

Variance Application General Instructions

1. Submit the applicable non-refundable fee at least 3 weeks prior to the meeting to the Board Secretary. This sum covers the application fee and the 200-foot list of the residents. The Tax Assessor Clerk will prepare the list of residents who are to be notified of your application.

Pursuant to <u>N.J.S.A. 40:55D-70a or b</u>	\$200.00 application fee with a \$500 legal escrow
Pursuant to <u>N.J.S.A. 40:55D-70c</u>	\$100.00 per variance requested, with \$200 minimum A \$250 per variance legal escrow, with \$500 minimum
Pursuant to <u>N.J.S.A. 40:55D-70d</u>	\$500.00 application fee with \$1000 legal escrow
Conditional Use	\$500 application fee with a \$1000 legal escrow

2. Send a notice of your application to each resident on this list by certified mail (postage receipts are necessary) or deliver by hand. For guidance, a sample notice is attached. Notice must be mailed or delivered at least 10 days prior to and not including the meeting date. Post office receipts and/or the signature list and notarized affidavit of service must be returned to the Board Secretary as soon as they are available.

3. Publish the notice of the hearing (one time only) with a detailed description of the variance in the Record. Such notice must appear in the newspaper at least 10 days prior to and not including the meeting date. The individual newspaper should be contacted for publication deadlines. The Record Telephone: 973-569-7420 Fax: 973-905-4022
Email: publicnotices@northjersey.com

4. Proof of Publication of this notice of public hearing received from the individual newspaper must be submitted to Board Secretary as soon as it is received or at the public hearing prior to the application being called.

5. COMPLETED APPLICATION FORMS, PLOT PLANS AND REPRESENTATION AFFIDAVIT MUST BE FILED WITH THE SECRETARY OF THE BOARD AT LEAST FIFTEEN (15) DAYS PRIOR TO THE MEETING, WHICH IS USUALLY HELD ON THE THIRD TUESDAY OF THE MONTH AT 8:00 PM. Incomplete application forms will not be accepted.

Submit the fourteen (14) completed application forms including your survey/plot plan, indicating thereon the dimensions of proposed structure and its distance from property lines. Fourteen (14) sets of architectural rendering with elevations must accompany the application form to give the Board a general idea of the appearance of the existing house and proposed construction. These should also show heights, dimensions, etc.

Photographs illustrating existing conditions such as shrubbery screens of neighboring properties, etc. are helpful, but not required. These can be presented and entered into evidence as Exhibits during the public hearing. It is also helpful to have in-person support testimony at the hearing from the adjoining neighbors most impacted by your variance request. Written letters are not admissible as evidence. You may also want to consider retaining an attorney to represent you and/or expert witnesses such as a professional engineer, architect, planner, contractors, etc.

If your application concerns development of a lot deficient in area for its zone, you should submit evidence that you tried to make the lot conforming by requesting to purchase any available land from adjoining neighbors, which would not then render their properties non-conforming.

Zoning Board of Adjustment

Demarest, NJ

APPLICATION FOR VARIANCE FROM THE REQUIREMENTS
OF ZONING ORDINANCE

File No. _____

Date Filed _____

Date of Hearing _____

Disposition _____

To the Board of Adjustment:

Application is hereby made for a variation from the requirements of

Section(s) N.J.S.A 40:55d-70 of Chapter 175 (Zoning Ordinance).

_____ to construct the following _____

or

_____ to use an existing structure in the following manner: _____

The location of this property is at _____

(Street Address)

designated as Block _____ and Lot _____ on the Assessment Map.

The reason this new construction, or this new use is desired is:

Date present owner acquired title to property: _____

Applicant

Owner

Name _____

Name _____

Address _____

Address _____

Phone # _____

Phone # _____

Signature _____

Signature _____

Owner or applicant will be represented at Public Hearing by:

Name _____

Address _____

Phone _____

NOTE: APPLICANT OR HIS REPRESENTATIVE MUST PERSONALLY ATTEND THE HEARING

Description of Property

Address _____ Zone _____ Block _____, Lot(s) _____

Present Buildings (Includes all Accessory Buildings, structures, garage, shed, swimming pool, deck, patio, tennis court, etc.)

Setbacks:

Required	Existing (closest point)	Application Proposed (closest point)
_____ ft to front yard line	_____ ft	_____ ft
_____ ft to rear yard line	_____ ft	_____ ft
_____ ft to closest side yard (lot)	_____ ft	_____ ft
_____ ft to closest side yard (street)	_____ ft	_____ ft

Required Lot Size _____ sq. ft. Existing Lot Size _____ sq. ft.

Fill in the following Proposed Net Totals from your worksheets:

Impervious Coverage	Permitted _____ sq. ft. _____ %
	Proposed _____ sq. ft. _____ %
Building Coverage	Permitted _____ sq. ft. _____ %
	Proposed _____ sq. ft. _____ %
Maximum Livable Area	Permitted _____ sq. ft. _____ %
	Proposed _____ sq. ft. _____ %

Variance Requested: (Check Applicable Box(es):

Front _____, Side _____, Rear _____, Building Coverage _____, Impervious Coverage _____,
Maximum Livable Area _____, Other _____.

Present use of buildings on property is _____

Describe deed restrictions or easements on property if any; these include but are not limited to storm drain, sidewalk, open space, streams, brooks, etc.

Character of buildings within 200 feet of property (i.e, residential, commercial, etc. _____

Is (a) lot, (b) present building, or (c) use of lot or buildings now non-Conforming to the Demarest Zoning Ordinance, or other Demarest Ordinances?
If so, describe _____

Has a variance been previously granted on this property? _____
If so, when? _____

Describe: _____

Has a variance on this property been denied? _____ If so, when? _____

Describe: _____

Impervious Coverage Calculations:

Definition: A material that prevents absorption of storm water into the ground.

Address _____ Zone _____

Size of Lot _____ Required _____ sq. ft.

Permitted Impervious Coverage _____ sq. ft. ____ %

A. <u>Existing:</u>		Check if to be demolished
House	_____ sq. ft.	_____
Garage	_____ sq. ft.	_____
Patio	_____ sq. ft.	_____
Deck	_____ sq. ft.	_____
Shed	_____ sq. ft.	_____
Swimming Pool	_____ sq. ft.	_____
Tennis Court	_____ sq. ft.	_____
Driveway	_____ sq. ft.	_____
Front, Side	_____ sq. ft.	_____
& Rear Walkways		
Other	_____ sq. ft.	_____

Existing Net Impervious Coverage _____ sq. ft. ____ %

B. Proposed Impervious Coverage:

House	_____ sq. ft.	_____
Garage	_____ sq. ft.	_____
Patio	_____ sq. ft.	_____
Deck	_____ sq. ft.	_____
Shed	_____ sq. ft.	_____
Swimming Pool	_____ sq. ft.	_____
Tennis Court	_____ sq. ft.	_____
Driveway	_____ sq. ft.	_____
Front, Side	_____ sq. ft.	_____
& Rear Walkways		
Other	_____ sq. ft.	_____

Proposed New Impervious Coverage sq. ft. ____ %

Total Impervious Coverage (A + B) _____ sq. ft. ____ %

BUILDING COVERAGE (Footprint) CALCULATIONS:

Coverage, Maximum – That percentage of the plot or lot area covered by the principal building and the accessory use building(s) and/or structure(s).

ADDRESS _____ ZONE _____
SIZE OF LOT _____ REQUIRED _____
PERMITTED COVERAGE (%) _____ sq. ft.

A. Existing:		Check if to be demolished
House	_____ sq. ft.	_____
Garage	_____ sq. ft.	_____
Shed	_____ sq. ft.	_____
Other	_____ sq. ft.	_____

EXISTING NET COVERAGE _____ sq. ft. (%)

B. Proposed:		
New House	_____ sq. ft.	_____
Addition	_____ sq. ft.	_____
Garage	_____ sq. ft.	_____
Shed	_____ sq. ft.	_____
Other	_____ sq. ft.	_____

PROPOSED NEW COVERAGE _____ sq. ft. (%)

TOTAL BUILDING COVERAGE (A + B) _____ sq. ft. (%)

FLOOR AREA RATIO CALCULATIONS (Livable Floor Area)

The aggregate of all floors included within the outer walls of a building, excluding basements, garages, and other unheated areas, and including only such floor area under a sloping ceiling for which the headroom is not less than five (5) feet six (6) inches, and then only if at least seventy-five percent (75%) of such floor area has a ceiling height of not less than seven (7) feet six (6) inches and if any such floor that is situated above another story has access to the floor by a permanent built-in stairway and has a permanent complete floor and a mean of heating to seventy degrees Fahrenheit (70° F) at all times.

ADDRESS _____ ZONE _____
SIZE OF LOT _____ sq. ft. REQUIRED _____
PERMITTED LIVABLE AREA _____ sq. ft. (%)

A. Existing: Check if to be demolished
House _____ sq. ft. _____
Heated Attic _____ sq. ft. _____
Other _____ sq. ft. _____

EXISTING NET LIVABLE AREA _____ sq. ft. (%)

B. Proposed:
New House _____ sq. ft.
Addition _____ sq. ft.
Heated Attic _____ sq. ft.
Other _____ sq. ft.

PROPOSED Livable Area _____ sq. ft. (%)

TOTAL LIVABLE AREA (A + B) _____ sq. ft. (%)

BOARD OF ADJUSTMENT
of the
BOROUGH OF DEMAREST

STATE OF NEW JERSEY)

) ss:

COUNTY OF BERGEN)

Name of Applicant

_____ being duly sworn deposes
and says: That he resides at Number _____
in the City of _____ in the County of _____
in the State of _____ and says that he is the
appellant making appeal for a variation of the provisions of
the Zoning Ordinance of the Borough of Demarest in connection
with the property which is the subject matter of this appeal
and known as _____, designated as
Block _____ and Lot _____ on the Assessment Map of
the Borough of Demarest: That all statements made in this
application, and statements made in the planes submitted herewith
are true: The applicant further states that he is ready and
able to proceed with the construction if and when the
application is granted.

Sworn to before me this _____
day of _____, 19 _____

Notary Public

Applicant

(APPLICANT REPRESENTS HIMSELF)

AFFIDAVIT OF OWNERSHIP

STATE OF NEW JERSEY)

) ss:

COUNTY OF BERGEN)

_____ of full age .
being duly sworn according to law on his oath deposes and says that he/she
resides at _____ in the City of
_____ in the County of
_____ and the State of
_____ that he/she is the owner in fee
of all that certain lot, piece or parcel of land situated lying and being in the
Borough of Demarest aforesaid, and known and designated as
_____ and that he/she hereby authorizes
_____ to make the within application in his/her behalf and
that the statements contained in said application are true.

Sworn to before me this _____
day of _____, 20 _____

Notary Public

Owner

(Affidavit authorizing Representative)

Note: This affidavit must be signed by owner when applicant is agent.

STATE OF NEW JERSEY)

) ss:

COUNTY OF BERGEN)

I, _____ of full age, being duly sworn according to law depose and say that:

1. I reside at _____
2. I personally served the attached notice to all the surrounding owners pursuant to the attached list of owners given to me by the Tax Collector, of the Borough of Demarest, New Jersey.

Sworn to before me this _____

day of _____, 20 _____

Notary Public

(SERVICE AFFIDAVIT)

**NOTICE OF PUBLIC HEARING
BOROUGH OF DEMAREST
ZONING BOARD OF ADJUSTMENT**

Date: _____

Application of: _____

Block _____ Lot _____

Address: _____

Demarest, NJ 07627

NOTICE is hereby given that on _____ at 8: 00 pm or as soon thereafter as the matter may be heard, the above-named applicant will apply to the Board of Adjustment of the Borough of Demarest, the Municipal Building, 118 Serpentine Road, Demarest, NJ, 07627

Detailed description of variances requested:

This applicant also seeks any such other variances, waivers and/or exceptions as may be required by the Board.

The application and plans are on file in the office of the Board of Adjustment, in the municipal building and may be inspected and reviewed during the normal business hours of the municipality.

Applicant

Name: _____

Address: _____

Phone: _____

(NOTICE TO BE PUBLISHED IN NEWSPAPER & GIVEN TO 200 FT. LIST RESIDENTS)