Keyport

PLEASE TAKE NOTICE, that the undersigned has filed an application with the Unified Planning/Zoning Board of the Borough of Keyport for the following appeal or form of relief: _____

On the premises at 222 Broadway in the Borough of Keyport, also known as Block 13 Lot 13 on the tax maps of the Borough. This notice is being sent to you because you are a property owner within 200 feet of the property that is the subject of this application. A public hearing has been set for this application on September, 2023 at 7:00 PM in the Keyport Borough Municipal Building, 70 West Front Street, Keyport, NJ 07735. You may appear either in person, or by agent, or by attorney, and present any objections to the granting of the relief being sought. Copies of the application and all documents, maps or other papers filed in connection with this application are on file in the Office of the Board Secretary in the Borough's Municipal Building and are available for inspection during the Borough's regular business hours.

BY ORDER OF THE KEYPORT BOROUGH
UNIFIED PLANNING BOARD

Mahmoud Abdel-Wahab
(Name of Applicant)

**FORM #3 – NOTICE TO BE PUBLISHED IN THE OFFICIAL NEWSPAPER OF THE
BOROUGH OF KEYPORT**

NOTE: Publication of this notice must appear at least ten (10) days prior to the scheduled hearing date.

**NOTICE OF PUBLIC HEARING
Borough of Keyport Unified Planning Board**

TAKE NOTICE that on the _____ day of September, 2023, at 7:00 PM, a hearing will be held before the Keyport Unified Planning Board ("the Board") in the Council Chambers at Keyport Borough Hall, 70 West Front Street, Keyport, NJ 07735 on the application of the undersigned for the following form of relief: _____

Regarding premises known as 222 Broadway in the Borough of Keyport, also known as Block 13 Lot 13 on the tax maps of the Borough. This application, along with all maps, papers and supporting documents filed with the application are on file in the Office of the Board Secretary in the Borough Municipal Building and are available for public inspection during the Borough's regular business hours. Any interested party may appear at the hearing in this matter and participate therein, either in person, by attorney, in accordance with the Rules and Regulations of the Board.

**By Order of the Borough of Keyport
Unified Planning Board**

Omer Investment, LLC / Mahmoud Abdel-
Wahab (Applicant-Print Name)

FORM #4

AFFIDAVIT OF SERVICE

State of New Jersey

:
: S

County of Monmouth

_____, being of full age and duly sworn according to law, on
his/her oath deposes and says that he/she resides at _____
(Street Address)

in the _____ New Jersey
(City) (County) (State)

And that he/she did on September, 20 23, at least ten (10)
days prior to the hearing date scheduled before the Unified Planning Board of the Borough of
Keyport set for September, 20 23, give personal notice to all property
owners within 200 feet of subject property of the application known as 222 Broadway,
(Street Address)

and being further known as Block 13 Lot 13 on
the Tax Maps of the Borough of Keyport. Said notice was given by sending said notice by
certified mail, return receipt requested. Notices were also served upon: X the Clerk of the
Borough of Keyport, X the Monmouth County Planning Board, X Utility Companies.

A copy of the NOTICE OF PUBLIC HEARING is attached hereto, along with the CERTIFIED
LIST OF PROPERTY OWNERS within 200 feet of the subject property provided to me by the
Keyport Borough Tax Assessor's Office. All original CERTIFIED MAIL RECEIPTS are also
attached hereto.


(Signature of Applicant)

Omer Investment LLC / Mahmoud Abdel-Wahab
(Name of Applicant - Print)

Sworn and subscribed to before me
This 6th day of September, 20 23


NOTARY PUBLIC

KAYLA HALLERAN
NOTARY PUBLIC OF NEW JERSEY
Commission # 50130818
My Commission Expires 7/17/2025

FORM #5

TAX PAYMENT CERTIFICATION

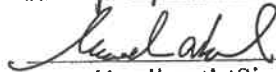
Pursuant to the New Jersey State Law, Chapter 174 of 1987, N.J.S.A. 40:55D-39e and N.J.S. 40:55D 65h, an applicant may be required to furnish proof that no taxes or assessments of local improvements are due or delinquent on the property for which any relief is being sought through the Unified Planning Board of the Borough of Keyport. An applicant must complete Section I of this form and request the Keyport Borough Tax Office to complete Section II which verifies that no taxes or assessments are due. When completed, the applicant should attach this form to the originally signed application that is to be submitted to the Board secretary.

SECTION I (To be completed by applicant):

I Mahmoud Abdel-Wahab residing at 222 Broadway
and making an application for
the following relief before the Unified Planning Board of the Borough of Keyport:
Use variance to expand to nonconforming use.

Regarding property known as Block 13 Lot(s) 13 on the
Tax Map of the Borough of Keyport, located at: _____
whose owner of the record is _____ who resides at
222 Broadway. I request the Tax Collector of the Borough of
Keyport to determine if all taxes and/or assessments are paid on the property that is the subject of
my application.

DATE OF REQUEST: 9/6/2023


(Applicant's Signature)

SECTION II (To be completed by the Keyport Borough Tax Collector)

I certify that: _____ All taxes are paid up-to-date on the above referenced property
_____ All assessments due have been paid
_____ The following are delinquent and past due: _____

Date: _____ (Tax Collector) _____

FORM #6

REQUEST FOR 200 FOOT LIST

Date: August 24, 2023

I, Vincent E. Halleran, Jr., am requesting a 200 foot list for property at
222 Broadway which is located in the Borough of Keyport.

Block: 13 Lot(s) 13

When the list is completed, I would like to be contacted by:

 Phone:

 Fax:

X EMail: vhalleran@hotmail.com

List is \$10.00 per Lot.

PAID BY:

 Cash
X Check

FORM #7

NOTICE OF ACTIONS TAKEN BY THE BOARD
BOROUGH OF KEYPORT

Take notice that on the 6th day of September, 2023 the Keyport
Unified Planning Board in the County of Monmouth took the following actions:

(Granted / Denied) to (Name) Omer Investment, LLC for the property located at

(Address) 222 Broadway

Keyport, NJ 07735

Block 13, Lot 13

Approval to (a variance, site plan, preliminary subdivision, minor site plan, etc.) describe
development

Adding a 4th bathroom to second floor.

**COMPLETION CHECKLIST
UNIFIED PLANNING BOARD**

Application Number: _____ Date Received: _____

Applicant: Omer Investment, LLC / Mahmoud Abdel-Wahab

Property: Block 13 Lot(s) 13

Street Address: 222 Broadway, Keyport, NJ 07735

RECEIVED:

_____ Application Fee in Amount of \$ _____ Paid by: _____

_____ Escrow Deposit in Amount of \$ _____ Paid by: _____

_____ Certification of Taxes Paid

_____ Proposed "Notice of Public Hearing"

_____ Signed Escrow Agreement

_____ Certified List of Property Owners Within 200 Feet

ACTION TAKEN:

_____ Copy of Application to Board Attorney on: _____

_____ Copy of Application to Board Engineer on: _____

_____ Letter _____ "Completeness" _____ "Incompleteness" sent on: _____

_____ Hearing Date Set for: _____

NOTES: _____

EXHIBIT "A"
REQUIRED APPLICATION FEES AND ESCROW DEPOSITS

Fees and escrows — The following is a schedule of fees to be paid by the applicant upon filing an application:

- | | | |
|----|--|--|
| 1. | Minor Subdivision | |
| | Application Fee — | \$200.00 |
| | Professionals Escrow -- | \$400.00 (per lot) |
| 2. | Major Subdivision, Preliminary | |
| | Application Fee -- | \$300.00 |
| | Professionals Escrow -- | \$300.00 + \$50.00 per lot for 1 st 10 lots and \$70.00 for any lot over 10 lots |
| 3. | Major Subdivision, Final | |
| | Application Fee -- | \$100.00 |
| | Professionals Escrow -- | \$200.00 + \$50.00 per lot for 1 st 10 lots and \$70.00 for any lots over 10 lots |
| 4. | Resubmission of Incomplete Application | |
| | Application Fee -- | \$75.00 |
| | Professionals Escrow -- | None Required |
| 5. | Resubmission involving a significant change
In the site plan or subdivision | |
| | Application Fee -- | One-half required fee for initial submission |
| | Professionals Escrow -- | One-half required fee for initial Submission |
| 6. | Sketch Plat | |
| | Application Fee -- | \$100.00 |
| | Professionals Escrow -- | \$100.00 |
| 7. | Site Plan Preliminary | |
| | Application Fee -- | \$300.00 |
| | Professionals Escrow -- | \$0.025 per square foot being disturbed, provided a minimum of \$500.00 shall be deposited |

8.	Site Plan, Final	
	Application Fee --	\$100.00
	Professionals Escrow --	\$0.025 per square foot being disturbed, provided a minimum of \$500.00 shall be deposited
9.	Sketch Plat	
	Application Fee --	\$100.00
	Professionals Escrow --	\$100.00
10.	Site Plan Waiver	
	Application Fee --	\$50.00
	Professionals Escrow --	None Required
	In the event that a waiver is not approved, and a site plan is deemed necessary, the funds already submitted will be deducted from the application and escrow fees to be collected for the application.	
11.	Resubmission of Incomplete Application	
	Application Fee --	\$75.00
	Professionals Escrow --	None Required
12.	"D" or Use Variance	
	Application Fee --	\$150.00
	Professionals Escrow --	\$200.00
13.	Bulk Variance	
	Application Fee --	\$25.00 (per variance)
	Professionals Escrow --	\$200.00
14.	"C" Variance	
	Application Fee --	\$25.00 (per variance)
	Professionals Escrow --	\$200.00
15.	Appeals	
	Application Fee --	\$75.00
	Professionals Escrow --	\$200.00
16.	Interpretations	
	Application Fee --	\$75.00
	Professionals Escrow --	\$200.00

17.	Conditional Use	
	Application Fee --	\$150.00
	Professionals Escrow --	\$200.00
18.	Building Permit in conflict with Official map or building permit for Lot not related to a street	
	Application Fee --	\$100.00
	Professionals Escrow --	None Required
19.	Others, including signs	
	Application Fee --	\$50.00
	Professionals Escrow --	None Required

In the event the escrow fund is depleted and there remain sums due to the Municipality, any resolution of approval or issuance of C.O. will be withheld pending satisfaction of this obligation.

BOROUGH OF KEYPORT POST-APPROVAL FEES

1. Preparation of Performance Guarantees:

Subdivisions: \$250.00 plus \$10.00 per lot

Site Plans: \$300.00 plus one (1) cent per square foot of building

2. Inspection Fees:

<u>Improvement Cost</u>	<u>Inspection Fee Required</u>
0-\$10,000.00	8% of estimated cost of construction As estimated by the Borough Engineer or a minimum of \$300.00
\$10,000.00 - \$50,000.00	\$800.00 plus seven and one-half (7½) percent of estimated cost over \$10,000.00
\$50,000.00 - \$100,000.00	\$4,800.00 plus seven (7) percent of the estimated cost over \$100,000.00
\$100,000.00	\$13,800 plus six (6) percent of the estimated cost over \$100,000.00

If a Developer's Agreement is required, applicant shall post an initial escrow fund as set forth in the Developer's Agreement to reimburse the Borough for legal fees incurred in the review and preparation of documents, and the administration and enforcement of the terms set forth in the Developer's Agreement.

BOROUGH OF KEYPORT MISCELLANEOUS FEES

1. Reproduction of Records

Duplication of tape recordings	\$75.00
Use of tape recordings for transcript Purposes (applicant to supply his own stenographer to make transcript)	\$150.00
Photocopy of any minutes or reports	\$0.50 sheet

2. Change of Zone Request \$200.00

3. Certificate of Subdivision \$ 10.00

4. Zoning or Change of Use Permit \$ 10.00