

VARIANCE APPLICATION.

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 seeks to subdivide a 16.54 Acre Lot into 15 lots of approximately 40,000 SF. in area each to accomodate 14 new single family homes and associated improvements, including stormwater improvements a new cul-de-sac.

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- schedule 2	200 ft lot frontage (corner lots)	133 ft and 167 ft on two proposed lots
§112-		
§112-		
§112-		
§112		
§112		
§112-		

PART B

APPLICANT: Individual Partnership Corporation LLC X

APPLICANT: Owner Applicant Other _____

Name Odin Dhun LLC

Street Address ██████████ Apt./Ste./Unit # ██

City ██████████ State ██ Zip Code ██████

Phone ██████████ Fax ██████████

Email ██████████

OWNER (if different from Applicant):

Name Odin NJ Corp.

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 508.02 Lot/s 12 Zone R-40

Street Address 295 Cedar Grove Lane

City North Brunswick State NJ Zip Code 08873

Approximate Site Size *16.54 Acres/720,657 Sq. ft.

Present use of the property, specify: vacant

Proposed use of the property, specify: subdivide to 15 lots for 14 single family residences

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*see associated plans

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? *since 8/3/2022

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.

Appropriate Planning Testimony will be provided at the hearing.

_____ 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:

Appropriate Planning Testimony will be provided at the hearing.

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.

Appropriate Planning Testimony will be provided at the hearing.

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.

Appropriate Planning Testimony will be provided at the hearing.

PART H

APPLICANT'S CERTIFICATION

I, Tim Arch, of full age, being duly sworn according to law and upon my oath, depose that: I reside at [redacted] in the County of [redacted] and State of [redacted], 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 24th day of April, 2021

[Signature]
NOTARY PUBLIC

[Signature]

APPLICANT'S SIGNATURE
TIMOTHY M. ARCH
ATTORNEY AT LAW
OF THE STATE OF NEW JERSEY

KATHERINE M. DILieto
NOTARY PUBLIC OF NEW JERSEY
My Commission Expires October 2, 2028

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, Tim Arch, of full age, being duly sworn according to law and upon my oath depose that: I reside at [redacted] in the County of [redacted] and State of [redacted], 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 24th day of April, 2021

[Signature]
NOTARY PUBLIC

[Signature]
OWNER'S SIGNATURE

TIMOTHY M. ARCH
ATTORNEY AT LAW
OF THE STATE OF NEW JERSEY

KATHERINE M. DILieto
NOTARY PUBLIC OF NEW JERSEY
My Commission Expires October 2, 2028