

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, Ukrainian Orthodox Church Of U.S.A., is applying to the Zoning Board of Adjustment for D(2) expansion of a non-conforming use variance and minor subdivision approval. Applicant seeks to subdivide the property into two (2) lots. Proposed Lot 1.08 is ±17.7062 acres / ±777,281 square feet with vehicular access from Davidson Avenue. Proposed Lot 1.09 is ±14.8968 acres / ±648,907 square feet with vehicular access from Davidson Avenue and Easton Avenue. Utilities are located at Easton Avenue and Davidson Avenue. A D(2) expansion of a non-conforming use variance is required for the proposed lots since the existing church and the cultural center is are preexisting non-conforming uses in the B-I Zoning District.

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)

PART C

Note: "*" indicates not required in association with signage variances

SUBJECT PROPERTY:

Block/s 469 Lot/s 1.06 Zone B-I

Street Address 1950 Easton Avenue

City Somerset State NJ Zip Code 08873

Approximate Site Size * 32.6030 Acres/ 1,420,188 Sq. ft.

Present use of the property, specify: Church.

Proposed use of the property, specify: Church.

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* No off tract improvements 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: * Block 469, Lot 2.01 - 1960 Easton Avenue

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: _____
Site plan for Church and Cultural Center date unknown.

How long has the present owner had title to this property? * Since 1972.

Is the property under contract to be sold? Yes No

If yes, state the date of contract and name of the contract purchaser: May 29, 2024.

Syracuse 1950 Easton Avenue Owner LLC is under contract to purchase proposed Lot 1.08.

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: Site plan approval and associated variance relief for both proposed Lots.

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:

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:

Churches are inherently beneficial uses. Despite the reduction in lot size, the proposed lot will still significantly exceed the minimum lot area required for the zone.

C and D Variance(s):

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

See above. Testimony to be provided at 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.

See above. Testimony to be provided at hearing.

PART H

APPLICANT'S CERTIFICATION

Archbishop Daniel, President
Ukrainian Orthodox Church Of
I, U.S.A. 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.

Ukrainian Orthodox Church Of U.S.A.

+ Daniel
APPLICANT'S SIGNATURE
Archbishop Daniel, President

Sworn to and subscribed before
me this 31st day of
January, 2025

Erin Santora LaGrua
NOTARY PUBLIC



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.)

Archbishop Daniel, President
I, Ukrainian Orthodox Church Of U.S.A., 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.

Ukrainian Orthodox Church Of U.S.A.

+ Daniel
OWNER'S SIGNATURE
Archbishop Daniel, President

Sworn to and subscribed before
me this 31st day of
January, 2025

Erin Santora LaGrua
NOTARY PUBLIC

