

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(3) variance and minor subdivision approval to subdivide existing Lot 36 into two (2) lots to be known as Lots 36.01 and 36.02. Lot 36.02 will then be conveyed to the Applicant and consolidated into Lot 37.01 to be known as 37.02. Lot 36.01 will be 3.013 acres and Lot 37.02 will be 7.532 acres. There is no construction proposed as part of this application.

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-70.D(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- 37K(1)(2)	Buffering	No buffering proposed.
§112-		
§112-		
§112-		
§112		
§112		
§112-		

**PART B**

APPLICANT:  Individual  Partnership  Corporation

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

Name Muslim Foundation, Inc.

Street Address c/o Hamid Majd, 47 Cedar Grove Lane Apt./Ste/Unit # \_\_\_\_\_

City Somerset State NJ Zip Code 08873

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

Email hamid@hamidcontractingllc.com

OWNER (if different from Applicant):

Name Holy Virgin Protection Church

Street Address 43 Cedar Grove Lane Apt./Ste/Unit # \_\_\_\_\_

City Somerset State NJ Zip Code 08873

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

Email \_\_\_\_\_

**PART C**

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

**SUBJECT PROPERTY:**

Block/s 468.09 Lot/s Proposed Lot 36.02 Zone R-40

Street Address Cedar Grove Lane

City Somerset State NJ Zip Code 08873

Approximate Site Size \* 2.5 Acres/ 108,900 Sq. ft.

Present use of the property, specify: Vacant.

Proposed use of the property, specify: No new construction proposed at this time.

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: \* 49 Cedar Grove Lane - Block 468.09, Lot 37.01.

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? \* January 6, 1999

Is the property under contract to be sold?  Yes  No

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

- 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:

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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:

Applicant is merely purchasing the land and making a part of a site that has received conditional use approval. If the applicant develops the newly acquired land in the future it will either comply with the conditional use standards or seek relief from the board at that time.

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C and D Variance(s):

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

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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.

See above.

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**PART F**

**LIST OF PLANS, REPORTS AND OTHER MATERIALS SUBMITTED:**

<u>Quantity:</u>	<u>Description of Item:</u>
25	Preliminary Minor Subdivision Plan
25	Boundary & Topographic 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 Peter U. Lanfrit, Esq., Borrus, Goldin, Foley, Vignuolo, Hyman and Stahl, P.C.

Street Address 2875 US Route One Apt./Ste/Unit #                     

City North Brunswick State New Jersey Zip Code 08902

Phone 732-422-1000 Fax 732-422-1016

Email peter@borrus.com / erin@borrus.com



**PART H**

**APPLICANT'S CERTIFICATION**

Parviz Hamedani, President of  
I, Muslim Foundation, Inc., of full age, being duly sworn according to law and upon my oath,  
depose that: I reside at 47 Cedar Grove Lane, 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.

Muslim Foundation, Inc.

Sworn to and subscribed before  
me this 15<sup>th</sup> day of  
April, 2022

NOTARY PUBLIC



[Signature]  
APPLICANT'S SIGNATURE  
~~Parviz Hamedani, President~~  
JOBAL TAERI, CHAIRMAN

**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, Holy Virgin Protection Church, of full age, being duly sworn according to law and upon my oath  
depose that: I reside at 43 Cedar Grove Lane, 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.

Holy Virgin Protection Church

[Signature]  
OWNER'S SIGNATURE 4.15.22

Sworn to and subscribed before  
me this 15<sup>th</sup> day of  
April, 2022

NOTARY PUBLIC

