

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.

Addition built to rear of house constructed slightly with required side setback (25 feet required - roughly 24 feet constructed).

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)

 **FILE**

**RECEIVED**  
MAR 13 2023  
By ZBA-23-00008

P-03-23-00114

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- <u>side yard setback</u>		<u>± 1 foot</u>
§112-		
§112-		
§112-		
§112		
§112		
§112-		

**PART B**

APPLICANT:  Individual  Partnership  Corporation

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

Name Alan and Gloria Rich

Street Address 45 Ellison Road Apt./Ste/Unit # \_\_\_\_\_

City Somerset State NJ Zip Code 08873

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

Email alanrich@yahoo.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 386,09 Lot/s 113 Zone B40

Street Address 45 Ellison Road

City Somerset State NJ Zip Code 08873

Approximate Site Size \* 1.21 Acres/ \_\_\_\_\_ Sq. ft.

Present use of the property, specify: residential, single-family

Proposed use of the property, specify: n/a

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\* n/a

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? \* 2016

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.

The variance is very small ( $\pm 1$  foot) - 24 feet where 25 feet is required. The deviation was unintentional and very minor. Denial of the variance would be a hardship particularly since deviation is imperceptible

\_\_\_\_\_ 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:

n/a

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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.

variance is exceedingly minor and would be imperceptible

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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	built 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 Alan and Gloria Rich

Street Address 45 Ellison Road Apt./Ste/Unit # \_\_\_\_\_

City Somerset State NJ Zip Code 08873

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

Email alanrich@yahoo.com

PART H

APPLICANT'S CERTIFICATION

I, ALAN RICH, of full age, being duly sworn according to law and upon my oath, depose that: I reside at 45 ELLISON Rd Somerset NJ 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 23 day of FEBRUARY, 20 23

[Signature]  
NOTARY PUBLIC

NATHANIEL L MATTHEWS  
Notary Public  
State of New Jersey  
My Commission Expires July 10, 2024  
I.D.# 2459167

[Signature]  
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, ALAN RICH, of full age, being duly sworn according to law and upon my oath depose that: I reside at 45 ELLISON Rd Somerset NJ 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 23 day of FEBRUARY, 20 23

[Signature]  
NOTARY PUBLIC

NATHANIEL L MATTHEWS  
Notary Public  
State of New Jersey  
My Commission Expires July 10, 2024  
I.D.# 2459167

[Signature]  
OWNER'S SIGNATURE

PROPERTY IN THE TOWNSHIP OF FRANKLIN, SOMERSET COUNTY, NEW JERSEY

Final As-Built Survey of Dwelling on property known as Lot 6 in Block 645 as shown on a certain map entitled "Map of Middlebush Acres situate in Franklin Township, Somerset County New Jersey" and filed in the Somerset County Clerk's Office on December 18, 1947 as Map No. 181.

Certified to: ALAN RICH, to be correct.

Scale: 1" = 30 feet

Being Lot 113 in Block 386.09 on the Tax Map.



**STEVEN L. KOESTNER**

P.E. & L.S. NJ LIC. # 27901/ NY LIC. # 50865

**KOESTNER ASSOCIATES**

PROFESSIONAL ENGINEERS & LAND SURVEYORS

HACKENSACK, N.J. 07602

January 4, 2023

Rev. Offsets: February 7, 2023.



\*A WRITTEN WAIVER AND DIRECTION NOT TO SET CORNER MARKERS HAS BEEN OBTAINED FROM THE ULTIMATE USER PURSUANT TO P.L. 2003, C.14(C45:8-36.3) AND N.J.A.C. 13:40+5.1(d)\*.

