

VARIANCE APPLICATION FORM

Township of Tewksbury

169 Old Turnpike Road

Califon, NJ 07830

This application, with supporting documentation must be filed in the Land Use Office. Please remit 3 copies of all documentation, i.e. plans, surveys, application forms, etc. After review by the Land Use Office, the Application will be scheduled for an Application Review Committee meeting. Once the application is deemed complete/incomplete pending waivers, an additional 25 copies of all documentation will be required. An agenda date before the Land Use Board for a hearing on the Application will be given upon receipt of additional copies.

To be completed by Township Staff only.

Date Filed: _____
Application No. _____
Application Fees _____
Escrow Deposits _____
45 Day Completeness Deadline: _____
Deemed Complete: _____
Deemed Incomplete: _____
Date Hearing Scheduled: _____
Action Deadline: _____

1. SUBJECT PROPERTY

Location: _____

Tax Map: Page _____ Block _____ Lot(s) _____
Page _____ Block _____ Lot(s) _____
Dimensions/Frontage _____ Depth _____ Total Area _____
Zoning District _____

2. APPLICANT

Name _____
Address _____
Telephone No. _____ Fax No. _____
E-Mail Address _____
Applicant is a: Corporation _____ Partnership _____ Individual _____

3. DISCLOSURE STATEMENT

Pursuant to N.J.S. 40:55D-48.1, the names and address of all persons owning 10% of the stock in a corporate applicant or 10% of the interest in any partnership the applicant must be disclosed. In accordance with N.J.S. 40:55D-48.2 that disclosure requirement applies to any corporation or partnership which owns more than 10% interest in the applicant followed up the chain of ownership until the names and addresses of the non-corporate stockholders and partners exceeding the 10% ownership criterion have been disclosed {Attach pages if necessary to fully comply}

4. IF THE OWNER IS OTHER THAN THE APPLICANT, provide the following information on the:

Owner(s): _____
Owner's Name _____

Address _____
Telephone No. _____

5. PROPERTY INFORMATION:

Restrictions, covenants, easements, association by-laws, existing or proposed on the property:
Yes (attach copies) _____ No _____ Proposed _____

Note: All deed restrictions, covenants, easements, association by-laws, existing and proposed must be submitted for review.

Present Use of the Property:

Permitted Uses for the Property:

List Existing Structures and Their Present Use in Table Below:

EXISTING STRUCTURES	PRESENT USE

6. Applicant's Attorney _____
Address _____
Telephone No. _____
Fax No. _____
E-Mail Address _____

7. Applicant's Engineer _____
Address _____
Telephone No. _____
Fax No. _____
E-Mail Address _____

8. List any other Expert who will submit a report or will testify for the Applicant (Attach additional sheets if necessary)
Name _____
Field of Expertise _____
Address _____
Telephone No. _____
Fax No. _____
E-Mail Address _____

DIRECT ISSUANCE OF A PERMIT:

_____ NJSA 40:55D-34 (permit building or structure in the bed of a mapped street or public drainage way, flood control basin or public area reserved pursuant to NJSA 40:55D-32)

_____ NJSA 40:55D-36 (permit building or structure not related to an official suitably improved street pursuant to NJSA 40:55D-35).

VARIANCES PURSUANT TO NJSA 40:55D-70:

- _____ (C1) Non Use Variance (hardship)
- _____ (C2) Non Use Variance (flexible); benefits vs. detriment
- _____ (D1) A use or principal structure in a district restricted against such use or principal structure.
- _____ (D2) An expansion of a nonconforming use
- _____ (D3) Deviation from a specification or standard
- _____ (D4) An increase in the permitted floor area ratio
- _____ (D5) An increase in the permitted density as defined in Section _____ except as applied to the required lot area for a lot or lots for detached one or two dwelling unit buildings which lot or lots are either an isolated undersized lot or lots resulting from a minor subdivision.

APPEAL/INTERPRETATION PURSUANT TO NJSA 40:55D-70, (a) & (b):

- _____ (a) Appeal to the Board of Adjustment of Order, Requirement, Decision or Refusal by an administrative officer based on or made in the enforcement of the zoning ordinance.
- _____ (b) Request for Interpretation of the zoning map or ordinance or for Decisions upon other special questions upon which the Board of Adjustment is authorized to pass by any zoning or offered map or ordinance.

9. List Ordinance Sections from which variance(s) and/or interpretation(s) are requested (attach additional pages as needed):

10. List Exceptions from/Waivers of Development Standards and/or Submission Requirements which are requested (attach additional pages as needed):

11. Explain in detail the exact nature of the application and the changes to be made at the property, including the proposed use of the property (attach additional pages as needed):

12. Concisely state why the Board should act favorably on this application giving the facts of any hardship or special circumstances involved:

13. List any existing zoning or building non-conformities or violations giving details and date when started:

14. Were there any variances denied or granted in the past for this property? (give details including date, etc.)

To be completed by Township Staff only.

Other Commissions/Departments plans have been submitted to:

- _____ Environmental Commission
- _____ Scenic Roads
- _____ Historic Preservation Commission
- _____ Chief of Police
- _____ Fire Company
- _____ Township Engineer

CERTIFICATIONS

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 and 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 must be signed by an authorized corporate officer. If the applicant is a partnership, this must be signed by a general partner.]

Sworn to and subscribed before me this
day of , 20

NOTARY PUBLIC

SIGNATURE OF 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 and the decision in the same manner as if I were the applicant. [If the owner is a corporation this must be signed by an authorized corporate officer. If the owner is a partnership, this must be signed by a general partner.]

Sworn to and subscribed before me this
day of , 20

NOTARY PUBLIC

SIGNATURE OF OWNER

Submission Item No. and Description	Informal Review/ Concept Plan	Minor Application		Major Application				Variance Application (40:55D-70)		
		Sub-division	Site Plan	Subdivision		Site Plan		A, B & F	C	D
				Pre-liminary	Final	Pre-liminary	Final			
32. List of variances required or requested.		X	X	X	X	X	X	X	X	X
33. Requested or obtained design waivers or exceptions.		X	X	X	X	X	X	X	X	X
34. Payment of application/escrow fees. (see Section 900)	X	X	X	X	X	X	X	X	X	X
35. Property owners and property lines of all parcels within 200' including buildings/ structures identified on the most recent tax map sheet.		X	X	X	X	X	X	X	X	X
36. Indicate existing land uses within 200 feet.		X	X	X	X	X	X			
37. All existing streets, water courses, floodways or flood hazard areas, depth to seasonal high water table 0-1', soils, wooded areas with trees measuring 8" or greater caliper (4' above ground), wetlands or other environmentally sensitive areas on and within 200' of site.	X (general)	X	X	X	X	X	X	X	X	X
38. Copy of Letter of Exemption from the Bureau of Flood Plain Management, NJDEP, and documents sent with application for Letter from NJDEP, if issued.		X	X	X	X	X	X			
39. Stream Encroachment Permit from the Bureau of Flood Plain Management, NJDEP, if issued.		X	X	X	X	X	X	X	X	X
40. Map showing the Stream Encroachment area at a scale being used by the applicant for his submission.		X	X	X	X	X	X	X	X	X
41. Copy of Letter of Interpretation for Wetlands from the Land Use Regulations, NJDEP, and documents sent with application for Letter from NJDEP, if issued.		X	X	X	X	X	X			

Submission Item No. and Description	Informal Review/ Concept Plan	Minor Application		Major Application				Variance Application Variance (40:55D-70)		
		Sub-division	Site Plan	Subdivision		Site Plan		A, B & F	C	D
				Pre-liminary	Final	Pre-liminary	Final			
42. Map showing wetlands delineation at the same scale as the development plan, if applicable.		X	X	X	X	X	X	X	X	X
43. Existing rights-of-way and/or easements on and within 200' of tract.	X	X	X	X	X	X	X	X	X	X
44. Topographical features of subject property from U.S.G.S. map.	X	X	X					X	X	X
45. Existing and proposed contour intervals based on U.S.G.S. datum. Contours to extend at least 200' beyond subject property as follows: up to 15% grade =2', over 15%=5'. Proposed grading shall overlay existing vegetation.				X		X	X	X	X	X
46. Boundary, limits, nature and extent of wooded areas, specimen trees, and other significant physical features (detail may vary).	X (general)	X	X	X	X	X		X (F)	X	X
47. Existing system of drainage of subject site and of any larger tract or basin of which it is a part.				X		X				
48. Drainage area map.				X		X				
49. Drainage calculations (for minor subdivision it is the Board's option).		X	X	X		X				
50. Percolation tests (if applicable).		X	X	X		X	X	X (F)	X	X
51. Proposed utility infrastructure plans and profiles and supplier of resources, including sanitary sewer, water, storm water management, telephone, electric and cable TV.		X	X	X		X	X			
52. Soil Erosion and Sediment Control Plan (if applicable). (to be submitted as a separate package)		X	X	X		X	X			

Submission Item No. and Description	Informal Review/ Concept Plan	Minor Application		Major Application				Variance Application Variance (40:55D-70)		
		Sub-division	Site Plan	Subdivision		Site Plan		A, B & F	C	D
				Pre-liminary	Final	Pre-liminary	Final			
53. Environmental Impact Statement				X		X	X			
54. Spot and finished elevations at all property corners, corners of all structures or dwellings, existing or proposed first floor elevations and general location of buildings.	X		X	X		X	X	X (F)	X	X
55. Construction details as required by ordinance.				X		X	X	X (F)	X	X
56. Road and paving cross-sections and profiles.				X		X	X			
57. Proposed street names.				X	X	X	X			
58. New block and lot numbers as assigned by the local assessor.		X		X	X					
59. Lighting plan & detail.			X	X		X		X (F)	X	X
60. Landscape plan overlaid on grading plan, with a corresponding plant list, planting details and tree protection details. Plant list should include: botanical name, common name, quantity, size at time of planting, root condition and spacing.			X	X		X	X			
61. Solid waste management plan.			X			X	X			
62. Site identification signs, traffic control signs, and directional signs. Submit elevations and details including method of illumination.			X	X		X	X			
63. Sight triangles.		X	X	X	X	X	X			
64. Vehicular and pedestrian circulation patterns including handicap access (less detail necessary for informal review/concept plan).	X (general)		X	X (general)		X	X			
65. Parking plan showing spaces, size and type, aisle width, curb cuts, drives, driveways, and all ingress and egress areas and dimensions.		X	X	X		X	X			

Submission Item No. and Description	Informal Review/ Concept Plan	Minor Application		Major Application				Variance Application		
		Sub-division	Site Plan	Subdivision		Site Plan		Variance (40:55D-70)		
				Pre-liminary	Final	Pre-liminary	Final	A, B & F	C	D
66. Mounted renderings of site plan/subdivision layout.	X		X	X	X	X	X			
67. Preliminary architectural plans, front, rear, and side building elevations.			X			X	X	X	X	X
68. Building isometrics.			X			X	X			
69. Community Impact Statement (see Section 516). Except for the THV, & RIA districts.				X		X				
70. Location, area, and minimum width of Required Improvable Area.	X	X		X						
71. Computer disk of proposed subdivision (site plan) compatible with GIS Arc/View.		X	X	X	X	X	X			
72. All existing potable water supplies and existing septic systems now on the tract and within 200'.		X		X		X	X	X (F)	X	X
73. All proposed street names shall be forwarded to the Historic Preservation Commission for recommendation to the Township Committee. Street names may be selected from list of street names within.		X		X		X				
74. Underground storage tank for fire fighting purposes (30,000 gallon).		X	X	X	X	X	X			
75. Photographs depicting proposed area of disturbance or area of proposed project.								X (F)	X	X

§ 900 APPLICATION AND ESCROW FEES

A. Fee Schedule. Every application for development shall be accompanied by a check payable to the municipality in accordance with the following schedule:

Subdivisions

Application Type	Application Fee	Minimum Initial Deposit Escrow Fee
Minor Subdivision	\$250.00/Lot	Two times the application fee
Preliminary Major Subdivision	\$600 + \$200/Lot	Two times the application fee
Final Major Subdivision	\$200 + \$75/Lot	Two times the application fee
Boundary Line Adjustment	\$200.00	Two times the application fee

Site Plans

Application Type	Application Fee	Escrow Fee
Minor Site Plan	\$400.00	Two times the application fee (or \$800.00)
Preliminary Site Plan:		A minimum of \$750.00 shall be deposited.
Residential	\$500 + \$30/Dwelling Unit	\$30.00 per dwelling
Non-Residential	\$500 + \$45/1,000 sf of building coverage	\$45.00/1,000 per square feet of building coverage
Final Plan:		A minimum of \$750.00 shall be deposited.
Residential	1/2 the preliminary application fee	\$15.00 per dwelling
Non-Residential	1/2 the preliminary application fee	\$25.00/1,000 per square feet of building coverage

Other Application and Escrow Fees

Application Type	Application Fee	Escrow Fee
Variances:*		
Hardship (40:55D-70c)	\$250.00	\$1,000.00 with \$250.00 for each additional variance.
Use (40:55D-70d)	\$350.00	\$1,000.00 with \$350.00 for each additional variance.

Ordinance 03-2013
Introduced 03-12-13
Adopted

h. Maximum Lot Coverage	15%
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2. For Township buildings, public utility facilities, houses of worship and schools:

a. Minimum Lot Area	1.5 acres
b. Minimum Lot Width	200 feet
c. Minimum Lot Depth	250 feet
d. Minimum Front Yard	75 feet
e. Minimum Rear Yard	75 feet
f. Minimum Side Yard (each)	50 feet
g. Maximum Building Height	30 feet
h. Maximum Lot Coverage	40%

Section 2.

Article IX, "Fees, Guarantees, Inspections, Off-Tract Improvements and General Enforcement" shall be revised as follows:

(i) Amend §900, "Application and Escrow Fees", subsection A "Fee Schedule" to add the following in "Other Application and Escrow Fees"

Application Type	Application Fee	Escrow Fee
Variances for emergency power generators and air conditioning units (residential properties)	\$50	\$100

Section 3.

Severability. The various parts, sections and clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby.

Section 4.

Any ordinances or parts thereof in conflict with the provisions of this Ordinance are hereby repealed as to their inconsistencies only.

Section 5.

This ordinance shall take effect upon final adoption, publication, and publication of a notice for final adoption and the filing of same with the Hunterdon County Planning Board.

Attest:

Township of Tewksbury Committee

Roberta Brassard, Clerk

Louis Di Mare, Mayor

**FORM OF NOTICE TO BE PUBLISHED IN THE HUNTERDON REVIEW OR
HUNTERDON COUNTY DEMOCRAT (OFFICIAL NEWSPAPERS OF THE
TOWNSHIP OF TEWKSBURY) AT LEAST TEN (10) DAYS PRIOR TO THE
DATE OF THE PUBLIC HEARING.**

NOTICE

Notice is hereby given that _____ has applied to the Land Use
(Applicant's Name)

Board of the Township of Tewksbury making request for

(State clearly all particulars with regard to the relief requested in the application)

(Indicate Article & Section of Zoning Ordinance & Statute affected)

known as Block No. _____, Lot No. _____, as shown on the Tewksbury

Township Tax Map, situated at _____
(Indicate street address)

Public hearing on this application will be held by the Land Use Board on

_____ at 7:30 p.m., at 60 Water Street in Mountainville, N.J. at which
(Date of Hearing)

time and place all persons interested therein will be given an opportunity to be heard. All maps and documents for which approval is sought are on file and available for public inspection during normal business hours at the Municipal complex at 169 Old Turnpike Road, Califon, NJ.

Applicant's Name

**NOTICE BY APPLICANT OR APPELLANT
TO INTERESTED PARTIES**

TO: _____
(NAME)

(ADDRESS)

PLEASE TAKE NOTICE that the undersigned has appealed or applied to the Land Use Board of the Township of Tewksbury for a variance (or special exception) from the terms and provisions of:

(give exact Article and Section and Paragraph of Zoning Ordinance

or Statute & state what approval is sought or change that will result)

on premises known as Block _____, Lot _____, as shown on the Township of
Tewksbury Tax Map and situated at _____
(Indicate Street Address)

which is within 200 feet of the property owned by you.

This matter is pending before the Land Use Board of the Township of Tewksbury and a Public Hearing thereon will be held before said Board at 60 Water Street in Mountainville, NJ at 7:30PM on _____
(Date of Hearing)

You, as an interested party, have the right to appear and be heard in person or by an attorney, and present objections, if any you have, at the said hearing before the Board on said date herein stated above. All maps and documents for which approval is sought are on file and available for public inspection during normal business hours at the Municipal complex at 169 Old Turnpike Road, Califon, NJ.

Dated: _____
(Applicant Name & Address)