

RECEIVED

OCT 05 2020

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

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: _____

Application No.: _____

To Be Completed by Applicant

1. Subject Property

Location/Address: 42 RICHMOND AVENUE
Tax Map: Block: 212, Lot(s): 63
Block: _____, Lot(s): _____
Dimensions: Frontage: 50' Depth: 125' Total Area: 6,250 SF
Zoning District: R3

2. Applicant Information

Name: MICHAEL & JANINE KIRK
Address: 42 RICHMOND AVE., CRANFORD, NJ
Phone: _____ Email: KIRK84USC@YAHOO.COM

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: X
Proposed use of the premises: RESIDENTIAL

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: RONALD A. MEEKS
Area of Expertise: ARCHITECTURE
Address: 404 CENTRAL AVE.
City/State/ZIP: CRAWFORD, NJ 07016
Phone Number: 908. 276. 7844
E-mail: RONALDAMEEKSAIA@GMAIL.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
- 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 01 Board Application

H. 8. Explain Appeals in Detail

The home owners would like to add a front porch that encroaches into the required front yard setback by 2.81 feet. The roof over the porch will protect anyone approaching or standing at the front door from the weather (rain or snow). Part of the charm of Cranford comes from the many front porches on houses new and old. The owners would like the porch to greet neighbors and friends as they walk or bicycle past the house and to provide a shaded, welcoming area to sit and entertain.

The homeowners are also proposing an attic redesign with this application. The expansion in volume (not area) of the attic provides for additional contemporary living space without expanding the foot print of the house or increasing the impervious area. The maximum height of a residential structure will not be exceeded.

- 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? NA
- 13. Are any off-tract improvements required or proposed? NO
- 14. Is the subdivision to be filed by Deed or Plat? NA
- 15. What form of security does the applicant propose to provide as performance and maintenance guarantees? NA

16. Other approvals which may be required and date plans submitted:
 Yes _____ No X 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
<u>18</u>	<u>ARCHITECTURAL DRAWINGS A-1, A-2. & A-3</u>

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:

All

Send reports to:

Name/Address RON MEEKS

404 CENTRAL AVE., CRAWFORD, NJ
07010

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
2nd day of October, 2020

Mohamed Ali *Jessie Graf-Kirk*
Mohamed K. Kirk

NOTARY PUBLIC MOHAMED F. ALI SIGNATURE OF APPLICANT and OWNER
NOTARY PUBLIC OF NEW JERSEY
My Commission Expires 05/21/2024

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
2nd day of October, 2020

[Signature]
NOTARY PUBLIC

[Signature]
SIGNATURE OF APPLICANT

MOHAMED F. ALI
NOTARY PUBLIC OF NEW JERSEY
My Commission Expires 05/21/2024

Escrow Certification

21. Escrow Certification I (please print name) Michael & Jamie Kirk
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]
SIGNATURE OF APPLICANT

10/2/2020
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, MICHAEL KIRK of 42 RICHMOND AVENUE
Name Address
CRANFORD, NJ 07016

am submitting an application to the

PLANNING BOARD ZONING BOARD OF ADJUSTMENT

for the development of Block 212 Lot 63 in Zone R-3

located at 42 RICHMOND AVENUE, CRANFORD, NJ 07016
Address

The owner of record is MICHAEL & JANINE KIRK of 42 RICHMOND AVE, CRANFORD, NJ
Name Address
07016

I acquired interest in this property on 4.12.06 and request the Tax
Date

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

Janine Graf Kirk

Michael K. Kirk
Applicant's Signature

10/2/2020
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:



Tax Collector's Signature

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.: _____ Date received: _____

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: MICHAEL & JANINE KIRK

Address: 42 RICHMOND AVENUE, CRANFORD, NJ 07016

Phone: 908.208.2228 Email: KIRK84US@YAHOO.COM

2. Appeal information

Section(s) of Land Development Code	Requirement(s) set forth in the Land Development Code	Relief Requested
255 ATTACHMENT 1 SCHEDULE 1 MINIMUM FRONT YARD SETBACK	20 FT MIN.	± 17.19 FT
255-35 E (2) ATTICS SUPPLEMENTARY ZONE DISTRICT REGULATIONS	NO INCREASE TO THE SQUARE FOOTAGE OR VOLUME	DORMERS ADDED INCREASING VOLUME

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
255 ATTACHMENT 1 SCHEDULE 1 MIN. LOT AREA	8,000 SF	6,250 SF
255 ATTACHMENT 1 SCHEDULE 1 MIN. LOT WIDTH	65 FT	50 FT

4. Arguments submitted in support of the requested relief.

SEE ATTACHED

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).

FORM 04 Appeal for Relief from Zoning

4. Arguments in Support of Relief

The property is not located in the Flood Overlay District. The proposed building coverage is less than the maximum allowable. The proposed impervious area is less than the maximum allowable. The proposed front porch projects only 2.89 feet into the required front yard setback. The porch is to be an attractive one story addition with a simple shed roof that will blend with the architecture of the house with open walls and well maintained landscaping to soften the edges.

The proposed attic redesign will be in compliance with the zoning ordinance as it relates to height and area. Only the volume will increase due to the addition of dormers. The new space will be used by the same number of people in a single family household.

The proposed construction will bring the new living space into compliance with current life safety building and energy codes. Smoke and carbon monoxide detectors are to be installed, egress windows will be added, the existing pull down stairs are to be replaced with walk upstairs compliant with state building codes for width, riser height and tread depth. The side walls of the rear dormer are set in 6 feet from the roof rake. The side walls of the front dormer are set in 9.5 feet from the roof rake. These dormer setbacks reduce the visible impact of the new construction.

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 ordinance. There will be little to no change to adequate light, air & open space.

There is no negative impact on the neighborhood, no noise, smoke, ash, pollution, odors, towers or prohibited uses on the property.

Approval will not substantially impair the intent and purpose of the Zone Plan, Zoning Ordinance and Master Plan.

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 _____ day of _____, 20____, witnesses:

WHEREAS, MICHAEL & JANINE KIRK, 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 42 RICHMOND AVE Block 212, Lot 63; 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, MICHAEL & JANINE KIRK 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.

Janine Graf-Kirk
Michael K. Kirk

Signature of Applicant

Sworn and subscribed to before me
this 2nd day of October, 2020

Mohamed Ali

Notary Public of the State of New Jersey
My Commission Expires on _____

MOHAMED F. ALI
NOTARY PUBLIC OF NEW JERSEY
My Commission Expires 05/21/2024

Address of Property: 42 RICHMOND AVENUE
 B: 212, L: 63

Checklist 1. Required items for all applications submitted to the Planning and Zoning Board of Adjustment.

Item Number	Required Item	To be completed by applicant.		To be completed by the Planning and Zoning Office.	
		Provided ("P") or Waiver Requested ("W")	Applicant's Initials	Date item received by Planning and Zoning Office	Zoning Officer's initials
1.	One original and 17 copies of the completed Standard Board Application Form (see Form 01).	P	RAM		
2.	One original and 17 copies of the Hold Harmless Indemnification Agreement (see Form 15).	P	RAM		
3.	One original and 17 copies of the property survey of the subject property prepared by a New Jersey licensed surveyor and that details the following items: <ul style="list-style-type: none"> - All existing site conditions. - All proposed site conditions. - The location of all easements and encumbrances upon the subject property. - Graphic scale, north arrow, and reference meridian. - A scale of not more than 1:40. - The existing and proposed lot coverage totals. - Title block containing the survey preparer's name and the date the survey was prepared and any revision dates. 	P	RAM		
4.	18 copies of any protective covenants and deed restrictions related to the subject property.	NA	RAM		
5.	One original and 17 copies of the certification from the Tax Collector that all taxes are paid in full (see Form 1).	P	RAM		
6.	Proof that all fees are paid in full and all escrow accounts (if required) are current.	TBD	RAM		
7.	One original and 17 copies of the checklist documenting all items provided and all checklist items waivers requested and statement of arguments in support of waiver requests (see Form 18).	P	RAM		
8.	One original application for the list of owners within 200 ft. of the subject property.	P	RAM		
9.	One original and 17 copies of any approved site plans for the subject site. The original must be sealed by licensed professional.	P	RAM		