For Office Use Only	
Date Filed: _____	Appl. No.: _____
Appl. Fee: $ 150.00	Escrow Deposit: $ 350.00

Check One:

☒ Zoning Board of Adjustment

☐ Planning Board

Revision Date: 9/2020

TOWNSHIP OF NORTH BRUNSWICK

Variance Application (FORM C)

The original and fourteen (14) copies of the completed application form supplied by the Township and the required number of copies of supporting documents listed in the applicable checklist must be filed with the Department of Community Development. If a waiver is being requested for any item on the checklist, it must be noted in the "waiver requested" section, and each item must be listed by checklist number and a detailed reason for the request must be provided. Any application that does not include an item required by the checklist, and for which a waiver has not been requested, will be automatically deemed incomplete.

All applications must be accompanied by appropriate fees and escrow deposits together with a written explanation of the amount calculations. Separate application fee and escrow deposit checks must be provided.

In addition to submittal of hard copies of documents, copies of all applications, surveys, plans, reports and studies, such as environmental impact, traffic, stormwater, sewer and water reports, and any other documents associated with the application, shall be submitted on a CD in portable document format (pdf) at 400 × 400 dpi. Submittal of such digital copies shall be required to constitute an application for development, and all revised files shall be resubmitted as the originals are changed or amended. Every electronic submission must be accompanied by a cover letter listing all attached documents and any revisions, where applicable. Single-family or two-family homeowners preparing variance applications on their own behalf shall not be subject to this electronic submission requirement, provided that such applications do not require site plan or subdivision approval.

The following proof of satisfying the notice requirements must be filed with the Secretary of the appropriate Board at least five (5) days prior to the date fixed for the hearing:

- Affidavit of Service
- Copy of notice served
- Certified List of Property Owners within 200 feet and others served with manner of service
- Certified Mail receipts stamped by the USPS
- Affidavit of Publication from the newspaper in which the notice was published.

PART I

SUBJECT PROPERTY:

Block 198 Lot(s) 39 Zone R-4

Property Location 581 Allgair Avenue, North Brunswick, NJ 08902

Size of Property 5,669 square feet

Present Use: ❒ Residential ❒ Non-Residential ❒ Vacant

Proposed Use: ❒ Residential ❒ Non-Residential **Specify:** _____

CONTACTS:

Applicant: ❒ Corporation ❒ Partnership ❒ Individual
❒ Other/Explain _____

Name: Allesha Jaddu

Address: 581 Allgair Avenue, North Brunswick, NJ 08902

Telephone: (917) 807-9192 Fax: _____

Email: alleshaj4@gmail.com

Owner (if different from Applicant):

Name: _____

Address: _____

Telephone: _____ Fax: _____

Email: _____

Engineer:

Name: Accurate Engineering, PC - Frank Antisell PE, PP

Address: 12 Concord Drive, Kendall Park, NJ 08824

Telephone: (732) 951-9148 Fax: _____

Email: frankantisell@gmail.com

Attorney:

Name: Steven M. Hambro, Esq.

Address: 12 Stults Road, Suite 104, Dayton, NJ 08810

Telephone: (609) 409-0500 Fax: (609) 409-0102

Email: Shambrohm@gmail.com

PART II

Describe the Proposed Development/Request (continue on a separate sheet if necessary):

Second story addition to existing house.

VARIANCE(S) REQUESTED (Check all that apply):

☒ "C" Variance(s):

- ☒ C(1) - The strict application of the provisions of Chapter 205 would result in peculiar and exceptional practical difficulties or exceptional and undue hardship.
- ☒ C(2) - 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.

☐ "D" Variance(s):

- ☐ D(1) - Use or principal structure in a district restricted against such use or principal structure.
- ☐ D(2) - Expansion of a nonconforming use.
- ☐ D(3) - Deviation from a specification or standard pertaining solely to a conditional use.
- ☐ D(4) - Increase in the permitted floor area ratio.
- ☐ D(5) - Increase in the permitted density.
- ☐ D(6) - Height of a principal structure exceeds by 10 feet or 10% the maximum height permitted in the district for a principal structure.

ASSOCIATED APPROVALS REQUESTED:

Site Plan:
- ☐ Site Plan
- ☐ Amended Site Plan
- ☐ Conditional Use

Subdivision:
- ☐ Minor Subdivision
- ☐ Preliminary Major Subdivision
- ☐ Final Major Subdivision
- ☐ Amended Preliminary Major Subdivision
- ☐ Amended Final Major Subdivision

☐ Other (specify): _____

A change to a nonpermitted use shall require a site plan approval or, as a minimum, a site plan waiver request. Such request may be considered by the Board, and, if granted, will constitute an acknowledgment by the Board that the condition of the property is satisfactory and meets the requirements of Chapter 205. No site plan waiver will be granted if the condition of the property is not satisfactory in such matters as traffic, circulation, access, parking, lighting, setbacks, lot coverage, safety, landscaping, buffer, fire safety, noise or other requirements of Chapter 205

Is a site plan waiver requested? ☐ YES ☒ NO

☐ If a site plan waiver is sought, explain why the request shall be granted:

_____

_____

_____

Is the application proposed to be bifurcated? ☐ YES ☒ NO

If bifurcated, identify the nature of subsequent development approvals to be sought:

_____

_____

_____

Identify Requested Variances:

Ordinance Section:	Requirement:	Proposed Deviation:
§205- Schedule 6 Requirements	6 ft side yard setback	5.1 ft - same as existing

Schedule of requirements

§205-Attachment 6	R-4 18 ft both sides	14.2 ft - same as existing
§205-		
§205-		
§205-		
§205-		
§205-		
§205-		
§205-		
§205-		
§205-		
§205-		
§205-		

Identify Requested Design Waivers:

Ordinance Section:	Requirement:	Proposed Deviation:
§205-		
§205-		
§205-		
§205-		
§205-		
§205-		
§205-		
§205-		

"C" Variance(s) (Check one that applies):

☒ A variance under N.J.S.A. 40:55D-70.C(1):

Detail your argument for how 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 situations uniquely affecting the property or the structures lawfully existing thereon: Proposed 2nd story addition to house with pre-existing side yard setbacks. Variance due to existing

physical feature uniquely affecting the property or structures lawfully existing thereon.

and/or

☒ A variance under N.J.S.A. 40:55D-70.C(2):

Detail your argument for how this case conforms to this requirement: Benefits of proposed variance advances purposes of MLUL and substantially outweighs any detriments since the house and existing conditions (side yard setbacks) are not being exacerbated or enlarged by second story addition.

D Variance(s):

State special reasons why the refusal to allow the project would impose on the applicant an undue hardship and/or how the proposed project carries out a purpose of zoning as defined in N.J.S. 40:55D-2. Detail your argument for 1) how the proposed use inherently serves the public good, and/or 2) why the property cannot reasonably be adapted to a conforming use, and/or 3) what unique characteristics of the site make it particularly appropriate for the proposed use rather than a permitted use:

C and D Variance(s):

Supply a statement of facts why relief can be granted without substantial detriment to the public good: Existing house with existing setbacks of 5.1 vs. 6 ft (side) and 14.2 ft vs. 18 ft required (both sides combined). Second story addition proposed is within the existing footprint and does not seek to to enlarge the setback variance other than upward.

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: No further setback greater than the existing conditions is sought so no additional detriment beyond existing setback conditions.

PART III

Has there been any previous application to any Township Board involving these premises?

☐ YES ☒ NO

If yes, provide file number(s) and state the nature, date and disposition of said mater:

_____

_____

Is public water available? ☒ YES ☐ NO

If no, how will water service be supplied? _____

Is public sewer available? ☒ YES ☐ NO

If no, provide proposed method of sewage disposal: _____

Are there any existing deed restrictions, easements or covenants? N/A

☐ YES ☐ NO

If yes, are copies provided? ☐ YES ☐ NO

Are any deed restrictions, easements or covenants contemplated?

☐ YES ☒ NO

If yes, are copies provided? ☐ YES ☐ NO

Does the owner own or have any ownership interest in any contiguous property?

☐ YES ☒ NO

If yes, provide type of ownership, address, block and lot(s): _____

_____

LIST OF PLANS, REPORTS AND OTHER MATERIALS SUBMITTED:

Quantity:	Description of Item:
	Residential Addition/Alteration Lot: 39 Block: 198 581 Allgair Ave, North Brunswick
	Township, NJ 08902; prepared by Niraj H. Patel AIA, dated April 8, 2022, revised
	April 20, 2022.
	Copy of Survey - Brunswick Surveying, Inc.. Robert M. Horvath NJLS 27476, dated
	November 2, 2016.

_____ _____

_____ _____

_____ _____

_____ _____

_____ _____

_____ _____

_____ _____

_____ _____

_____ _____

_____ _____

DISCLOSURE OF OWNERS OF CORPORATION OR PARTNERSHIP:

A corporation or partnership applying to a Board for permission to subdivide a parcel of land into six or more lots, or applying for a variance to construct a multiple dwelling of 25 or more family units or for approval of a site to be used for commercial purposes shall list the names and addresses of all stockholders or individual partners owning at least 10% of its stocks 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. Applications which do not comply with N.J.S.A. 40:55D-48.1 et seq. will be deemed incomplete.

Name: _____ Address: _____

Name: _____ Address: _____

Name: _____ Address: _____

Name: _____ Address: _____

Name: _____ Address: _____

Name: _____ Address: _____

Name: _____ Address: _____

Name: _____ Address: _____

Name: _____ Address: _____

Name: _____ Address: _____

* **Applicant's Signature:** Alberto Jaddu **Date:** 06-23-22.

ESCROW FUNDS AGREEMENT:

The Municipal Land Use Law (N.J.S.A. 40:55D-1 et seq.) authorizes the collection of Technical Review Escrow Fees to cover the costs incurred by the Township for professional services involved in the review of land use development applications. Subsection 205-139 of the North Brunswick Township Land Use Ordinance establishes the amount of Technical Review Escrow Fees and the procedures for collecting and replenishing same. I hereby acknowledge and agree to the following: 1) I am responsible for the cost of all reasonable professional services rendered to the Planning Board or Board of Adjustment during the review and processing of my development application. 2) If I receive a written Deficiency Notice from the Chief Financial Officer or his/her designee (CFO) that the balance of funds remaining in the account is insufficient to cover invoices, vouchers or bills submitted to the Township for services which have already been performed, no further consideration, review or processing of the application will be permitted until such time as the funds requested in the Deficiency Notice have been deposited, and this cessation of work could result in carrying my application to the next regularly scheduled public meeting of the designated land use agency. 3) Failure to deposit the amount requested in the Deficiency Notice within ten days of receipt shall toll the period for action by the Planning Board or Board of Adjustment as stipulated in N.J.S.A. 40:55D-1 et seq., and shall bar me from seeking a default approval under N.J.S.A. 40:55D-10.4. 4) Failure to post funds requested in the Deficiency Notice within 45 days shall be grounds for dismissal of my application without prejudice, and I acknowledge that failure to pay the shortfall shall result in the shortfall being deemed a lien on the property which is subject of the land development application. 5) In the event that my application is approved and a Deficiency Notice is received after the approval is memorialized, failure to pay the shortfall amount shall be grounds for voiding the approval. 6) In the event that my application is denied and a Deficiency Notice is received after the denial is memorialized, I am still obligated to pay any shortfall amount, and I acknowledge that failure to pay the shortfall shall result in the shortfall being deemed a lien on the property which is subject of the land development application.

X **Applicant's Signature:** _____ **Date:** 06-23-22

Owner's Signature (if different from Applicant): _____ **Date:** _____

SITE INSPECTION AUTHORIZATION

I hereby give permission for North Brunswick professional staff or municipal agencies and their agents to come upon and inspect these premises with respect to this application.

* **Owner's Signature:** Allesha Jaddu **Date:** 06-23-22.

APPLICANT'S CERTIFICATION:

I, Allesha Jadu, of full age, being duly sworn according to law and upon my oath, depose that: I reside at 591 Allgair Ave, No Brunswick in the County of Middlesex 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.

Allesha Jaddu X
SIGNATURE

Sworn to and subscribed before me this 23 day of June, 2022

S. Hambro
NOTARY PUBLIC

Steven M. Hambro
Attorney at Law
State of New Jersey

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, Allesha Jaddu, of full age, being duly sworn according to law and upon my oath depose that: I reside at 591 Allgair Ave No. Brunswick in the County of Middlesex 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 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(s) 198 and Lot(s) 39,

and that I am either 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.

SIGNATURE

Sworn to and subscribed before me this 23 day of June, 2022

NOTARY PUBLIC

Steven M. Hambro
Attorney at Law
State of New Jersey