

Variance Application Form

TOWNSHIP OF FRANKLIN,
SOMERSET COUNTY, NJ



- 1) The applicant may request a pre-application meeting prior to submission. This is provided as a courtesy to potential applicants so they receive input and is in no way to be considered as the start of the submission process. If you decide to schedule a pre-application meeting, please contact the Township Planning Director (contact information: <https://www.franklintwpnj.org/government/departments/planning-zoning/>).
- 2) Submission shall be made with the forms supplied by the Township. The information required by the applicable checklist shall be supplied with the submission.
- 3) The applicant shall pay fees in accordance with §112-327 of the Land Development Ordinance and §112-213.B as applicable and shall pay an initial escrow deposit in accordance with §112-213.A of the Land Development Ordinance as applicable. Deposits and fees shall be made by check made out to "Franklin Township". In case of proposals requiring a combination of approvals, such as subdivision and variance(s), the applicant shall pay an amount equal to the sum of the fees required. In the case of a submission requiring application fee(s) and an escrow deposit, one separate check shall be provided for the required escrow deposit and another check shall be provided equal to the sum of the required fees.
- 4) All information contained in the submission checklist is required. Where the applicant believes a submittal item is not applicable or requests a waiver for submittal of an item, a letter providing justification for non-submittal of the item(s) shall be provided.
- 5) The submission will be reviewed by the Director of Planning or his/her designee to determine whether the submission constitutes an Application for Development (i.e., contains all of the information required on the applicable forms and checklists along with applicable fees and/or escrow deposit). During this review the Director of Planning or his/her designee shall determine whether each of the submittal items have been provided and/or whether any of the items are not applicable or whether a waiver may be granted with respect to any submittal items. These determinations by the Director of Planning or his/her designee pertain solely to the determination of whether the submission constitutes an Application for Development and shall in no way prevent the Board from requiring the information during the course of the hearing. If any submittal items are found to be missing, the applicant shall be notified in writing within 45 days of submission.
- 6) Once the application is deemed to constitute an Application for Development (i.e., contains all of the information required on applicable application forms and checklists along with applicable fees and/or escrow deposit), the application will be scheduled for a public hearing. The applicant will be advised in writing of the date scheduled for a public hearing on the application.
- 7) Pursuant to N.J.S.A 40:55D-12 all variance applications require a Public Hearing and must give Public Notice of said hearing in accordance with the requirements of the Municipal Land Use Law and §112-315 of the Franklin Township Land Use Ordinance. Notification must be completed at least 10 days prior to the scheduled hearing. Information and dates will be supplied to the applicant at the appropriate time for advertising and noticing.

A public hearing will be conducted on the scheduled date. The hearing may be continued to another meeting date if necessary.

On the evening of the public hearing meeting, the applicant, owner, contract purchaser or person having a real interest in the property, agent or attorney (corporations must be represented by an attorney), shall appear before the Board to submit or present proof in support of the application.

- 8) As part of the hearing procedure, the applicant must present testimony to the Board why the proposed project cannot comply with all provisions of the Franklin Township Land Use Ordinance. The Board will then make the determination whether to approve, approve with conditions or deny the requested variance(s).
- 9) During the course of the hearing, the Board may require such additional information and/or analyses deemed necessary by the Board to render an informed and reasonable decision.
- 10) The Board shall render a decision on the application within the timeframe mandated by the Municipal Land Use Law unless an extension for such decision has been provided on behalf of the applicant.
- 11) The action taken will be reduced to writing and presented to the Board for adoption in the form of a resolution at a subsequent meeting. The date of adoption of the resolution is the official date of approval of the application.
- 12) Upon adoption of the resolution by the Board, a copy of the resolution will be forwarded to the applicant within 10 days after adoption. The applicant must proceed to comply with all conditions of approval prior to the issuance of a permit.

ATTENTION: Applicants represented by engineers and/or architects (or other such professionals) are expected to use the video display systems available in Council Chambers to project hearing exhibits. Use of the video display system will improve visibility of these exhibits for the Board, the public and the Township's video broadcast of the hearing. In order to use the video display system available in Council Chambers; please bring a computing device capable of utilizing a VGA connection or an HDMI connection. Audio connections are available for both connections. Cables are provided, adapters are not. So please insure you have the required adapters to connect to either VGA or HDMA.

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 MINOR SUBDIVISION IS PROPOSED. SUBDIVIDING LOTS 34.02 AND LOT 36.00 INTO TWO NEW LOTS. LOTS 34.02 WILL REMAIN BUT A PORTION IS BEING PROPOSED TO FORM LOT 34.05. LOT 36.00 WILL BE DELETED AND WILL BE A PART OF NEW LOT 34.05. LOT 34.02 WILL HAVE A LOT FRONTAGE VARIANCE OF 83.58' WERE 100 FEET IS REQUIRED.

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>
§112-, sch. 2	100'	83.58'
§112-		
§112-		
§112-		
§112		
§112		
§112-		

PART B

APPLICANT: Individual Partnership Corporation

APPLICANT: Owner Applicant Other _____

Name AMIT KRISHNATRY

Street Address 212 BENNINGTON TERRACE Apt./Ste/Unit # _____

City PARAMUS State NJ Zip Code 07652

Phone 201-214-0953 Fax _____

Email amit@tech-observer.com

OWNER (if different from Applicant):

Name JAME

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 34.01 Lot/s 34.02 + 36 Zone NB

Street Address 3077 ROUTE 27

City FRANKLIN TWSP State NJ Zip Code _____

Approximate Site Size * 61,542 SF Acres/ 1.413 Sq. ft.

Present use of the property, specify: IHOP + VACANT LAND

Proposed use of the property, specify: TBD

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: * APPLICANT OWNS
LOT 34.02 AND 36.0

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: _____
DOCKET PLN-11-00001

How long has the present owner had title to this property? * APPROX. 1 YEAR

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: N/A

For signage variances indicate the following: N/A

- 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. N/A

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 MINOR SUBDIVISION WILL CREATE TWO CONFORMING LOTS, MEETING AREA, SETBACKS AND EXIST. BLAG DATA. ONE SUBSTANDARD LOT WILL BE ELIMINATED THAT PRESENTLY HAS A SINGLE FAMILY RESIDENCE USE.

D Variance(s): N/A

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): N/A

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

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.

THE TWO LOTS WILL BE CONFORMING LESS REMAINING LOT 34.02 WHICH WILL HAVE A FRONTAGE VARIANCE. THE FRONTAGE ALONG ROUTE 27 WERE THE IHOP RESTAURANT IS LOCATED PRESENTLY EXISTS WITH ONLY 81.25 FT. WERE THE PROPOSED FRONTAGE WILL BE 83.58 FT.

PART F

LIST OF PLANS, REPORTS AND OTHER MATERIALS SUBMITTED:

Quantity:	Description of Item:
25	MINOR SUBDIVISION, 3077 ROUTE 27

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 WILLIAM PAGE PE

Street Address 6 FOREST AVENUE Apt./Ste/Unit # _____

City PARAMUS State NJ Zip Code 07652

Phone 201-291-5601 Fax 201-291-5602

Email William@pageconsultantsinc.com


PART H

APPLICANT'S CERTIFICATION

I, AMIT KRISHNATRY, of full age, being duly sworn according to law and upon my oath, depose that: I reside at 212 BENNINGTON TERRACE, PARAMUS 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 10 day of SEPTEMBER, 20 23


APPLICANT'S SIGNATURE


NOTARY PUBLIC
Comm # 50027558

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, _____, 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 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 _____ day of _____, 20 _____

OWNER'S SIGNATURE

NOTARY PUBLIC

Schedule 8

Variance Submission Checklist

TOWNSHIP OF FRANKLIN,
SOMERSET COUNTY, NJ

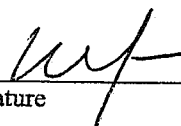


		D Variance	C Variance	Applicant Use ⁽¹⁾	Official Use		
					Accepted	Not Applicable	Waived (Initials)
SUBMITTAL REQUIREMENTS FOR ALL VARIANCES OTHER THAN SIGNAGE VARIANCES (ITEMS #1-38)							
SUBMISSION REQUIREMENTS							
1	Twenty-five (25) sets (1 original and 24 copies) of the Variance Application Form, fully completed, signed and notarized		X				
2	Two (2) copies of the Variance Submission Checklist fully completed		X				
3	Twenty-five (25) sets of a clear, legible site layout plan, prepared by an appropriately licensed or certified professional (e.g., surveyor, engineer, architect, landscape architect, planner). See requirements #17-46, below for applicable requirements.		X ⁽²⁾				
4	Twenty-five (25) sets of a dimensioned renderings or elevations of the existing and proposed buildings, and dimensioned floor plans, that include the use and square footage of each area with change of use areas clearly defined, where applicable.		X				
5	Fifteen (15) sets of a traffic impact report						
6	Fifteen (15) sets of an environmental assessment per §112-199						
7	Proof of submittal to the D&R Canal Commission		X				
8	Proof of submittal to the Somerset County Planning Board		X				
9	Proof of submittal to the State Department of Transportation, if applicable						
10	Proof of submittal to the Franklin Township Sewerage Authority, if applicable						
11	Proof of submittal to the State Department of Environmental Protection, if applicable						
12	Fees in accordance with §112-327 of the Land Development Ordinance and §112-213.B as applicable		X				
13	Escrow deposit in accordance with §112-213.A of the Land Development Ordinance as applicable. Applications requiring an escrow deposit shall be accompanied by a W-9 form.		X				
14	Submittal of digital copies of application materials pursuant to §112-320.1 ⁽⁴⁾		X				
15	Certification that no taxes or assessments on the property are delinquent		X				
16	Disclosure of ownership as required pursuant to N.J.S.A. 40:55D-48.1 and 2.		X				

		D Variance	C Variance	Applicant Use ⁽¹⁾	Official Use		
					Accepted	Not Applicable	Waived (Initials)
PLAN REQUIREMENTS							
17	Plan no greater than 24 inch by 36 inch in size		X ⁽³⁾				
18	Plan at a scale of no less than 1 inch equals 50 feet		X				
19	Each page numbered and titled		X				
PLAN INFORMATION REQUIREMENTS							
20	The name of the applicant and owner, the correct block and lot numbers, the legal title box, including the name, address and seal of the person preparing the plan, a North point, scale and date of plan		X				
21	All property lines of the site plotted from deed descriptions		X				
22	All adjacent lots with block and lot numbers, names of owners and approximate location of structures on such adjacent lots		X				
23	All required setbacks and proposed setbacks		X				
24	All existing and proposed street right-of-way lines, pavement widths and improvements on site		X				
25	Key map, scale, North arrow and legend		X ⁽³⁾				
26	All street intersections within 500 feet of any property line of the subject premises and the distance to such intersections						
27	All zone boundary lines		X ⁽³⁾				
28	All proposed methods of vehicular ingress and egress from the site to public streets, showing proposed widths and radii and distances from the nearest residential street in both directions		X				
29	The location and design of proposed off-street parking		X				
30	Analysis required by Chapter 222, Trees, including location of existing trees with indication of those proposed to remain or be removed, and tree replacement calculations		X				
31	General topographic data of sufficient detail to determine the general slope and natural drainage of the land.		X				
32	A lot data table that identifies compliance/ non-compliance with applicable zoning requirements that addresses, at a minimum, the zoning requirements identified in the Lot Data Table below.		X				
33	The method of providing utility services to the site including location of sanitary sewer, water, electric and telephone lines (and associated sizing and design, as applicable), indicating points of connection to existing utilities		X ⁽³⁾				
34	Deed restrictions, covenants, easements and/or rights-of-way pertaining to the subject lot		X				
35	The location and dimensions of all existing and proposed structures		X				
36	The location of any wells and/or septic systems on site and within 100 feet of property lines		X				
37	Proposed means of stormwater management including location and design of existing and proposed drainage lines and facilities and supporting data/reports sufficient to provide conformance with applicable rules		X ⁽³⁾				

		D Variance	C Variance	Applicant Use ⁽¹⁾	Official Use		
					Accepted	Not Applicable	Waived (Initials)
38	Applicable environmental constraints (and regulated buffers) on the site including wetlands and streams as may be regulated by the NJDEP, DRCC and the Township		X				
SUBMITTAL REQUIREMENTS FOR SIGNAGE VARIANCES (ITEMS #39-46)							
Submission Requirements							
39	All signage variances: Items #1, 2, 12 and 14 indicated above		X				
Variations for Freestanding Signs⁽⁵⁾ (N/A)							
40	A clear, legible site layout plan, prepared by an appropriately licensed or certified professional (e.g., surveyor, engineer, architect, landscape architect, planner) that clearly identifies the location of all existing and proposed freestanding sign(s) including accurate depiction of existing and/or proposed setback from property lines		X				
41	Detail(s) of proposed signs, drawn to scale, reflecting their proposed design and indicating their total height from the ground, dimensions (length, width, square footage), materials, colors, lighting, lettering/logos, support structure(s), etc.		X				
42	Detail(s) or photographs of existing freestanding sign(s) with indication of whether each is proposed to remain or be removed in association with the application		X				
Variations for Building-Mounted Signs⁽⁵⁾ (N/A)							
43	A clear, legible site layout plan, prepared by an appropriately licensed or certified professional (e.g., surveyor, engineer, architect, landscape architect, planner) that identifies the location of all existing and proposed building-mounted sign(s)		X				
44	Dimensioned rendering or elevations of the existing and proposed buildings with depiction of proposed signage depicted to scale		X				
45	Detail(s) of proposed signs, drawn to scale, reflecting their proposed design and indicating their height, dimensions (length, width, square footage), materials, colors, lighting, lettering/ logos, support structure(s), etc		X				
46	Detail(s) or photographs of existing building-mounted sign(s) with indication of same are proposed to remain or be removed in association with the application		X				

WILLIAM PAGE
Print name of person that prepared checklist


Signature

9/20/2023
Date

- (1) In this column, the applicant shall indicate: ("X" for items that are provided; "N/A" for items that the applicant believes are not applicable; or "W" for items for which a waiver is requested.
- (2) For the purposes of an application pursuant to the provisions of N.J.S.A. 40:55D-70.C, wherein the applicant is not required to submit an application for subdivision, site plan or conditional use approval, and where the application is for an accessory structure associated within, or for an addition to or expansion of, an existing single-family or two-family dwelling, the applicant may provide 25 sets of a legible plot plan, to scale and in accordance with an accurate boundary line survey, amended by the applicant.
- (3) Not required for applications pursuant to the provisions of N.J.S.A. 40:55D-70.C, wherein the applicant is not required to submit an application for subdivision, site plan or conditional use approval, and where the application is for an addition to or

expansion of an existing single-family or two-family dwelling, or an accessory structure on the existing residential lot improved with a single-family or two-family dwelling.

- (4) Per Section §112-320.1 this requirement shall not apply to single- or two-family homeowners preparing submittals on their own behalf and shall not include submittal of the W-9 form (which shall be provided in hard copy only).
- (5) Twenty-five (25) sets shall be provided for each of the following.

LOT DATA TABLE

Zoning District: _____

Applicable Special Zoning Requirements (e.g., conditional use standards): N/A

Category	Required	Existing	Proposed	
Lot Area (sf or acres)	20,000 SF	69,642 SF	44,848 SF 24,795 SF	34.02 34.05
Lot Frontage (ft)	100'	243.38	83.58 FT 160.00 FT	" "
<u>Setbacks for Principal Structure</u> TBD				
Front Yard (ft)				
One Side Yard (ft)				
Total Side Yard (ft)				
Rear Yard (ft)				
<u>Setback for Accessory Structure over 200 sf</u> N/A				
Front Yard (ft)				
Side Yard (ft)				
Rear Yard (ft)				
<u>Setback for Accessory Structure 200 sf and under</u> N/A				
Front Yard (ft)				
Side Yard (ft)				
Rear Yard (ft)				
<u>Height, Coverage and Building Requirements</u> TBD				
Building Height (Stories)				
Building Height (ft)				
Lot (Building) Coverage (%)				
Impervious Coverage (%)				
FAR (floor area ratio)				
Off-Street Parking (# spaces)				