

FOR OFFICIAL USE ONLY

Planning Board

Zoning Board of Adjustment

Name of Application: \_\_\_\_\_ Docket Number : \_\_\_\_\_

## PART A

### APPLICANT REQUESTS THE FOLLOWING:

Explain, in detail sufficient for the Board to understand the nature of the proposal, the exact nature of the proposed application and proposed physical modifications to be made to the site, building(s) and/or signage including the proposed use of the premises.

Applicant is applying to the Zoning Board of Adjustment for D(1) Conditional Use Variance, Preliminary and Final Major Site Plan and C(2) Variances approval to construct a 21,083 square-foot house of worship and associated site improvements. These improvements will include widening and paving the existing driveway, the construction of two parking areas, walkways, landscaping and various utility improvements. The existing 2 1/2 story frame residential dwelling will remain on the site. The site is accessed via the existing driveway off South Middlebush Road. C(2) Variances are being requested for side yard and rear yard setbacks. Conforming signage is proposed.

Identify the type of variance(s) requested. Check all that apply.

"C" Variance(s)

- The strict application of the provisions of the Development Ordinance would result in peculiar and exceptional practical difficulties or exceptional and undue hardship - N.J.S.A.. 40:55D-70.C(1)
- The purposes of the Municipal Land Use Law would be advanced by a deviation from the zoning ordinance requirements and the benefits of the deviation would substantially outweigh any detriment - N.J.S.A.. 40:55D-70.C(2)

"D" Variance(s):

- Use or principal structure in a district restricted against such use or principal structure - N.J.S.A.. 40:55D-70.D(1)
- Expansion of a nonconforming use - N.J.S.A.. 40:55D-70D(2)
- Deviation from a specification or standard pertaining solely to a conditional use - N.J.S.A.. 40:55D-70. D(3)
- Increase in the permitted floor area ratio - N.J.S.A.. 40:55D-70.D(4)
- Increase in the permitted density - N.J.S.A.. 40:55D-70.D(5)
- Height of a principal structure exceeds by 10 feet or 10% the maximum height permitted in the district for a principal structure - N.J.S.A.. 40:55D-70.D(6)

Identify requested variances from the requirements of the Franklin Township Land Development Ordinance:

<u>Ordinance Section</u>	<u>Requirement</u>	<u>Proposed Deviation</u>
Attachment 1 - Schedule 1 §112- Permitted Uses - A Zone	• Farming operations (See also § 112-27.) • Horse stabling operations • Single-family detached dwellings	House of Worship
Attachment 2 - Schedule 2 - Lot and Yard Requirements - §112- Side Yard Setback (One)	• Golf courses 75 feet	67.9 feet
Attachment 2 - Schedule 2 - Lot and Yard Requirements - §112- Rear Yard Setback	200 feet	50 feet
§112-		
§112		
§112		
§112-		

**PART B**

APPLICANT:       Individual       Partnership       Corporation

APPLICANT:    Owner       Applicant       Other \_\_\_\_\_

Name Dada Bhagwan Vignan Institute

Street Address c/o Bhupendra Patel, 21 Julie Court      Apt./Ste/Unit # \_\_\_\_\_

City Somerset      State NJ      Zip Code 08873

Phone 732-470-6517      Fax \_\_\_\_\_

Email bhupenipatel@gmail.com

OWNER (if different from Applicant):

Name Same as Applicant.

Street Address \_\_\_\_\_ Apt./Ste/Unit # \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

Phone \_\_\_\_\_ Fax \_\_\_\_\_

Email \_\_\_\_\_

PART C

Note: "\*" indicates not required in association with signage variances

SUBJECT PROPERTY:

Block/s 37.02 Lot/s 46.03 Zone A

Street Address 630 South Middlebush Road

City Somerset State NJ Zip Code 08873

Approximate Site Size \* 15.96 Acres/ 695,276 Sq. ft.

Present use of the property, specify: Residential.

Proposed use of the property, specify: House of Worship and existing house will be used for Clergy.

Public water available:\*  Yes  No If not, proposed?  Yes  No

Public sanitary sewer available: \*  Yes  No If not, proposed?  Yes  No

Describe any off tract improvement required or proposed\* No off tract improvements proposed.

Deed restrictions, covenants, easements, association by-laws:

Yes (Provide a copy)  No  Proposed (Must be submitted for review)

Does the applicant own any contiguous property?\*  Yes  No

If yes, state the address, block and lot of such property: \*

Has there been any previous appeal, request, or application to this or any other Township Boards involving this property?  Yes  No

If, yes, state type, docket number, the nature and date of such appeal:

How long has the present owner had title to this property? \* Since April 29, 2014.

Is the property under contract to be sold?  Yes  No

If yes, state the date of contract and name of the contract purchaser:

PART D

Identify if the application is proposed to be bifurcated (i.e., variances identified herein sought at this time with approval for other development approvals, such as subdivision and/or site plan approval, to be sought at a later date):  Yes  No

If not bifurcated, identify the associated development approvals sought at this time (check all that apply):

- Waiver of Site Plan
- Minor Site Plan
- Preliminary Site Plan
- Final Site Plan
- Minor Subdivision
- Preliminary Major Subdivision
- Final Major Subdivision
- Conditional Use Approval
- Other(s) (Specify: \_\_\_\_\_)

Note: Applicant must consult the respective Instruction Sheet(s) and Submission Checklist(s) for the associated development approvals being sought at this time. The submission will not be deemed an Application for Development unless all required submissions are provided for all requested development approvals.

If bifurcated, identify the nature of subsequent development approvals to be sought: \_\_\_\_\_

For signage variances indicate the following:

- Single Tenant Building
- Multiple Tenant Building

PART E

C Variance(s):

- The strict application of the provisions of the Development Ordinance would result in peculiar and exceptional practical difficulties or exceptional and undue hardship under N.J.S.A.. 40:55D-70.C(1)

List in detail wherein this case conforms to this requirement, including, if applicable, reference to exceptional narrowness, shallowness or shape of the property, or exceptional topographic conditions or physical features uniquely affecting the property, or extraordinary and exceptional situation uniquely affecting the property or the structures lawfully existing thereon.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_ and/or

\_\_\_\_\_

The purposes of the Municipal Land Use Law would be advanced by a deviation from the zoning ordinance requirements and the benefits of the deviation would substantially outweigh any detriment under N.J.S.A., 40:55D-70.C(2).

List in detail wherein this case conforms to this requirement:

The building is being located as far away from South Middlebush Road as possible to preserve the scenic view along South Middlebush Road. The variances are against properties that are either farm land preserved or open space therefore having no effect on adjoining properties.

D Variance(s):

State why the property is particularly suitable for the proposed use, including any inherently beneficial conditions and/or any undue hardship, if any, showing that the property cannot reasonably be adapted to a conforming use:

We are requesting a variance from the buffer requirement of the conditional use standard because the surrounding properties are either farm land preserved or open space therefore not needing any buffer.

C and D Variance(s):

Supply a statement of facts why relief can be granted without substantial detriment to the public good.  
See above.

Supply a statement of facts why relief can be granted without substantial detriment to the intent and purpose of the zone plan and zoning ordinance.

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PART H

APPLICANT'S CERTIFICATION

I, Dada Bhagwan Vignan Institute, of full age, being duly sworn according to law and upon my oath, depose that: I reside at 21 Julie Court, Somerset in the County of Somerset and State of New Jersey, and that the above statements contained in this application and in the papers appended thereto are true. I further certify that I am the individual applicant, or a general partner of the partnership applicant, or an officer of the corporate applicant and I am authorized to sign the application for the partnership or corporation.

Sworn to and subscribed before me this 24 day of October, 20 19

Erin Santora LaGrue  
NOTARY PUBLIC

Bhumbhalla  
APPLICANT'S SIGNATURE

Erin E. Santora LaGrue  
NOTARY PUBLIC OF NEW JERSEY  
My Commission Expires 8/20/2019

OWNER'S CERTIFICATION

(If the owner is a corporation, this section must be signed by an authorized corporate officer. If the owner is a partnership, this section must be signed by a general partner.)

I, Dada Bhagwan Vignan Institute, of full age, being duly sworn according to law and upon my oath depose that: I reside at 21 Julie Court, Somerset in the County of Somerset and State of New Jersey, and that the above statements contained in this application and in the papers appended thereto are true. I further certify that I am the owner of the property which is the subject of this application, and I am the applicant or I have authorized the applicant to make this application, and I agree to be bound by the application, the representations made and the decision in the same manner as if I were the applicant.

Sworn to and subscribed before me this 24 day of October, 20 19

Erin Santora LaGrue  
NOTARY PUBLIC

Bhumbhalla  
OWNER'S SIGNATURE

Erin E. Santora LaGrue  
NOTARY PUBLIC OF NEW JERSEY  
My Commission Expires 8/20/2019