

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) Use Variance and Preliminary and Final Major Site Plan approval. All existing structures on the site including pavement will be removed. A new 3-story apartment building with a footprint of 3,540 square feet is proposed on the property with zero setback along Hamilton Street. A total of nine (9) apartments are proposed within the building. The Applicant requires D(1) Use Variance approval since a residential use is proposed on the first floor. A paved parking lot for seventeen (17) vehicles is proposed in the rear portion of the site with curb and concrete sidewalk between the new building and parking lot. Access to the parking lot will be from Miller A venue. A dumpster enclosure is proposed to collect refuse from the apartment building.

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	•Retail goods and service stores, including but not limited to: body art establishments, food, drugs, drink, household supplies, home appliance stores, barber and beauty shops, shoe repair and tailor shops, dry cleaning shops, banks and restaurants.	Residential use proposed on the first
§112-	•Mixed-use buildings	
§112-	•Eating and drinking establishments	
§112-	•Restaurants	
§112-	•Professional offices	
§112-	•Funeral Homes	
§112-	•Quasi-public or private club or fraternity	
§112-	•Single-family dwellings	
§112-	•Adult day care	
§112-	•Child-care facility	
§112-	•Administrative and dispatch services excluding the idling, parking, storage, service, fueling or repair of vehicles used in such service or site	
§112-		
§112-		

PART B

APPLICANT: Individual Partnership Corporation Limited Liability Company

APPLICANT: Owner Applicant Other _____

Name Hamilton Street Development, LLC

Street Address c/o Fred Haniken, 345 Trensck Drive Apt./Ste/Unit # _____

City New Milford State NJ Zip Code 07646

Phone 201-310-0200 Fax _____

Email FredHaniken@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 204 Lot/s 18, 19, 20, 21 & 22 Zone HBD

Street Address 587 Hamilton Street

City Somerset State NJ Zip Code 08873

Approximate Site Size * 0.286961 Acres/ 12,500 Sq. ft.

Present use of the property, specify: Single Family Residential

Proposed use of the property, specify: Residential Apartments

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 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 September 2020.

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:

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:

There is significant retail space along Hamilton street that has been approved, constructed and remains unoccupied. To construct additional retail space would be counterproductive at this time and providing additional residential units would support the current and future retail spaces along Hamilton Street.

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.

PART H

APPLICANT'S CERTIFICATION

I, Hamilton Street Development, LLC, of full age, being duly sworn according to law and upon my oath, depose that: I reside at c/o Fred Haniken, 345 Trench Drive, New Milford in the County of Bergen 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 24th day of November, 20 20

Erin Santora LaGrua

NOTARY PUBLIC
Erin E. Santora LaGrua
NOTARY PUBLIC OF NEW JERSEY
My Commission Expires 8/20/2024

Fred

APPLICANT'S SIGNATURE

(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, Hamilton Street Development, LLC, of full age, being duly sworn according to law and upon my oath depose that: I reside at c/o Fred Haniken, 345 Trench Drive, New Milford in the County of Bergen 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 24th day of November, 20 20

Erin Santora LaGrua

NOTARY PUBLIC
Erin E. Santora LaGrua
NOTARY PUBLIC OF NEW JERSEY
My Commission Expires 8/20/2024

Fred

OWNER'S SIGNATURE