

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.

A variance is being requested to approve a deck already built and requires a 150 foot set back under Delaware Canal Preservation. Currently about 100 feet from set back of property.

I am advised that I need a rear setback for the deck.

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-	Rear Set back Area	1
§112-		
§112-		
§112-		
§112		
§112		
§112-		

**PART B**

APPLICANT:  Individual       Partnership       Corporation

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

Name Dawn Janho

Street Address 128 Grouser Road Apt./Ste/Unit # \_\_\_\_\_

City Somerset State NJ Zip Code 08873

Phone  Fax          

Email 

OWNER (if different from Applicant):

Name NA

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 73 Lot/s 1/0015 Zone Res.

Street Address 128 Grouser Road

City Somerset State NJ Zip Code 08873

Approximate Site Size \* 1.14 acres Acres/ \_\_\_\_\_ Sq. ft.

Present use of the property, specify: Residential

Proposed use of the property, specify: Residential

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: \* Set back requirements

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: NA

How long has the present owner had title to this property? \* Since 3/4/2019

Is the property under contract to be sold?  Yes  No

If yes, state the date of contract and name of the contract purchaser: 9/28/2022  
Paul + Deborah Parillo

**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:

This request is for a set-back issue

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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.

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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.

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PART H

APPLICANT'S CERTIFICATION

I, Daun Tanho, of full age, being duly sworn according to law and upon my oath, depose that: I reside at 128 Grouser Road, 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 17<sup>th</sup> day of November, 2022

Nicolas J. Dimeglio  
NOTARY PUBLIC

NICOLAS J. DIMEGLIO  
Notary Public, State of New Jersey  
My Commission Expires  
February 22, 2026

Daun Tanho  
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, Daun Tanho, of full age, being duly sworn according to law and upon my oath depose that: I reside at 128 Grouser Road, 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 17<sup>th</sup> day of November, 2022

Nicolas J. Dimeglio  
NOTARY PUBLIC

NICOLAS J. DIMEGLIO  
Notary Public, State of New Jersey  
My Commission Expires  
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Daun Tanho  
OWNER'S SIGNATURE

