

ORIGINAL

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NOV 29 2023

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

PLANNING & ZONING OFFICE
TOWNSHIP OF CRANFORD



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: 11/29/23

Application No.: ZBA-23-024

To Be Completed by Applicant

1. Subject Property

Location/Address: 319 S. Union Ave. Cranford, NJ 07016
Tax Map: Block: 431, Lot(s): 5
Block: _____, Lot(s): _____
Dimensions: Frontage: 50' Depth: 183.5' Total Area: 9,175 sf
Zoning District: R-4

2. Applicant Information

Name: Francine Mueller
Address: 319 S. Union Ave. Cranford, NJ 07016
Phone: 908-838-1805 Email: francine_mueller@yahoo.com

Applicant is a: Corporation _____ Partnership _____ Individual X
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.]

| <u>Name(s)</u> | <u>Address(es)</u> |
|----------------|--------------------|
| N/A | |
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |

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

Owner's Name: _____ N/A
Address: _____
Telephone Number: _____

5. Property Information:

Present use of the premises: _____ Single family home
Restrictions, covenants, easements, association by-laws, existing or proposed on the property:
Yes [attach copies]: _____ No: _____ X _____
Proposed use of the premises: _____ Single family home

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):

A. Attorney's Name: _____
Address: _____
City/State/ZIP: _____
Phone Number: _____
E-mail: _____

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: _____
Area of Expertise: _____
Address: _____
City/State/ZIP: _____
Phone Number: _____
E-mail: _____

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

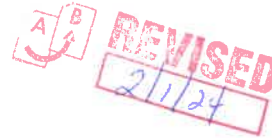
D. CONDITIONAL USE APPROVAL per N.J.S.A. 40:55D-67

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
X (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]

(SEE ATTACHED)



Form 1 #8

Applicant is renovating an existing 1 ½ story residence by adding 100 s.f. to the first floor and 850 s.f. to the second floor. Due to the definition of “story above grade” the completed home qualifies as a 3-story residence. The definition of a story above grade is:

Any story having its finished floor surface entirely above grade, except that a basement shall be considered to be a story above grade where the basement or a portion thereof extends above the adjacent ground area to a height of 3.5 feet or greater as measured from any point of the furnished first-floor to the lowest finished grade of the ground adjacent to the building.

The proposed renovated house will appear as a two-story home and will comply with the height requirement. However, because the basement in a couple of places exceeds 3.5 feet, a variance is required for what by definition is a third-story.

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

| Quantity | Description of Item |
|----------|-----------------------|
| _____ | Architectual Drawings |
| _____ | 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.

Reports Requested:

_____ NONE _____

Send reports to:

Name/Address _____

_____ Name/Address _____

_____ Name/Address _____

Certifications

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

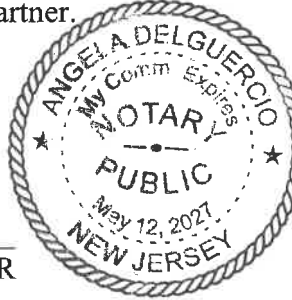
19. Applicant is Property Owner: I certify that I am the Owner of the property which is the subject of this application, for which I am also the Applicant, and that the foregoing statements and the materials submitted are true. As such, I further certify that I am authorized to sign this application, 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
16 day of November, 2023


NOTARY PUBLIC

COMM #
50194929


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

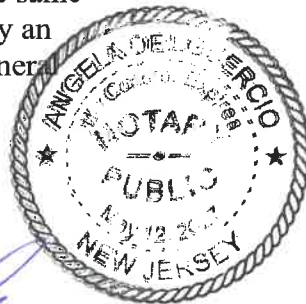
b) Owner Who is Not the Applicant: I certify that I am the Owner of the property which is the subject of this application, that I have authorized the Applicant to make this application and that I agree to be bound by the application, the representations made and the decision in the same manner as if 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
16 day of November, 2023


NOTARY PUBLIC

COMM #
50194929


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
16 day of November, 2023

Angela Delguercio
NOTARY PUBLIC

COMM #
50194929

Francine Mueller
SIGNATURE OF APPLICANT



Escrow Certification

21. Escrow Certification I (please print name) Francine Mueller understand that I have provided the non-refundable sum of \$ 3,000 - 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.

Francine Mueller
SIGNATURE OF APPLICANT

11/16/23
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, Francine Mueller of 319 South Union Ave
Name Address

am submitting an application to the

PLANNING BOARD ZONING BOARD OF ADJUSTMENT

for the development of Block 431 Lot 5 in Zone R-4

located at 319 South Union Ave Cranford
Address

The owner of record is Charles & Francine Mueller of 319 South Union Ave Cranford
Name Address

I acquired interest in this property on 9-18-2019 and request the Tax
Date

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

Francine S. Mueller
Applicant's Signature

11/15/23
Date

TO BE COMPLETED BY TAX COLLECTOR

- All taxes due have been paid.
- All assessments due have been paid.
- I verify that this information accurately reflects municipal tax records.* The following are delinquent and past due:



[Signature]
Tax Collector
Cranford Township
Union County



Tax Collector's Signature

11-15-23
Date

REVISED
2/1/24

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-23-024 Date received: 11/29/23

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: Francine Mueller

Address: 319 S. Union Ave., Cranford, NJ 07016

Phone: 908-838-1805 Email: francine_mueller@yahoo.com

2. Appeal information

| Section(s) of Land Development Code | Requirement(s) set forth in the Land Development Code | Relief Requested |
|--|---|------------------|
| <u>SECTION 255-34</u> <u>SCHEDULE 1</u> | 2 1/2 stories | 3 1/2 stories |

REVISED
2/1/24

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 |
|-------------------------------------|---|---------------------|
| Side Yard Setback | 7 ft. | 6 ft. to House |
| Yard Setback | 15 ft. | 11.5 ft |
| Accessory Structure (Deck) | 5 ft. | 0 ft. |
| Accessory Structure (Garage) | 5ft. | 3.1 ft. |

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

Hold Harmless And Indemnification Agreement

FORM 15/Updated 4/09

This agreement made this 16 day of November, 2023, witnesses:

WHEREAS, Francine Mueller, 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 319 S. Union Ave, Cranford, NJ Block 431, Lot 5; 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, Francine Mueller, 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.

Francine Mueller
Signature of Applicant

Sworn and subscribed to before me this 16 day of November, 2023

Angela Delguercio

Notary Public of the State of New Jersey
My Commission Expires on 5/12/27.

COMM #
50194929

