

# ORIGINAL

# RECEIVED

JUL 26 2023

PLANNING & ZONING OFFICE  
TOWNSHIP OF CRANFORD



## Form 01/Board Application

**TOWNSHIP OF CRANFORD - ZONING DEPARTMENT**

8 Springfield Avenue - Cranford, NJ 07016  
Phone: (908) 709-7216 • Fax: (908) 276-7664  
Email: [Zoning@CranfordNJ.org](mailto:Zoning@CranfordNJ.org)

Form Updated 10-12

The application, with supporting documentation, must be filed with the Planning and Zoning Department of the Township, and will be reviewed by Township professionals prior to scheduling the meeting at which the application is to be considered.

### To Be Completed by Township Staff Only

Dated Received: 7/26/23

Application No.: ZBA-23-019

### To Be Completed by Applicant

#### 1. Subject Property

Location/Address: 101 Herning Avenue  
Tax Map: Block: 208, Lot(s): 14  
Block: \_\_\_\_\_, Lot(s): \_\_\_\_\_  
Dimensions: Frontage: \_\_\_\_\_ Depth: \_\_\_\_\_ Total Area: \_\_\_\_\_  
Zoning District: \_\_\_\_\_

#### 2. Applicant Information

Name: Lauren King & Sean Swift  
Address: 101 Herning Ave Cranford, NJ 07016  
Phone: 609-558-9550 Email: LaurenNicoleKing@gmail

Applicant is a: Corporation \_\_\_\_\_ Partnership \_\_\_\_\_ Individual   
Limited Liability Company \_\_\_\_\_ Other (Specify) \_\_\_\_\_

#### 3. Disclosure Statement

Pursuant to N.J.S.A. 40:55D-48.1, the names and addresses of all persons owning 10% of the stock in a corporate applicant or 10% interest in any partnership applicant must be disclosed. In accordance with N.J.S.A. 40:55d-48.2 that disclosure requirement applies to any corporation, limited liability company or partnership which owns more than 10% interest in the applicant followed up the chain of ownership until the names and addresses of the non-corporate

stockholders and partners exceeding the 10% ownership criterion have been disclosed. [Attach pages as necessary to fully comply.]

Name(s)

Address(es)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**4. If Owner is other than the Applicant -  
Please provide the following information on the Owner(s):**

Owner's Name: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone Number: \_\_\_\_\_

**5. Property Information:**

Present use of the premises: Residential

Restrictions, covenants, easements, association by-laws, existing or proposed on the property:

Yes [attach copies]: \_\_\_\_\_ No: \_\_\_\_\_

Proposed use of the premises: \_\_\_\_\_

**NOTE: All deed restrictions covenants, easements, and association by-laws, existing and proposed, must be submitted for review and must be written in easily understandable English.**

**6. Licensed professionals representing the Applicant before the Board (if any):**

Contractor's  
A. ~~Attorney's~~ Name: John Szeles  
Address: \_\_\_\_\_  
City/State/ZIP: \_\_\_\_\_  
Phone Number: 908-917-4566  
E-mail: szelesj1@gmail.com

B. Planner's Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City/State/ZIP: \_\_\_\_\_  
Phone Number: \_\_\_\_\_  
E-mail: \_\_\_\_\_

C. Engineer's Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City/State/ZIP: \_\_\_\_\_  
Phone Number: \_\_\_\_\_  
E-mail: \_\_\_\_\_

D. List any other Expert who will submit a report or will testify for the Applicant:  
[Attach Additional sheets as may be necessary.]

Name: Tom Swift  
Area of Expertise: Architect  
Address: \_\_\_\_\_  
City/State/ZIP: \_\_\_\_\_  
Phone Number: 651-486-7205  
E-mail: SSwifties@aol.com

**7. Application Type**

A. SUBDIVISION

- \_\_\_\_\_ Minor Subdivision Approval
- \_\_\_\_\_ Subdivision Approval [Preliminary]
- \_\_\_\_\_ Subdivision Approval [Final]

B. SITE PLAN

- \_\_\_\_\_ Minor Site Plan Approval
- \_\_\_\_\_ Preliminary Site Plan Approval [Phases (if applicable)]
- \_\_\_\_\_ Final Site Plan Approval [Phases (if applicable)]
- \_\_\_\_\_ Amendment or Revision to an Approved Site Plan
- \_\_\_\_\_ Request for waiver from Site Plan review and approval

Reason requesting waiver of site plan approval (use additional pages if necessary):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



C. INFORMAL REVIEW:    \_\_\_\_\_ Subdivision    \_\_\_\_\_ Site Plan

D. CONDITIONAL USE APPROVAL per N.J.S.A. 40:55D-67

E. DIRECT ISSUANCE OF A PERMIT:

- \_\_\_\_\_ N.J.S.A. 40:55D-34 (permit building or structure in the bed of a mapped Street or public drainage way, flood control basin or public area reserved pursuant to N.J.S.A. 40:55D-32)
- \_\_\_\_\_ N.J.S.A. 40:55D-36 (permit building or structure not related to an official suitably improved street pursuant to N.J.S.A. 40:55D-35).

F. VARIANCES PURSUANT TO N.J.S.A. 40:55D-70.C

-  (C1) "Hardship" Variance
-  (C2) "Flexible" Variance (benefits v. detriments)

G. VARIANCES PURSUANT TO N.J.S.A. 40:55D-70.D

- (D1) A use or principal structure in a district restricted against such use or principal structure
- (D2) An expansion of a nonconforming use
- (D3) 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
- (D4) An increase in the permitted floor area ratio as defined in Section 3.1 of P.L. 1975, c.291 (C.40:55D-4)
- (D5) An increase in the permitted density as defined in Section 3.1 of P.L. 1975, c.291 (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.
- (D6) A height of a principal structure which exceeds by 10 feet or 10% the maximum height permitted in the district for a principal structure.

H. APPEAL/INTERPRETATION PURSUANT TO N.J.S.A. 40:55D-70, (a) & (b):

- (a) Appeal to Board of Adjustment of Order, Requirement, Decision or Refusal by an administrative officer based on or made in the enforcement of the zoning ordinance.
- (b) Request for Interpretation of the zoning map or ordinance or for Decisions upon other special questions upon which the Board of Adjustment is authorized to pass by any zoning or offered map or ordinance.

8. **Explain in detail** the exact nature of the application and the changes to be made at the premises, including the proposed use of the premises: [attach additional pages if needed]

     Please see attached

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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9. Is a public water line available? Yes
10. Is public sanitary sewer available? Yes
11. Does the application propose a well and septic system? No
12. Have any proposed new lots been reviewed with the Tax Assessor to determine appropriate lot and block numbers? No
13. Are any off-tract improvements required or proposed? \_\_\_\_\_
14. Is the subdivision to be filed by Deed or Plat? \_\_\_\_\_
15. What form of security does the applicant propose to provide as performance and maintenance guarantees? \_\_\_\_\_
16. Other approvals which may be required and date plans submitted:

Yes \_\_\_\_\_ No  Date Plans Submitted \_\_\_\_\_

- \_\_\_\_\_ Any Utilities Authority
- \_\_\_\_\_ County Health Department
- \_\_\_\_\_ County Planning Board
- \_\_\_\_\_ County Soil Conservation District
- \_\_\_\_\_ NJ Dept. of Environmental Protection
- \_\_\_\_\_ Sewer Extension Permit
- \_\_\_\_\_ Sanitary Sewer Connection Permit
- \_\_\_\_\_ Stream Encroachment Permit
- \_\_\_\_\_ Waterfront Development Permit
- \_\_\_\_\_ Wetlands Permit
- \_\_\_\_\_ NJ Department of Transportation
- \_\_\_\_\_ Public Service Electric & Gas Company
- \_\_\_\_\_ Other \_\_\_\_\_

**17. List of maps, reports and other materials accompanying the application (attach additional pages as required for complete listing.)**

Quantity	Description of Item
_____	Property Survey
_____	_____
_____	_____
_____	_____

**18. The Applicant hereby requests that copies of the reports of the professional staff reviewing the application be provided to the following of the applicant's professionals.**

Specify which reports are requested for each of the applicant's professionals or whether all reports should be submitted to the professional listed.

<b>Reports Requested:</b>	<b>Send reports to:</b>
_____	Name/Address _____
_____	Name/Address _____
_____	Name/Address _____

# Certifications

Complete #19 *or* #20 a and b as indicated:

**19. Applicant is Property Owner:** I certify that I am the Owner of the property which is the subject of this application, for which I am also the Applicant, and that the foregoing statements and the materials submitted are true. As such, I further certify that I am authorized to sign this application, and that I agree to be bound by the application and the decision. [If the Owner who is also the Applicant is a corporation this must be signed by an authorized corporate officer. If the Owner who is also the Applicant is a partnership, this must be signed by a general partner.]

Sworn to and subscribed before me this  
25 day of July, 2023

KATHLEEN A BUCHANAN  
Notary Public - State of New Jersey  
My Commission Expires Jul 27, 2025

Kathleen A. Buchanan  
NOTARY PUBLIC

Lauren Kury  
SIGNATURE OF APPLICANT and OWNER

**20. a) Applicant Who is Not the Property Owner:** I certify that the foregoing statements and materials submitted are true. I further certify that I am the individual applicant or that I am an Officer of the Corporate applicant and that I am authorized to sign the application for the Corporation or that I am a general partner of the partnership applicant. [If the Applicant is a corporation this must be signed by an authorized corporate officer. If the Applicant is a partnership, this must be signed by a general partner.]

Sworn to and subscribed before me this  
\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

\_\_\_\_\_  
NOTARY PUBLIC

\_\_\_\_\_  
SIGNATURE OF APPLICANT

**b) Owner Who is Not the Applicant:** I certify that I am the Owner of the property which is the subject of this application, that I have authorized the Applicant to make this application and that I agree to be bound by the application, the representations made and the decision in the same manner as if I were the Applicant. [If the Owner is a corporation this must be signed by an authorized corporate officer. If the Owner is a partnership, this must be signed by a general partner.]

Sworn to and subscribed before me this  
\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

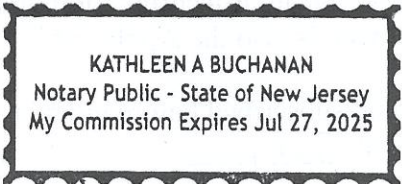
\_\_\_\_\_  
NOTARY PUBLIC

\_\_\_\_\_  
SIGNATURE OF OWNER

# Checklist Certification

**21. To be completed by the applicant:** I certify that all of the required checklist items and any waiver requests (which includes a listing of each waiver requested and a statement of arguments in support of granting each waiver requested) have been provided as part of this application. I understand that a determination of completeness is not a determination of approval and that the Board of jurisdiction has the right to request additional information. [If the Applicant is a corporation this must be signed by an authorized corporate officer. If the Applicant is a partnership, this must be signed by a general partner.]

Sworn to and subscribed before me this  
25 day of July, 2023



*Kathleen A. Buchanan*  
NOTARY PUBLIC

*Lauren King*  
SIGNATURE OF APPLICANT

# Escrow Certification

**21. Escrow Certification** I (*please print name*) \_\_\_\_\_ understand that I have provided the non-refundable sum of \$ \_\_\_\_\_ to be deposited in a Township of Cranford escrow account. In accordance with the Ordinances of the Township of Cranford, I further understand that the escrow account is established to cover the cost of professional services including but not limited to engineering, planning, legal and other expenses associated with the review of submitted materials and the publication of the decision by the Board. Sums not utilized in the review process shall be returned upon my written request to the Zoning Department for same. If additional sums are deemed necessary, I understand that I will be notified of the required additional amount and shall add that sum to the escrow account within fifteen (15) days.

\_\_\_\_\_  
SIGNATURE OF APPLICANT

\_\_\_\_\_  
DATE



TAX STATEMENT

22. Applicant is to complete and sign form, and bring it to the Cranford Township Tax Collector for signature. If you would like the signed form returned to you by mail, please provide a self-addressed, stamped envelope for same. One copy of the signed Tax Statement should be included in each of the eighteen completed sets of Form 01.

I, Lauren King of 101 Herning Ave  
Name Address

am submitting an application to the

PLANNING BOARD  ZONING BOARD OF ADJUSTMENT

for the development of Block 208 Lot 14 in Zone \_\_\_\_\_

located at 101 Herning Ave  
Address

The owner of record is Lauren King of 101 Herning Ave  
Name Address

I acquired interest in this property on 7/13/18 and request the Tax  
Date

Collector to determine whether or not there are any delinquent taxes or other assessments due.

Lauren King  
Applicant's Signature

7/25/23  
Date

TO BE COMPLETED BY TAX COLLECTOR

- All taxes due have been paid.
- All assessments due have been paid.
- The following are delinquent and past due:



**I verify that this information accurately reflects municipal tax records.**

[Signature]

Tax Collector  
Cranford Township  
Union County



7/26/2023  
Date

# Form 04/Appeal for Relief from Zoning Requirements

**NOTE: For "C" Variances and Design Waivers Only**

**TOWNSHIP OF CRANFORD - ZONING DEPARTMENT**

8 Springfield Avenue - Cranford, NJ 07016  
 Phone: (908) 709-7216 • Fax: (908) 276-7664



Form Updated 8-12

**To be completed by Township Staff Only**

Application No.: ZBA-23-019 Date received: 7/26/23

Appeal is hereby made by the applicant pursuant to NJSA 40:55D-70(c) of the New Jersey Municipal Land Use Law, for permission to vary from the requirements set forth in the Land Development Code of the Township of Cranford as follows:

**1. Applicant information**

Name: Lauren King & Sean Swift

Address: 101 Herning Ave. Cranford, NJ 07016

Phone: 609-558-9550 Email: LaurenNicoleKing@gmail.com

**2. Appeal information** Please see attached

Section(s) of Land Development Code	Requirement(s) set forth in the Land Development Code	Relief Requested
<del>255-34-schedule1</del> 255-34 SCHEDULE 1 NOTE C	FRONT YARD SETBACK 29.8 FT EXISTING 29.8 FT	PROPOSED 25.3 FT
<del>255-34-schedule1</del> NOTE D 255-34 Schedule 1	REQ. SIDE YARD SETBACK 7 FT. EXISTING 6.7 FT	PROPOSED 3.3 FT.
255-35D 4	AC CONDENSER LOCATION SIDE OR REAR YARD EXISTING - FRONT YARD	PROPOSED - FRONT YARD SUMMIT AVE.
255-2661k	DRIVEWAY SHALL BE PAVED TO THE FRONT BUILDING SETBACK	PROPOSED IS A GRAVEL D/W.
255-448	REQ. OFF STREET PARKING. 2 PARKING SPACES	PROPOSED 1 PARKING SPACE.

**3. Please list all pre-existing non conforming conditions**

Section(s) of Land Development Code	Requirement(s) set forth in the Land Development Code	Existing Conditions

**4. Arguments submitted in support of the requested relief.**

On a separate sheet of paper, for each variance requested, explain fully how the physical characteristics of the property in question prevents compliance with the strict application of the code requirements creating an undue hardship for the applicant.

**5. Public Hearing Notification Information**

Notice shall be given by the applicant at least ten (10) days prior to the date of the hearing to the following parties where applicable. Notice shall be by personal service or certified mail. An affidavit of proof of service demonstrating compliance with this requirement shall be filed with the Board Administrator in the Planning and Zoning Department at least four (4) business days prior to the date of the hearing.

**Please circle responses:**

1. Is the subject property located within two hundred feet (200') of any municipal boundary?

YES  NO If yes, Municipal Clerk of adjacent municipality and County Planning Board shall be notified of hearing by applicant. (Note 1)

2. Is the subject property adjacent to an existing or proposed county road or adjoining other County Land?

YES  NO If yes, County Planning Board shall be notified of hearing by applicant. (Note 1).

3. Is the subject property adjacent to a State highway?

YES  NO If yes, applicant shall notify the Commissioner of Transportation of the hearing. (Note 2).

4. Is the subject property greater than one hundred fifty (150) acres or involve more than 500 dwelling units?

YES  NO If yes, applicant shall notify the Director of New Jersey State Planning Commission of the hearing. Notice shall include a copy of any maps or documents required to be on file with the Municipal Clerk. (Note 3).

THE APPLICANT SHALL NOTIFY ALL OWNERS OF PROPERTY LOCATED WITHIN TWO HUNDRED FEET (200') IN ALL DIRECTIONS OF THE PROPERTY IN QUESTION AND OTHERS AS REQUIRED.

#### **6. Disclosure Information**

Is applicant and/or owner a corporation, Limited Liability Company or partnership and does the application involve variances to construct a multiple dwelling of twenty-five (25) or more family units or approval of a site to be used for commercial purposes?

YES  NO If yes, submit disclosure of all stockholders holding ten percent (10%) or greater interest in the partnership pursuant to N.J.S.A. 40:55D-48.1 et.seq. (see Form 01)

#### **NOTES:**

“1” Union County Planning Board  
Attn: Union County Department of Engineering and Planning  
Union County Administration Building, Elizabethtown Plaza  
Elizabeth, New Jersey 07207

“2” New Jersey Department of Transportation  
P.O. Box 600  
Trenton, NJ 08625

“3” New Jersey Business Action Center  
Office for Planning Advocacy  
State Planning Commission  
Department of State  
P.O. Box 820  
Trenton, New Jersey 08625-0820

Thank you for considering these variance requests. As a growing family, we are seeking to make improvements to our forever home. We love Cranford and are contributing members of the community, we love our house, and neighborhood, and are not looking to make changes and move on.

**Section 255-34-Schedule 1** We request variance relief from the ordinance. As our property line is currently smaller than the town's requirement, we are requesting to put a side entrance with a small platform and steps into our home. With three small boys this entrance to our mudroom will make it easier for us to get in and out of our home and in and out of the car. The sidedoor also matches the look of the neighborhood and examples of this can be seen all along Herning Avenue. In the area we are requesting the variance we are also committing to reducing impervious surface and using only pervious materials, such as vegetation and gravel that will contribute to flood mitigation.

**Section 255-34 Schedule1 Note 2** We request a variance relief from this ordinance. The proposed porch will create a foyer and more space for our family and matches other homes on Herning Avenue.

**Variance to keep HVAC systems in the same place.** We are requesting to keep our HVAC systems in their current location. While they are on our side yard, they are behind a fence and shrubs at the fence line and won't be outrightly visible from Summit Road.

**Variance for parking:** We plan on keeping the only portion of our driveway that is currently usable and installing pervious gravel in that section. While this means our driveway will be smaller than the town's requirement of a 9x18ft driveway, our current driveway is only 7ft wide and at the property line—so we would be unable to widen it. The back portion/the portion we are asking to remove is too narrow for a modern car to fit on the asphalt. Additionally, with the portion of the driveway that we currently use, and what will remain, we can fit both of our cars and do not require street parking. We are also very cognizant of how impervious surfaces contribute to runoff and flooding, which is why we want to remove as much impervious material as possible. In the area of the driveway we are asking to remove we will be planting grass and using stepping stones to gain access to our garage.

**Hold Harmless And Indemnification Agreement**

FORM 15/Updated 4/09

This agreement made this 25 day of July, 2023, witnesses:

**WHEREAS,** Lauren King & Sean Swift, Applicant, has submitted an application to the Zoning (Board) of the Township of Cranford with said application designated as Application No. \_\_\_\_\_; and

**WHEREAS,** it may be necessary for the members of the Zoning (Board) to inspect and walk the subject property known as 101 Herning Ave Block 208, Lot 14; and

**WHEREAS,** the Zoning (Board) deems it advisable and fiscally prudent to obtain permission from the individual applicants for the members inspection of said property and to preclude claims for alleged damage in connection with the inspection;

**NOW, THEREFORE, BE IT RESOLVED,** in consideration of the mutual promises and covenants made by and between the parties, and is hereby agreed as follows:

I, Lauren King, Applicant, shall indemnify and hold harmless the Zoning (Board) with regard to claims for damages associated with the inspection and shall preclude claims for alleged damage in connection with the inspection and give my permission for members of said Board to walk the property listed above.

Lauren King

Signature of Applicant

Sworn and subscribed to before me  
this 25 day of July, 2023

Kathleen A. Buchanan

Notary Public of the State of New Jersey  
My Commission Expires on 7-27-25

