

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.

To allow for the rebuilding/redevelopment of a previously existing single family residence on a two (2) acre lot in the A-Agricultural Zone District. All surrounding properties were rezoned to NRPC one, which permits residences on two acres as of right.

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>
Schedule 2 - Lot and §112- Yard Requirement	Lot Area of 6 Acres	Existing Lot 2+ acres - NRPC allows 2 acres.
§112- Schedule 2	Lot Frontage 400 feet	Existing Lot - 215 feet
§112- Schedule 2	1 Side Yard - 75 feet	69.71' Proposed
§112- Schedule 2	Total of 2 Side Yards - 150 feet	131.25' Proposed
§112		
§112		
§112-		

PART B

APPLICANT: Individual Partnership Corporation

APPLICANT: Owner Applicant Other Contract Purchaser

Name Dimitrakis General Contracting, Inc.
 Street Address 691 Magnolia Road Apt./Ste/Unit # _____
 City North Brunswick State NJ Zip Code 08902
 Phone 732-735-5202 Fax _____
 Email dim1937@yahoo.com

OWNER (if different from Applicant):

Name Charles Read and Hillary Brown
 Street Address 21 Rollingmead Street Apt./Ste/Unit # _____
 City Princeton State NJ Zip Code 08540
 Phone _____ Fax _____
 Email _____

PART C

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

SUBJECT PROPERTY:

Block/s 36.01 Lot/s 13.02 Zone A

Street Address 40 Suydam Street

City Franklin Township State NJ Zip Code 08823

Approximate Site Size * 2.0056 Acres/ 87,367 Sq. ft.

Present use of the property, specify: Vacant Land

Proposed use of the property, specify: Development of a single family residence

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* _____

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 October 30, 1982

Is the property under contract to be sold? Yes No

If yes, state the date of contract and name of the contract purchaser: Contract date - October 12, 2020

Contract Purchaser: Dimitrakis General Contracting, Inc.

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: Not applicable

- 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.

There is peculiar and exceptional practical detriments and undue hardship which prevents development of the property as a residence, which is a permitted use, due to the size, shape and narrowness of the existing lot, surrounding properties were rezoned to NRPC and this lot complies with those standards.

_____ 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 purposes of the MLUL are advanced pursuant to 40:55D-2(a), (e), (g), (i) and (m). No development of this property can be made without deviation or variance from the ordinance requirements which results in "taking" or increase condemnation.

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.

All adjoining/surrounding properties have been rezoned to NRPC. This property and the proposed development complies with the NRPC Zone standards and without variances. Accordingly, there will be no detriment to the surrounding properties, the zone or plan, as this lot is anomaly and is consistent with the surrounding zoning and neighborhood.

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 noted above, this lot is anomaly as the surrounding/adjoining properties are zoned NRPC and this lot's configuration complies with the NRPC Zone requirements. Accordingly, this will be no detriment to the zone plan or ordinance.


PART H

APPLICANT'S CERTIFICATION

I, _____, of full age, being duly sworn according to law and upon my oath, depose that: I reside at _____ in the County of _____ and State of _____, 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.

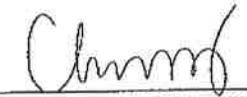
Sworn to and subscribed before me this 19 day of November, 20 20


APPLICANT'S SIGNATURE


NOTARY PUBLIC
JOANNE RACZYNSKY
A Notary Public of New Jersey
My Commission Expires June 2, 2020
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, Charles Read, of full age, being duly sworn according to law and upon my oath depose that: I reside at 21 Rollingmead St., Princeton in the County of Mercer 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.


OWNER'S SIGNATURE

Sworn to and subscribed before me this 17th day of November, 20 20


NOTARY PUBLIC

Carmen V Melendez
Notary Public
New Jersey
My Commission Expires 1-2-2023
No. 2428420