

**BOROUGH OF FLORHAM PARK
ZONING BOARD OF ADJUSTMENT**

“C” VARIANCE APPLICATION

- ❖ **NOTE:** The Board of adjustment is a quasi-judicial body. Its decisions and procedures are governed by the laws of New Jersey. It is the obligation of the applicant to comply with all of the substantive and procedural requirements of the law and rules and regulations (or by-laws) of this Board of which the following instructions are a part. If you need advice regarding any legal requirements, please seek the advice of an attorney. Advice to any legal requirements should not be sought from any Municipal Officer, Board Member or Borough employee.
- ❖ **RESPONSIBILITY:** The foregoing instructions are furnished only as an aid to the applicant(s). It is the responsibility of the applicant(s) to be thoroughly familiar with or to obtain competent advice as to the Laws, Ordinances and Regulations of the Board.
- ❖ **IMPORTANT:** In order to expedite the processing of an appeal or application, the applicant should be careful to comply fully with all of the instructions given. Although the Board must render a decision within 120 days, the time does not begin to run until a complete application has been submitted. An application is deemed incomplete if all of the required items for the application have not been submitted to the Board Secretary.

Applications:

- All completed applications and payment of fees must be filed with the Board of Adjustment Secretary in order for the application to be considered complete. At that time a hearing date will be scheduled. Please see Page 1 of the application for complete listing of document requirements.
- Payment of Taxes – Certification of paid taxes must be obtained from the Tax Office. There is a fee of \$10.00. The original must be filed with the Board Secretary.
- An official Tax Map of the property must be submitted with the application. This can be obtained from the Engineering Office.
- A list of residents within 200' of the subject property must be obtained from the Tax Assessor's Office. Fee: \$10.00

Survey Requirements: The plot plan or survey must be drawn to scale and show:

- Dimensions and area, including any adjoining property
- Existing structures located on the property with dimensions
- Proposed additions or changes with dimensions
- Easements and/or rights-of-way
- All front, side and rear yard dimensions
- Clearly indicate the exact distance of the proposed addition(s) as it relates to the property line
- The existing building coverage and total improved lot coverage percentages along with the proposed building coverage and total improved lot coverage percentages must be included.

**ZONING BOARD OF ADJUSTMENT
“C” VARIANCE APPLICATION
FLORHAM PARK, NEW JERSEY**

Application #: _____ Date Filed: _____

Applicant Name: _____

Property Address: _____

Block: _____ Lot: _____ Zone: _____

Type of Variance (please check one): C-1 _____ C-2 _____

Please Note:

- All originals of the application and appropriate forms and copies must be given to the Board Secretary in order to determine the completeness of the application. The application and hearing date shall be assigned by the Board Secretary and no publication of service will be made until all required information has been furnished to the Secretary. **Important: Application packages must be fully collated and assembled prior to submission.**
- Certified Proof of Publication and Proof of Service must be supplied to the Board Secretary prior to the hearing date.
- **Building and total Improved lot coverage: If an increase in building or total improved lot coverage is applied for, the applicant must have a New Jersey licensed land surveyor certify the percentage of increase of coverage on the plot plan and supply it to the Board Secretary when filing the application. **Important: Please note that overhangs are considered part of building coverage and measurements must be taken from edge of the overhang.****

Application Requirements:

The following are items that are required to be submitted to the Board Secretary at the time of the application filing in order for the application to be deemed complete and scheduled for a Public Hearing.

- ✓ **11 copies of the following:**
 1. Completed application that includes a building plan with proposed conditions. A zoning table must be on the plans. **All overhangs must be clearly depicted and included in the building coverage.**
 2. Form A – Refusal of Building Permit
 3. Form B – Permission for Board Members to Enter the Property

- ✓ **1 copy of each of the following:**
 4. Form C – Certification that Taxes on subject property are paid
 5. List of property owners within 200 feet
 6. Official Tax Map of the Subject Property
 7. Proof of Publication/Proof of Service (after submission)
 8. Sealed survey depicting current condition of property
 9. Optional - Pictures of current conditions of property

- ✓ **Application Fee and Initial Escrow Deposit:**
 - Residential Application: \$200 application fee PER VARIANCE, \$500 initial escrow deposit
 - Commercial Application: \$300 application fee PER VARIANCE, \$600 initial escrow deposit

Applicant Information:

Applicant(s) Name _____ Phone No: _____

Location/Address: _____

Email Address: _____

If other than property owner:

Applicant(s) Name.: _____ Phone No: _____

Address: _____

Property Information:

The premises are situated on the north, south, east, west (please circle one) side of _____

_____ and is approximately _____ feet from the intersection of

_____. The premises are located in the _____ Zone on

Block _____ Lot _____. The property has the following

structures: _____

Principle structure on the premise is _____ story(ies) and is of _____ (type of construction)

Brief description of work to be done:

**CHAPTER 250-9
ZONING REQUIREMENTS**

EXISTING CONDITIONS

PROPOSED CONDITIONS

FRONT YARD SETBACK _____

FRONT YARD SETBACK _____

FRONT YARD SETBACK _____

SIDE YARD SETBACK _____

SIDE YARD SETBACK _____

SIDE YARD SETBACK _____

REAR YARD SETBACK _____

REAR YARD SETBACK _____

REAR YARD SETBACK _____

BUILDING HEIGHT _____

BUILDING HEIGHT _____

BUILDING HEIGHT _____

BUILDING COVERAGE %* _____

BUILDING COVERAGE %* _____

BUILDING COVERAGE %* _____

IMPROVED LOT COVERAGE %* _____

IMPROVED LOT COVERAGE %* _____

IMPROVED LOT COVERAGE %* _____

*TOTAL (Building coverage must include overhangs)

The reasons and factual basis asserted by the applicant to grant the relief requested are as follows: If hardship is asserted (NJSA 40:55D-70C(1) indicate the exceptional conditions relative to your property which you want the Board to consider. If you are asserting that the benefit of granting the variance outweighs the detriment to the zone plan of the Zoning Ordinance, please indicate what purposes of zoning would be advanced by your proposal

A. The specific facts that will show that the relief sought can be granted without substantial detriment to the public good and will not substantially impair the intent and purpose of the Zone Plan are as follows (NJSA 40:55D-70).

Has there been a previous application involving these premises? _____
Yes No

If yes, please provide the application number and date of application:

AFFIRMATION OF OWNER AND APPLICANT

The Owner consents to this application:

Owner(s) Signature: _____ Date: _____

Applicant(s) Signature _____ Date: _____
(if different from owner)

“FORM A”

**Borough of Florham Park
Zoning Board of Adjustment**

REFUSAL OF A BUILDING PERMIT

(This form must be completed by the Florham Park Zoning Officer)

To: _____ Date: _____

Your application for a building permit to construct _____

On the property located at _____

Known as Block _____, Lot _____ on the Tax
Map of the Borough of Florham Park is hereby denied for non-compliance with the provisions
of Section (s) _____ of the Municipal Zoning Ordinance for the following reason(s):

Signed: _____
Janet Doherty, Zoning Officer

Information regarding procedures for an appeal of this decision can be obtained from the Board Secretary or Construction Office.

FORM "B"

**BOROUGH OF FLORHAM PARK
ZONING BOARD OF ADJUSTMENT**

PERMISSION FOR BOARD MEMBERS TO ENTER THE PROPERTY

I _____, hereby give permission to the members of the Zoning Board of Adjustment of the Borough of Florham Park and its authorized representatives and experts to enter onto the premises of the subject property located at:

(address of subject property)

for the purpose of evaluation of the variance application that is presently pending before the Board of Adjustment.

Signature of Applicant

Signature of Owner
(if other than applicant)

✓ When filing for a Variance you are legally required to publish a legal notice in the approved newspaper of the Borough of Florham Park. It MUST be published in the Morris County Daily Record or the Florham Park Eagle at least 10 calendar days prior to the meeting date in order for your application to be heard, although it can be published further in advance of the hearing date if the applicant so desires. The following is an *example* that you may use to publish a legal notice concerning your variance in the local newspaper. **It is intended to be re-typed.**

Sample only, must be retyped:

Notice is hereby given that _____ have applied to the Florham Park Zoning Board of Adjustment for a _____ variance for their property located _____, Florham Park, New Jersey, Block _____ Lot _____. The applicant is seeking a variance for: _____
(state non-compliance)

The variance relief is sought from Section(s) _____ of the Zoning Ordinance, plus any other variance as deemed necessary by the Board of Adjustment. The hearing on this application will be held on _____ at 7:00 p.m. at the Borough Hall, 111 Ridgedale Avenue, Florham Park, New Jersey. Copies of the application and plans will be on file in the office of the Board of Adjustment Secretary and available for public inspection at least ten (10) days prior to the date of the public hearing on this application.

✓ When filing for a Variance you are legally required to notify property owners within 200 feet of the applicant property. All property owners and utility companies must receive a description summary of the proposed construction being considered. This notice must include the time, date and place of the meeting at and be received at least 10 calendar days prior to the meeting date in order for your application to be heard. The property owner’s notification must be done either by certified mail or via personal service (hand delivered with a signature of receipt required and the date received). A copy of the description summary and the certified mail receipts or required signatures **must** be returned to the Board secretary at least 5 days prior to the hearing. If these items are not received, the matter will not be heard. The following is an *example* that you may use for notification. **It is intended to be re-typed.**

Sample only, must be retyped:

Notice is hereby given that _____ have applied to the Florham Park Zoning Board of Adjustment for a _____ variance for their property located _____, Florham Park, New Jersey, Block _____ Lot _____. The applicant is seeking a variance for: _____ (state non-compliance) _____.

The variance relief is sought from Section(s) _____ of the Zoning Ordinance, plus any other variance as deemed necessary by the Board of Adjustment. The hearing on this application will be held on _____ at 7:00 p.m. at the Borough Hall, 111 Ridgedale Avenue, Florham Park, New Jersey. Copies of the application and plans will be on file in the office of the Board of Adjustment Secretary and available for public inspection at least ten (10) days prior to the date of the public hearing on this application.

INSTRUCTIONS

Send each person on the 200 ft list a certified letter (example included in the packet). Return the small white slips with the name & address of each person on the list to the Board Secretary along with the Affidavit of Publication from the Morris County Daily Record or the Florham Park Eagle. The Affidavit consists of the notice clipping and is signed and sealed affirming the notice was in the newspaper. The white slips should be organized in the same order as the 200 foot list.

The application cannot be heard without the proofs of service being given to the Board Secretary.

I hereby certify that I have given written notice of the application for:

(APPLICANT NAME AND SUBJECT PROPERTY ADDRESS)

To all persons and agencies entitled to same not less than 10 days prior to the scheduled Public Hearing date on this application. A copy of the notice and a list of the persons served is attached. If served by Certified Mail I have attached the mail receipts. If hand delivered I have attached the signatures which are dated and show the date of service.

Signature of Applicant

Date

Form "C"

**BOROUGH OF FLORHAM PARK
ZONING BOARD OF ADJUSTMENT**

Submit to: Tax Collector
Fee: \$10.00

TAX CERTIFICATION:

BLOCK(S) _____

LOT(S) _____

ADDRESS: _____

**PROPERTY
OWNER:** _____

The Tax Collector of the Borough of Florham Park hereby certifies that all taxes and assessments have been paid and that no taxes are due or delinquent as to the premises which are the subject of this application as of the date indicated below.

Tax Collector or Authorized Signature

Certification Date

**BOROUGH OF FLORHAM PARK
ZONING BOARD OF ADJUSTMENT**

**REQUEST FOR LIST
OF PROPERTY OWNERS**

Submit to: Tax Assessor's office

Fee: \$10.00

DATE: _____

NAME: _____

ADDRESS: _____

PHONE: _____

BLOCK: _____ Lot _____

I hereby request that the list of property owners within 200' of the above referenced property and the utilities to be noticed as part of my application.

Signature _____

Dated: _____

Fee Paid: _____