

**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 \_\_\_\_\_

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**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.

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**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: \$300 application fee PER VARIANCE, \$1000 initial escrow deposit
  - Non-Residential Application: \$300 application fee PER VARIANCE, \$1000 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 a hardship is asserted (NJSA 40:55D-70C(1) indicate the exceptional conditions relative to your property that 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.

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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).

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

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

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**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)

# FORM "C"

## LEGAL NOTICE & PROPERTY OWNERS NOTIFICATION

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.

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 and be postmarked 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 sent by certified mail.

A copy of the description summary and the postmarked certified mail receipts **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 affidavit of service from the publishing newspaper must also be returned to the Board Secretary.

The following is an *example* that you may use for both notifications. **It is a sample and must be re-typed.**

### Sample (Virtual Meeting):

Notice is hereby given that \_\_\_\_\_ have applied to the Florham Park Zoning Board of Adjustment for a \_\_\_\_\_ variance for their property located at \_\_\_\_\_, Florham Park, New Jersey, Block \_\_\_\_\_, Lot \_\_\_\_\_.

The applicant is seeking a variance for: \_\_\_\_\_  
(describe relief needed)  
\_\_\_\_\_.

The variance relief is sought from Section(s) \_\_\_\_\_ of the Zoning Ordinance, plus any other variance as deemed necessary by the Board of Adjustment.

Due to the current COVID-19 pandemic and in order to follow the guidelines recommended by the Centers for Disease Control, the hearing on this application will be held virtually via a Zoom webinar on \_\_\_\_\_ at 6:30 p.m. Any member of the public who wishes to access the meeting may do so by joining through the following web link:

Insert Zoom Information provided by the Board Secretary

Copies of the application and plans will be on file in the office of the Board Secretary at least ten (10) days prior to the date of the public hearing on this application and will be available for inspection online at [www.fpboro.net](http://www.fpboro.net), under Current Planning and Zoning Board Meeting Information. Or you may contact the Board Secretary at 973-410-5301.

Sample (In-Person Meeting):

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: \_\_\_\_\_  
(describe relief needed)

\_\_\_\_\_.

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 6:30 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:

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*(APPLICANT NAME AND SUBECT 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.

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Signature of Applicant

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Date

**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** \_\_\_\_\_

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**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:** \_\_\_\_\_