

# West Windsor Township

Department of Community Development – Division of Land Use

## ZONING BOARD OF ADJUSTMENT CHECKLIST Bulk Variances (“C” type) Use & Non-Use Variances (“D” type)

APPLICATION NAME: BRIAN YOUNG

SUBJECT PROPERTY STREET ADDRESS/LOCATION: 909 ALEXANDER ROAD

Application No.: ZB - \_\_\_\_\_ Block: 63 Lot: 154

Zoning District: R1-A Variance Requested (check all that apply, see Page 3 for definitions):  
 C-1 \_\_\_\_\_ C-2 \_\_\_\_\_  
 D-1 \_\_\_\_\_ D-2 \_\_\_\_\_ D-3 \_\_\_\_\_ D-4 X  
 D-5 \_\_\_\_\_ D-6 \_\_\_\_\_

Applications shall be submitted to the Township Land Use Division during “Open Window Week” (The week of the second Wednesday of each month).

An application shall not be considered complete until ALL the documents and information listed below have been submitted and the applicant receives a letter from the Township Land Use Office deeming such application complete (letter deeming application complete or incomplete to be sent within 45 days from receipt of these submission requirements listed below).

**PLEASE SUBMIT ONE (1) ORIGINAL COPY OF THE INFORMATION REQUESTED BELOW:**

**Submission Requirements:**

Not Provided	Applicable	Waiver*	
<u>X</u>			1. Completed original “Application to West Windsor Zoning Board of Adjustment”.
	<u>X</u>		2. Completed “c” Bulk Variance Application (if applying for “c” Variance).
<u>X</u>			3. Completed “d” Variance Application (if applying for “d” Variance)
<u>X</u>			4. Fees: Checks made payable to West Windsor Township.
<u>X</u>			A. Application Fee, \$100.00 for “c” Variance, \$1,000.00 for “d” Variance
<u>X</u>			B. Escrow Fee – per variance request, \$250.00 for “c” Variance, \$3,500.00 for “d” Variance Submit one (1) check for Application Fee(s) and one (1) check for Escrow Fee(s).
<u>X</u>			5. One (1) original copy of folded and collated maps, plans and documentation showing the following:
<u>X</u>			A. Key map with legible street plan showing location of subject property with north arrow.
<u>X</u>			B. Accurate location of all property lines.
<u>X</u>			C. Zoning classification of land.
<u>X</u>			D. Tax map Block and Lot numbers.
<u>X</u>			E. Location of existing and /or proposed houses, additions, driveways, pools, other buildings and structures with accurate distances from the property lines drawn to scale.
<u>X</u>			F. For adjoining properties, distance from structures to nearest property line of subject property. Names of owners on all adjoining property.
<u>X</u>			G. Location of existing and/or proposed septic systems and wells on property.

**West Windsor Township Zoning Board of Adjustment Checklist**

Provided      Not  
Applicable      Waiver\*

- |                          |   |
|--------------------------|---|
| <u>  X  </u> _____       | H. Acreage of property.   |
| <u>  X  </u> _____       | I. Location of all easements, public right of way, greenbelt areas (as shown in the Conservation Element of the West Windsor Township Master Plan).   |
| _____ <u>  X  </u> _____ | J. Identify any trees that will be removed by species and size (caliper).   |
| <u>  X  </u> _____       | K. Existing and proposed floor plans indicating overall dimensions and square footage for each floor. All existing and proposed architectural elevations. Indicate height of structure as defined in section 200-4 (Building Height) of the West Windsor Township Land Use Ordinance.   |
| <u>  X  </u> _____       | 6. Certification in writing from the Tax Collector that all taxes are paid in full for the current quarter.   |
| <u>  X  </u> _____       | 7. Photos of property and existing structure (four sides).  |
| <u>  X  </u> _____       | 8. Completed Agreement to Pay for Professional Review and Inspections.  |
| <u>  X  </u> _____       | 9. Completed W-9 form.  |
| <u>  X  </u> _____       | 10. Completed Residential Conformity Checklist.   |
| <u>  X  </u> _____       | 11. Aerial photograph of subject property including lots within 200 feet of subject property. (Aerials can be acquired on-line at <a href="http://google.com">google.com</a> ).   |
| _____ <u>  X  </u> _____ | 12. NJDEP Letter of Interpretation/presence or absence of wetlands.   |
| <u>  X  </u> _____       | 13. For D-4, D-5 and D-6 Variances, please submit tax map showing size of lots, square footage of dwellings and as to the extent known, height of dwellings and submit photos of all such dwellings identified on lots on both sides of the street of the subject property for at least five hundred (500) feet on either side of the subject property. |

*The following items are necessary for the Public Hearing and should be submitted to the Land Use Office by close of business of the day of the hearing (these items do not affect the completeness of the application):*

- |       |   |
|-------|---|
| _____ | A. Certified list of property owners within 200 ft. of subject property.  |
| _____ | B. Original notice to property owners.  |
| _____ | C. Affidavit of publication from <i>The Princeton Packet</i> .  |
| _____ | D. Certified mail receipts showing postal date stamp from letters sent to property owners and any green receipt cards from the post office. |
| _____ | E. Original of Affidavit of Proof of Service.   |

\*If waiver is requested, please attach written statement explaining why waiver should be granted.

\* \*Once the initial copy of the application(s), plans and documentation has been submitted, the Land Use Office will review the package for accuracy. A letter will be then be sent to the applicant requesting any changes if necessary and indicating the total number of copies of documentation needed. When the requested copies are received by the Land Use Office, the application will be deemed complete and the application will be scheduled for the next available meeting of the Zoning Board of Adjustment. (The Zoning Board of Adjustment meets the first Thursday of each month at 7:30 p.m. at the West Windsor Township Municipal Building, 271 Clarksville Road, West Windsor, NJ 08550).

<u>Variance</u>	<u>Type</u>	<u>Municipal Land Use Law (MLUL)</u>
C-1	Hardship	<p>40:55D-70C(1)</p> <p>Where: (a) by reason of exceptional narrowness, shallowness or shape of a specific piece of property, or (b) by reason of exceptional topographic conditions or physical features uniquely affecting a specific piece of property, or (c) by reason of an extraordinary and exceptional situation uniquely affecting a specific piece of property or the structures lawfully existing thereon, the strict application of any regulation pursuant to article 8 of this act would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardship upon, the developer of such property, grant, upon an application or an appeal relating to such property, a variance from such strict application of such regulation so as to relieve such difficulties or hardship.</p>
C-2	Flexible	<p>40:55D-70C(2)</p> <p>Where in an application or appeal relating to a specific piece of property the purposes of this act would be advanced by a deviation from the zoning ordinance requirements and the benefits of the deviation would substantially outweigh any detriment, grant a variance to allow departure from regulations pursuant to article 8 of this act; provided, however, that the fact that a proposed use is an inherently beneficial use shall not be dis-positive of a decision on a variance under this subsection and provided that no variance from those departures enumerated in subsection d. of this section shall be granted under this subsection; and provided further that the proposed development does not require approval by the planning board of a subdivision, site plan or conditional use, in conjunction with which the planning board has power to review a request for a variance pursuant to subsection a. of section 47 of this act.</p>
D-1	Use	<p>40:55D-70D(1)</p> <p>In particular cases for special reasons, grant a variance to allow departure from regulations pursuant to article 8 of this act to permit; (1) a use or principal structure in a district restricted against such use or principal structure,</p>
D-2	Expansion Of Non-Conforming Use	<p>40:55D-70D(2)</p> <p>An expansion of a non-conforming use.</p>
D-3	Conditional Use	<p>40:55D-70D(3)</p> <p>Deviation from a specification or standard pursuant to section 54 of P.L.1975, c.291 (C.40:55D-67) pertaining solely to a conditional use.</p>
D-4	Floor Area Ratio	<p>40:55D-70D(4)</p> <p>An increase in the permitted floor area ratio as defined in section 3.1 of P.L.1975, c291 (C.40:55D-4).</p>
D-5	Density	<p>40:55D-70(5)</p> <p>An increase in the permitted density as defined in section 3.1 of P.L.1975, c291 (C.40:55D-4), except as applied to the required lot area for a lot or lots for detached one or two dwelling unit buildings, which lot or lots are either an isolated undersized lot or lots resulting from a minor subdivision.</p>
D-6	Height	<p>40:55D-70(6)</p> <p>A height of a principal structure which exceeds by 10 feet or 10% of the maximum height permitted in the district for a principal structure. A variance under this subsection shall be granted only by affirmative vote of at least five members, in the case of a municipal board, or two-thirds of the full authorized membership, in the case of a regional board, pursuant to article 10 of this act.</p>

# West Windsor Township

Department of Community Development - Division of Land Use

## REQUEST FOR VARIANCE INCLUDING, BUT NOT LIMITED TO A USE OR STRUCTURE NOT PERMITTED IN A ZONING DISTRICT, N.J.S.A. 40:55d-70d (For "d" Use and Non Use Variance)

--ATTACH TO ZONING BOARD APPLICATION

CONTROL NO. \_\_\_\_\_

Property Location 969 ALEXANDER ROAD Zoning District R1-A

Map \_\_\_\_\_ Block 63 Lot 154

--COMPLETE A - E, (Attach support documents as required)

A - Describe below the specifics of the variance request.

CONVERT AN EXISTING CATHEDRAL SPACE INTO FINISHED  
ATTIC SPACE TO BE USED AS AN ADDITIONAL BEDROOM.

B - Describe below the special reasons which exist that support the granting of the variance request.

THERE IS NO EXTERIOR WORK BEING DONE TO ENLARGE  
THE HOME.

THE LOT IS EXTREMELY UNDERSIZED. FOR THIS ZONE

C - Describe how the public interest will be served by the granting of the variance request.

ALLOWS THE CURRENT FAMILY TO REMAIN IN THE HOME  
WITHOUT THE NEED TO SELL

D - Describe what circumstances exist or what measures will be taken to ensure that, if the variance is granted, the surrounding property owners will experience no adverse impact or undue burden.

THERE IS NO CHANGE TO THE BUILDING ENVELOPE.

THE ONLY NOTICEABLE CHANGE FROM THE EXTERIOR WILL BE CHANGING THE ATTIC WINDOW FOR FBRESS REQUIREMENTS.

E - Describe how the granting of the variance request will not result in substantial detriment to the public good nor substantially impair the intent and purpose of the Zone Plan and Zoning Ordinance.

THERE IS NO ALTERATION TO THE DWELLING WHICH WOULD HAVE ANY IMPACT ON THE PUBLIC.

# West Windsor Township

Department of Engineering and Community Development  
271 Clarksville Road\* P.O. Box 38\*Princeton Junction\*New Jersey 08550\*(609)799-2400\*FAX(609)275-4850

## APPLICATION TO WEST WINDSOR ZONING BOARD OF ADJUSTMENT

\*\*\*\*\*  
**FOR OFFICIAL USE ONLY**

Application Control Number: \_\_\_\_\_

Date Application Filed: \_\_\_\_\_

\*\*\*\*\*  
**SECTION 1 - INFORMATION REGARDING THE APPLICANT**

A] The Applicant's full legal name is BRIAN YOUNG

B] The Applicant's mailing address is 969 ALEXANDER ROAD  
WEST WINDSOR, NJ 08520

C] The Applicant's telephone number is 646-345-2601

D] The Applicant's fax number is \_\_\_\_\_

E] The Applicant is a: CORPORATION \_\_\_\_\_

PARTNERSHIP \_\_\_\_\_ INDIVIDUAL (S)

OTHER (please specify) \_\_\_\_\_

F] If the Applicant is a corporation or a partnership, please attach a list of the names and addresses of persons having a 10% interest or more in the corporation or partnership.

G] The relationship of the Applicant to the property in question is: OWNER   
LEASEE \_\_\_\_\_ PURCHASE UNDER CONTRACT \_\_\_\_\_  
OTHER (please specify) \_\_\_\_\_

H] If the Applicant is not the owner of the property in question, the Applicant must obtain and submit a copy of this application signed by the owner in the space provided in Section 7B.

( **Note:** If the applicant is a corporation seeking relief under N.J.S.A. 40:55D-70 et seq., then the Applicant must be represented by a New Jersey Attorney).

**SECTION 2 - INFORMATION REGARDING THE PROPERTY**

A] The street address of the property is 969 ALEXANDER ROAD

B] The tax map Block Number (s) 63; the Lot Number (s) is 154

C] The zone in which the property is located is R1-A

D] The dimensions of the property are 63' x 123'

E] The size of the property is 7.758 square feet/acre(s).

F] Road frontage of the property is 62.93'

G] The property is located:

1. within 200 feet of another Municipality No
2. adjacent to an existing or proposed County road No
3. adjacent to a State highway No

(If any of the above apply, please make sure that all proper jurisdictional authorities ARE properly noticed and served - If there is any doubt on who should be notified, please contact the Planning/Zoning Office).

H] Have there been any previous Zoning Board of Adjustment or Planning Board hearings involving this property: YES  NO

I] If the answer to "H" is YES, attach a copy of the written decision (s) adopted by the applicable Board.

**SECTION 3 - INFORMATION ABOUT REQUESTED RELIEF**

A] NATURE OF APPLICATION

1. Type of Variances:

"A" Variance

\_\_\_\_\_ Appeal of Zoning Officer  
\_\_\_\_\_ Appeal of Alleged Error

"B" Variance

\_\_\_\_\_ Interpretation of Development Ordinance (Subdivision, Site Plan, Zoning)

"C" Variance

\_\_\_\_\_ Bulk Variance (dimensional)

"D" Variance

\_\_\_\_\_ Variance including, but not limited to a use or structure not permitted in a Zoning District; Floor Area Ratio, Density

2. a] Subdivision \_\_\_\_\_

b] Subdivision Application to follow \_\_\_\_\_

3. a] Site Plan \_\_\_\_\_

b] Site Plan Application to follow \_\_\_\_\_

4. Waiver of lot street frontage requirement \_\_\_\_\_

5. Exception to the official map \_\_\_\_\_

B] Please attach one copy of the following forms depending on the type of application being made:

1. (a) Appeal of Zoning Officer  
(b) Appeal of Alleged Error

2. (a) Interpretation of Development Ordinance  
(b) Interpretation of Zoning

3. Bulk Variance (dimensional)

4. Variance including, but not limited to a use or structure not permitted in a zoning district, Floor Area Ratio or Density

**SECTION 4 - INFORMATION ABOUT EXPERTS**

The following information, although not required, is respectfully requested to enable the Board to facilitate the processing of this application.

- A] Applicant's Attorney:  
Name \_\_\_\_\_  
Address \_\_\_\_\_  
Phone \_\_\_\_\_ Fax \_\_\_\_\_ E-Mail \_\_\_\_\_
  
- B] Applicant's Engineer:  
Name \_\_\_\_\_  
Address \_\_\_\_\_  
Phone \_\_\_\_\_ Fax \_\_\_\_\_ E-Mail \_\_\_\_\_
  
- C] Applicant's Architect:  
Name PRIMIANO ARCHITECTURE  
Address 26 OLD TRENTON RD EAST WINDSOR, NJ 08512  
Phone 609-235-9216 Fax \_\_\_\_\_ E-Mail JOSEPH @ PRIMIANOARCHITECTURE.COM
  
- D] Applicant's Planner:  
Name \_\_\_\_\_  
Address \_\_\_\_\_  
Phone \_\_\_\_\_ Fax \_\_\_\_\_ E-Mail \_\_\_\_\_
  
- E] Other Experts:  
Name \_\_\_\_\_  
Address \_\_\_\_\_  
Phone \_\_\_\_\_ Fax \_\_\_\_\_ E-Mail \_\_\_\_\_

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**SECTION 5 SUBMISSION OF APPLICATION:**

Please submit one (1) copy of the following material to the Planning/Zoning Office during "Open Window" week, which is the week of the second Wednesday of each month:

- A]  Application – signed (copy of agreement with owner if being purchased)
  
- B]  One (1) set of drawings (to scale) showing all adjoining properties affected and all features involved (i.e, dimensions of present and proposed buildings, location of all structures and distances between various structures and property lines, parking layout, etc.)
  
- C]  One (1) set of applications as required by Section 3 (B) (Request for A, B, C or D Variance) [Once your application is received by the Planning and Zoning office you will receive a certified letter from the Director of Community Development outlining what, if any, changes are required. Application and escrow fee amounts and number of copies of applications and plans needed to be deemed complete will be outlined in said letter].