

FOR OFFICIAL USE ONLY

Planning Board

Zoning Board of Adjustment

Name of Application: 59 DAHMER ROAD

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 SEEKS TO MODERNIZE THE STRUCTURE OF THE HOUSE UPON THIS PROPERTY, SLIGHTLY ADDING TO THE FOOTPRINT. THE PROPERTY IS LOCATED IN THE R-40 ZONE AND THERE ARE SEVERAL EXISTING NON-CONFORMITIES THAT REQUIRE VARIANCE RELIEF BEFORE CONSTRUCTION CAN BE UNDERTAKEN. IN ADDITION, THE NEW CONSTRUCTION CREATES A NEED FOR TWO OTHER VARIANCES FOR WHICH APPLICANT SEEKS RELIEF. SPECIFICALLY, AND PER THE ATTACHED PLANS, APPLICANT SEEKS TO SQUARE THE REAR OF THE HOUSE WITH THE GARAGE, ADD MORE LIVING SPACE BETWEEN THE HOUSE AND THE GARAGE AND ADD A FRONT PORCH. THE PREMISES WILL CONTINUE TO BE USED FOR RESIDENTIAL PURPOSES.

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>
§112- 13	LOT AREA 40,000.00	LOT AREA 20,000 **
§112- 13	LOT FRONTAGE 200 FT	LOT FRONTAGE 100 FT **
§112- 13	FRONT YARD 40 FT	FRONT YARD 30.68 FT (V)
§112- 13	ONE SIDE YARD 25 FT	ONE SIDE YARD 13.5 FT **
§112 13	COMBINED SIDE YARD 75 FT	COMBINED SIDE YARD 27.5 FT **
§112 13	LOT COVERAGE 10%	LOT COVERAGE 11.9% (V)
§112-		

PART B

APPLICANT: Individual Partnership Corporation LLC

APPLICANT: Owner Applicant Other _____

Name DNT HOLDINGS GROUP LLC

Street Address 655 AMBOY AVENUE Apt./Ste/Unit # SUITE 410

City WOODBIDGE State NJ Zip Code 07095

Phone 732-412-6416 (CONTACT THROUGH ATTY) Fax _____

Email NICK@DNTHOMEBUYERS.COM

OWNER (if different from Applicant):

Name _____

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 84.01 Lot/s 40 Zone R-40

Street Address 59 DAHMER ROAD

City SOMERSET State NEW JERSEY Zip Code 08873

Approximate Site Size * 0.459 Acres/ 20,000 Sq. ft.

Present use of the property, specify: RESIDENTIAL

Proposed use of the property, specify: RESIDENTIAL

Public water available: * [X] Yes [] No If not, proposed? [] Yes [] No

Public sanitary sewer available: * [X] Yes [] No If not, proposed? [] Yes [] No

Describe any off tract improvement required or proposed* NONE

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

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

Does the applicant own any contiguous property?* [] Yes [X] 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 X UNKNOWN

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

How long has the present owner had title to this property? * 7/28/2020

Is the property under contract to be sold? [] Yes [X] 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: BULK VARIANCES ASSOCIATED WITH DWELLING EXPANSION)

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.

THE MAJORITY OF THE RELIEF SOUGHT BY APPLICANT ARE PRE-EXISTING CONDITIONS AND TO RECTIFY THOSE CIRCUMSTANCES WOULD BE A SIGNIFICANT HARDSHIP AS THE BUILDING WOULD HAVE TO BE COMPLETELY RECONSTRUCTED. THE MODIFICATIONS THAT APPLICANT SEEKS TO MAKE CANNOT BE COMPLETED WITHOUT NEW VARIANCES AND THE MODIFICATIONS ARE DESIRED SO THAT THE BEST USE OF THE PROPERTY CAN BE MAXIMIZED. APPLICANT SEEKS TO MODERNIZE THE STRUCTURE TO CONFORM WITH MODERN RESIDENTIAL STANDARDS OF DESIGN, ROOM SIZE AND FACILITIES.

_____ 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:

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:

C and D Variance(s):

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

THE EXISTING PRECONDITIONS HAVE NOT AFFECTED THE PUBLIC GOOD FOR THE YEARS THAT THE HOUSE HAS BEEN STANDING AND THERE IS NO REASON TO BELIEVE THAT THEY WILL IN THE FUTURE. THE NEW MODIFICATIONS THAT APPLICANT SEEKS TO MAKE ARE RELATIVELY MINOR, WILL HAVE NO EFFECT UPON THE PUBLIC, WILL NOT CHANGE THE NATURE OF THE STRUCTURE, WILL NOT CREATE ADDITIONAL TRAFFIC OR RUNOFF, AND WILL ONLY SERVE TO IMPROVE THE APPEARANCE OF THE BUILDING.

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.

AS STATED ABOVE, THE MODIFICATIONS THAT APPLICANT SEEKS TO MAKE ARE RELATIVELY MINOR, AS ARE REQUESTED DEVIATIONS FROM THE ZONING ORDINANCE. ZONING ORDINANCES ARE ADOPTED TO PROTECT THE GENERAL WELFARE OF RESIDENTS, AS WELL AS THE VALUE OF NEIGHBORING PROPERTIES. GENERAL WELFARE OF THE PUBLIC WILL NOT BE AFFECTED, AND ARGUABLY, BY IMPROVING THE PROPERTY, THE VALUE OF OTHER PROPERTIES IN THE AREA ARE AT LEAST MAINTAINED, IF NOT INCREASED.

PART F

LIST OF PLANS, REPORTS AND OTHER MATERIALS SUBMITTED:

<u>Quantity:</u>	<u>Description of Item:</u>
2	VARIANCE SUBMISSION CHECKLIST
25	VARIANCE PLAN
25	TOPIGRAPHICAL SURVEY

PART G

CONTACT PERSON INFORMATION/ CERTIFICATION

The person indicated below shall serve as the point-of-contact with the Township Department of Planning and Zoning and shall be the sole recipient of official correspondence from the Department. By signing this form, in Part H below, the Applicant and Owner certify that that the party listed below is authorized to act on their behalf as the designated contact person with the Department.

Owner Applicant Attorney Engineer Architect Other

Name EVAN N. PICKUS, ESQ.

Street Address 802 RYDERS LANE Apt./Ste/Unit #

City EAST BRUNSWICK State NJ Zip Code 08816

Phone 732-254-5333 Fax 732-238-8287

Email EVAN@PICKUSLAW.COM

PART H

APPLICANT'S CERTIFICATION

I, NICKY TAVERAS, MANAGER, of full age, being duly sworn according to law and upon my oath, depose that: I reside at 655 AMBOY AVENUE, SUITE 410, WOODBRIDGE in the County of MIDDLESEX 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 10 day of

Dec, 20 20



NOTARY PUBLIC



APPLICANT'S SIGNATURE

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.)

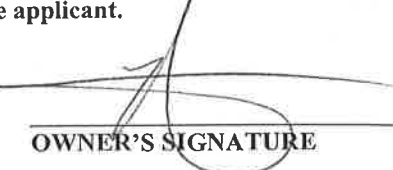
I, NICKY TAVERAS, MANAGER, of full age, being duly sworn according to law and upon my oath depose that: I reside at 655 AMBOY AVENUE, SUITE 410, WOODBRIDGE in the County of MIDDLESEX and State of NEW JERSEY, and that the above statements contained in this application and in the papers appended thereto 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 10 day of

Dec, 20 20



NOTARY PUBLIC



OWNER'S SIGNATURE