

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.

REQUESTING RELIEF FOR SIDEYARD SETBACK REQUIREMENT.

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- 13 | 15 foot Side yard Setback | 14.4 ft |
| §112- | | |
| §112- | | |
| §112- | | |
| §112 | | |
| §112 | | |
| §112- | | |

PART B

APPLICANT: Individual Partnership Corporation

APPLICANT: Owner Applicant Other _____

Name DAVID WERENSLY

Street Address 6 LIBERTY LANE Apt./Ste/Unit # _____

City SOMERSET State NJ Zip Code 08873-2813

Phone 732-690-8258 Fax _____

Email DAVE.WERENSLY@GMAIL.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 386.03 Lot/s 34 Zone _____

Street Address 6 LIBERTY LANE

City SOMERSET State NEW JERSEY Zip Code 08873

Approximate Site Size * 0.3740 Acres/ 16,291 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: * _____

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? * 04/20/2023

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 PROPERTY IN QUESTION NARROWS FROM FRONT TO BACK. THE SHAPE OF THE PROPERTY CAUSED BOTH ADDITIONS TO BE INDENTED TO THEIR RESPECTIVE EXISTING REAR OF THE HOUSE TO ACHIEVE THE 15 FOOT SETBACK REQUIREMENT ON BOTH SIDES. INITIAL PLANS WERE CREATED FROM A SITE PLAN DATED 8-10-1976. ON THIS SITE PLAN, THE HOUSE WAS POSITIONED SIX INCHES FURTHER TO THE RIGHT OR 22.2 FEET FROM THE LEFT FRONT CORNER TO THE PROPERTY LINE. A SECOND SITE PLAN WAS CREATED AFTER THE INITIAL SUBMISSION DATED 5-11-2023 FOR THE PURPOSE OF INDICATING and/or ALL IMPERVIOUS SURFACES NOT SHOWN ON THE ORIGINAL PLANS. THIS NEW PLAN SHOWED A LOCATION SHIFT OF THE HOME SIX INCHES FURTHER TO THE LEFT, OR 21.7 FEET AND WAS NOT NOTICED AS PART OF THE COVERAGE CALCULATION PORTION OF THE SUBMISSION. THIS DISCREPANCY LED TO THE CORNER OF THE LEFT ADDITION ENCRDACHING APPROXIMATELY 6 INCHES, AND LESS THAN 1 SQUARE FOOT OVER THE SET BACK LINE.

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:

C and D Variance(s):

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

HOUSE CONSTRUCTED SLIGHTLY WITHIN THE REQUIRED SETBACK WHICH WAS DISCOVERED WHEN THE AS BUILT SURVEY WAS PREPARED.

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.

ENCROACHMENT IS LESS THAN ONE SQUARE FOOT LIMITED TO +/- 6 INCHES OF THE CORNER OF THE ADDITION.

PART F

LIST OF PLANS, REPORTS AND OTHER MATERIALS SUBMITTED:

| <u>Quantity:</u> | <u>Description of Item:</u> |
|------------------|-----------------------------|
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |
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| _____ | _____ |
| _____ | _____ |

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 DAVID WERENSLY

Street Address 6 LIBERTY LANE Apt./Ste/Unit # _____

City SOMERSET State NEW JERSEY Zip Code 08873-2813

Phone 732-690-8258 Fax _____

Email DAVE.WERENSLY@GMAIL.COM

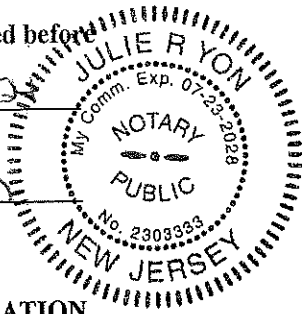
PART H

APPLICANT'S CERTIFICATION

I, David Weinstock, of full age, being duly sworn according to law and upon my oath, depose that: I reside at 6 Liberty Ln, Somerset in the County of Somerset and State of NJ, 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 18 day of January, 2020

[Signature]
NOTARY PUBLIC



[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.)

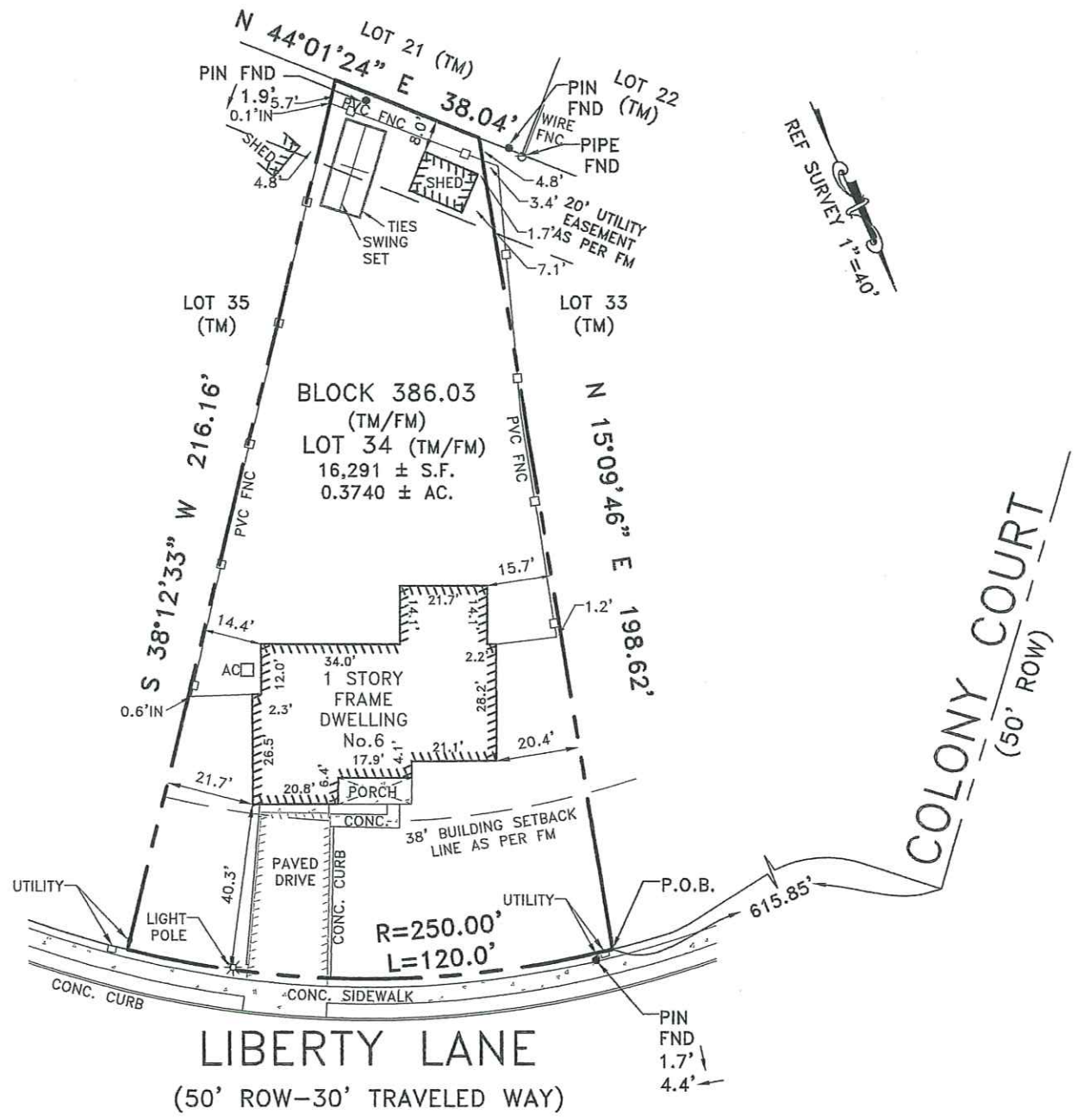
I, _____, of full age, being duly sworn according to law and upon my oath depose that: I reside at _____ in the County of _____ and State of _____, and that the above statements contained in this application and in the papers appended thereto are true. I further certify that I am the owner of the property 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_____

NOTARY PUBLIC

OWNER'S SIGNATURE

REFERENCES: SURVEY ENTITLED "PLAN OF SURVEY, 6 LIBERTY LANE, TOWNSHIP OF FRANKLIN, SOMERSET COUNTY, NEW JERSEY, BLOCK 386.03 LOT 34" PREPARED BY BRUNSWICK SURVEYING, INC., DATED 05/11/2023.



B
S
I

Brunswick Surveying Incorporated
Licensed Professional Land Surveyors
61 Stelton Road Piscataway, New Jersey 08854
Phone (732) 752-0100 Fax (732) 752-0101

FINAL AS-BUILT SURVEY

6 LIBERTY LANE
TOWNSHIP OF FRANKLIN
SOMERSET COUNTY, NEW JERSEY
BLOCK 386.03 LOT 34

Certificate of Authorization No. 24GA27940000

Drawn by JAS Job No. 56523 Date 12/28/2023
Checked by RMH Sheet No. _____ Scale 1"=40'

THIS WORK PERFORMED UNDER MY IMMEDIATE SUPERVISION

RECEIVED
JAN 23 2024
By _____

ROBERT M. HORVATH
New Jersey Professional Land Surveyor No. 27476
 JAY A. STUHL, JR.
New Jersey Professional Land Surveyor No. 36762
 JONATHAN A. STUHL
New Jersey Professional Land Surveyor No. 43314