



For Office Use Only
Date Filed: _____ Appl. #: _____
Appl. Fee: \$ _____ Escrow Fee: \$ _____

TOWNSHIP OF NORTH BRUNSWICK

Land Use Application

Fifteen (15) complete sets of the application, documents and maps must be filed with the Secretary of the appropriate Board twenty-one (21) days prior to the regular meeting of the Board. New applications are first reviewed for completeness only by the Board prior to being scheduled for a hearing. All applications must be accompanied by appropriate fees together with a written explanation of fee calculations. Separate application and escrow checks must be provided.

CHECK ONE:

☒ Zoning Board of Adjustment
☐ Planning Board

Block 127 Lot 5 Zone C-1
Property Location 828 Livingston Avenue
Size of Property 0.1148 acres / 5,000 sq. ft.

TYPE OF APPROVAL REQUESTED (Check all that apply):

Site Plan:

☐ Concept Site Plan
☐ Minor Site Plan
☐ Preliminary Site Plan
☐ Amended Preliminary Site Plan
☐ Final Site Plan
☐ Amended Final Site Plan

Subdivision:

☐ Concept
☐ Minor Subdivision
☐ Preliminary Subdivision
☐ Amended Preliminary Subdivision
☐ Final Subdivision
☐ Amended Final Subdivision

Variances:

☒ Use (D)
☐ Bulk (C)
☐ Appeal
☐ Interpretation
☐ Conditional Use

Other/Explain: _____

Applicant: 828 Livingston Avenue, N.B., LLC

Address: c/o Vic Tartara, 846 Livingston Avenue, North Brunswick, NJ 08902

Telephone: 609-655-5000 ext. 220 **Fax:** _____ **Email:** vtartara@cssbuildingservices.com

Owner's: Same as Applicant.

Address: _____

Telephone: _____ **Fax:** _____ **Email:** _____

Engineer: N/A

Address: _____

Telephone: _____ **Fax:** _____ **Email:** _____

Attorney: Peter U. Lanfrit, Esq., Borrus, Goldin, Foley, Vignuolo, Hyman and Stahl, P.C.

Address: 2875 US Route One, North Brunswick, NJ 08902

Telephone: 732-422-1000 **Fax:** 732-422-1016 **Email:** peter@borrus.com & erin@borrus.com

Present Use: ☐ Residential ☒ Non-Residential **Proposed Use:** ☐ Residential ☒ Non-Residential

Describe Proposed Development/Request (Continue on separate sheet if necessary): _____

Applicant proposes to continue using the existing residence as a sober living residence.

Is applicant: ☐ Corporation ☐ Partnership ☐ Individual ☒ Other/Explain Limited Liability Company

Has there been any previous appeal, request, or application to this or any other Township Board or the Construction Official, involving these premises? No.

If yes, state the nature, date and disposition of said matter: _____

Development Plans: Sell Lots only _____ Construct New Homes for Sale _____ N/A

How will water service be supplied? No change.

Proposed method of sewage disposal: No change.

Are deed restrictions contemplated? Yes _____ No ☒ (if yes, describe on separate sheet)

List proposed improvements and utilities and state intention to post performance bond, certified check or to install improvement prior to approval of final plat:

<u>Improvement</u>	<u>Intention</u>
<u>N/A</u>	_____
_____	_____
_____	_____
_____	_____

Total area of existing lots(s): 0.1148 acres / 5,000 sq. ft.

Total number of new lots created (including the remainder): N/A

Average new lot size: N/A

Variance Only:

1. Explain the exceptional conditions which would create undue hardship on the applicant if required to comply with the zoning ordinance. State the special reasons which support the granting of the variance. (NOTE: The above questions MUST be answered in detail. Attach statement to this application). See attached Exhibit "A".

2. Supply a statement of facts showing why relief can be granted without substantial detriment to the public good and will not substantially impair the intent and purpose of the zone plan and zoning ordinances. (NOTE: The above question MUST be answered. Attach statement to this application).

The undersigned has submitted the accompanied plans, applications (public notice documents can be submitted under separate cover) and other necessary supporting data, and hereby certifies that all information submitted is accurate and complete.

Applicant's Signature: _____

State of New Jersey, County of Middlesex

Sworn to before me, this 28 day of September.

Elizabeth Coury
A Notary Public of New Jersey

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Elizabeth A. Coury
NOTARY PUBLIC
STATE OF NEW JERSEY
MY COMMISSION EXPIRES FEB. 23, 2025

STATUS OF TAXES

Submit to Bd. Secretary at least fifteen (15) days prior to the date of submission of application to the Planning and Land Use Office. Submit the certification of taxes paid along with the application.

SITE INSPECTION AUTHORIZATION FORM

I hereby give permission for NO. BRUNSWICK Municipal Agencies and their agents to come upon and inspect these premises with respect to this application for Use (D) Variance on Block 127, Lot 5.

Applicant's Signature: Phil Atty Lapackal

Date: 9-29-2020

AFFIDAVIT OF OWNERSHIP

STATE OF NEW JERSEY COUNTY OF _____

Vic Tartara, Managing Member of full age, being duly sworn according to law on oath deposes and says, that the deponent resides at 846 Livingston Avenue in the municipality of North Brunswick, in the County of Middlesex and the State of New Jersey, that 828 Livingston Avenue, N.B., LLC is the owner in fee of all that certain lot, piece or parcel of land situated, lying, and being in the municipality aforesaid, and known and designated as Block 127, Lot 5.

Owner's Signature: [Signature]

Sworn to and subscribed before me, this 28 day of Sept, 2020.

Elizabeth A Coury
A Notary Public of New Jersey

Elizabeth A Coury
NOTARY PUBLIC
STATE OF NEW JERSEY
MY COMMISSION EXPIRES FEB. 23, 2025

AUTHORIZATION

If anyone other than the above owner is making this application, the following authorization must be executed:

_____ is hereby authorized to make the within application.

Dated: _____

Owner's Signature: [Signature]

CORPORATION OR PARTNERSHIP FORM

Applications before the Planning Board/Zoning Board of Adjustment by a Corporation or Partnership for a subdivision of 6 or more lots or 25 or more family units for approval of a site plan or approval of lands for commercial purposes shall list below the names and addresses of all stockholders or individual partners owning at least 10% of its stock of any class or at least 10% of the interest in the partnership, as the case may be, as required by N.J.S.A. 40:55D-48.1.

Name _____	Address _____
Name _____	Address _____
Name _____	Address _____
Name _____	Address _____
Name _____	Address _____
Name _____	Address _____
Name _____	Address _____
Name _____	Address _____
Name _____	Address _____
Name _____	Address _____

Please note: "No Planning Board, Board of Adjustment or Municipal Governing Body shall approve the application of any corporation or partnership which does not comply with the Act" as per N.J.S.A. 40:55D-48.1 et seq. P.L. 1977, Chapter 336, Section 3.

Exhibit "A"

828 Livingston Avenue, N.B., LLC

Variance Only:

1. Explain the exceptional conditions which would create undue hardship on the applicant if required to comply with the zoning ordinance. State the special reasons which support the granting of the variance. (NOTE: The above questions MUST be answered in detail. Attach statement to this application).

The proposed use is inherently beneficial and contributes to a community and regional need and has been existing on the property for some years without any issue.

2. Supply a statement of facts showing why relief can be granted without substantial detriment to the public good and will not substantially impair the intent and purpose of the zone plan and zoning ordinances. (NOTE: The above question MUST be answered. Attach statement to this application).

See one (1) above.