

TOWNSHIP OF PRINCETON: ZONING BOARD OF ADJUSTMENT
APPLICATION FOR CONDITIONAL USE

APPLICANT:

Name: _____

Address: _____

Telephone: (____) _____

Facsimile: (____) _____

E-mail: _____

OWNER IF DIFFERENT:

Name: _____

Address: _____

Telephone: (____) _____

PROPERTY INFORMATION:

Block number: _____ Address: _____

Lot number(s): _____

Zoning district: _____

Tax map date: ____/____/____

Date acquired: ____/____/____ Prevailing zone at that time: _____

PROPOSED USE(S):

ASSOCIATED APPLICATIONS:

"D" Variance(s) _____

Subdivision _____

Site Plan _____

"C" Variance _____

APPLICATION COPY PROVIDED TO: Mercer County Planning Board _____

PREVIOUS ACTION: State the nature, date, and disposition of any previous request, application, or appeal regarding this property, to the Township Zoning Board or Building Official, to the best knowledge of owner/applicant:

- - - - -
[Box for Zoning Office use only]

File No. _____

Escrow No: _____

ADDRESS: _____

ZONE: _____

Submission Date: _____

45 Comp. Date: _____

APPLICATION INSTRUCTIONS FOR CONDITIONAL USE

Refer to N.J.S.A. 40:55D-70c and Princeton Township Code 10B-20(c) for primary legal requirements and procedures.

Application must be accompanied by the required fees. Additional fees may be charged as provided by State Statutes, Township Ordinances, and/or Zoning Board rules.

Application must include the owner's affidavit of ownership, and, if made by a person other than the owner of the subject property, the power of attorney.

Specific data for the property and its existing and/or proposed changes are required. Additionally, plans of the property, showing such data, are required.

Following receipt of application, with requisite fees and all required checklist forms and information, the Zoning Office shall notify the applicant within 45 days, either that the application is complete, or otherwise as to additional information required for completion. Lacking such notice, the application will be deemed complete as of the 45th day.

Each application will be numbered serially and placed on the calendar for public hearing at a regular Zoning Board meeting, not less than 20 days after completion of filing, with documents available for public inspection for at least 10 days prior to hearing. Timely filing does not guarantee placement on the agenda of the next meeting; the Zoning Board Secretary will notify the applicant of the hearing date.

PROPERTY PLANS AND DATA

All applications must include drawings depicting the subject property as it exists, and with any proposed changes, including the following:

a. Tax map block & lot numbers, street address if existing, and date of preparation, on each drawing.

b. Name of person preparing each drawing.

If site plan is prepared by a licensed surveyor, it must be signed and sealed. If architectural drawings are prepared by a New Jersey registered architect, they must be signed and sealed.

Key map with legible street plan and location of subject property, including zoning district boundary and north arrow.

Location of all properties within 200 feet of subject property, including approximate location of structures thereon. For adjoining properties, distance from structures to nearest property line of subject property. Names of owners of all adjoining properties. (Copy of tax map sheet may be used as base map for this purpose. Copies of topographical maps with structure locations may also be used. Both are available at cost from the Township Engineering Department - Technical Section.)

e. Scaled site plan, showing

- Dimensions of lot and lot area.
- Significant trees and other vegetation.
- Topography if pertinent to application.
- Bearings on property lines.
- All setback lines, according to zoning regulations.
- Locations and dimensions of existing and proposed structures.
- Distances between structures and property lines.
- North arrow.

f. Scaled building drawings:

- Existing and proposed floor plans, including overall dimensions and gross square footage for each floor.
- Existing and proposed elevations, with sectional views if needed for clarity, and including required and proposed setback/height ratio lines if such variance is requested.

g. Photos or other exhibits may be provided to help explain the application.

CONDITIONAL USE AUTHORIZATION

TOWNSHIP OF PRINCETON ZONING BOARD OF ADJUSTMENT

APPLICATION FOR CONDITIONAL USE AUTHORIZATION (N.J.S.A. 40:55D-3, 25(4), 65(F), 67, 76(2)(b))

Request is hereby made for a conditional use authorization under subsection (d) of Section 10B-253 and Section 10B-320 of the Land Use Ordinance for the following use or uses, and location of uses:

All provisions of the Zoning Ordinance, other than use, are complied with except: (If relief is needed from any other requirements of the Zoning Ordinance, state what those requirements are and show non-compliance. Submit the appropriate forms for requesting such relief).

As to local need for the proposed use, and whether or not said need is adequately served by existing facilities within feasible distance of the area to be serve, applicant says:

As to nuisance factors as defined in Section 10B-321 of the Land Use Ordinance, associated with the proposed use and the minimization of same by adequate shielding by landscape or distance from property line, applicant says:

It is estimated that the amount of traffic associated with the proposed use will be as follows: (State periodic traffic volume and any special patterns).

All provisions in the Land use Ordinance, Subdivision V – Off-Street Parking and Loading – Sections 10B-282 to 10B-291.1, (including screening), are complied with, except:

PUBLIC HEARING REQUIREMENTS AND PROCEDURES

Public notice: The applicant shall give notice by publication in a newspaper of general circulation in the Township, at least ten days prior to the hearing.

Notice to neighboring property owners, government entities, and public utilities: At least ten days prior to the hearing, the applicant shall give written notice to all owners of property within 200 feet of the property, whether in or outside the Township, to public utilities operating within the Township, and to municipalities, counties, and/or the State as required. Notice shall be sent by registered mail or by handing the notice directly to the property owner and obtaining a receipted copy. Addresses may be obtained from the current tax records of the Township, or from a list of property owners and others requiring notice prepared by the appropriate administrative officer, at the written request of the applicant and by payment of the prescribed fee.

Affidavits of notice: Affidavits of publication (from the newspaper) and of proof of service with certified mail slips or receipted letters for those noticed must be presented to the Zoning Board Secretary prior to noon of, and preferably before, the date of the hearing.

At the hearing, the applicant may appear for herself or himself, or be represented by an attorney at law of the State of New Jersey. Corporations must be represented by an attorney.

Action taken by the Zoning Board becomes a final decision by passage of a memorializing resolution by the Board within 45 days following, to be published in an official newspaper of the Township not more than ten days following that event.

Regular meetings of the Zoning Board are normally on the fourth Wednesday of each month, at 7:30 P.M. in the Township Hall. An annual schedule of regular meeting dates is available in the Zoning Office, or on the Website.

Filed applications which are postponed for hearing by the applicant for more than two monthly meetings may be required to be resubmitted in their entirety.

The Zoning Office will furnish forms upon request, and is prepared to give general advice concerning their use and submission. Failure to comply with these instructions shall be sufficient cause for the Zoning Board to refuse to hear an application or appeal.

Following variance approval by the Zoning Board, a zoning permit must be secured from the Zoning Office, and a building permit (if construction is planned), from the Building Department.

An appeal process is available to anyone who believes that the Boards decision is not valid under the pertinent laws and regulations. Appeal must be filed within 45 days following publication of the memorialized resolution.

HELPFUL INFORMATION FOR PUBLIC HEARINGS

The following may be helpful in your presentation to the Zoning Board:

In seeking relief from the existing regulations established by the Municipal Land Use Ordinance, you must tell the Board what it is you are requesting, and you must present evidence to enable the Board to make a determination that you are entitled to the relief requested. This process, by law, is in the nature of a judicial hearing, and accordingly, your cooperation and respect will be appreciated. Any questions you may have during the hearing may be addressed to the Chair or the Board's attorney.

It is your burden to meet the legal criteria for entitlement to that relief. This means you must prove the "positive reasons" for granting your application, as well as the "negative reasons", that granting will not be substantially detrimental to the public good, nor to the intent of the zoning plan and ordinance.

All testimony is presented under oath. A tape recording is made as a record of these proceedings; so please speak into the microphone. You may present a brief description of the nature of your application, and then you are to present whatever testimony, witnesses, and exhibits you wish the Board to consider. The Board members may ask questions of you and your witnesses. Other persons, including members of the public, also have the right to ask questions, make statements, or present testimony for the Board's consideration.

Upon completion of the testimony and related questions, the Board will close the public portion of the hearing and enter a deliberative session, during which there will be no further testimony nor argument unless the Board directs it. The deliberation and decision of the Board will take place in public. To confirm a decision taken by vote of the Board, a formal resolution will be prepared by the Board attorney for memorialization at the next regular meeting, which concludes the Board's action at that time.

FORMS REQUIRED PRIOR TO PUBLIC HEARING

<u>TITLE</u>	<u>FORM</u>
____ Publication of notice (at least 10 days prior)	Enclosed
____ Affidavit of Publication (from newspaper)	By Applicant
____ Notice of hearing to property owners, utilities, and other government entities (at least 10 days prior)	Enclosed
____ Request for list of property owners and others requiring notice	Enclosed
____ Affidavit of proof of service of notices (to be accompanied by certified mail slips or receipted letters)	Enclosed

WRITTEN REQUEST FOR LIST OF PROPERTY OWNERS

**TOWNSHIP OF PRINCETON
ZONING BOARD OF ADJUSTMENT**

**WRITTEN REQUEST FOR LIST OF
PROPERTY OWNERS WITHIN 200 FEET**

(N.J.S.A. 40:55D-12(c))
(Township Code 10B-55)

This is a request for the Administrative Officer to make within seven (7) days and certify a list from current tax duplicates of names and addresses of owners to whom the applicant is required to give notice pursuant to N.J.S.A. 40:55D-12(b) and Township Code 10B-55.

I understand that I shall be entitled to rely upon the information contained in such list, and failure to give notice to any owner not on the list shall not invalidate any hearing or proceeding.

Signature of Applicant

**(APPLICANT'S NAME AND ADDRESS)
(PLEASE PRINT)**

Name: _____

Address: _____

Phone: _____

PROPERTY ADDRESS: _____

PROPERTY Section (Block): _____ **Lot:** _____ of request.

Fee: 10B-55 Ten dollars or \$.25 per name, whichever is greater.

NOTE: Other notices are, or may be, required by N.J.S.A. 40:55D-12 and by other State laws and Municipal Ordinances, the recipients of which are not included in the above list of property owners within 200 feet. All required notices are to be given by the applicant per N.J.S.A. 40:55D-12 and Township Code 10B-55.

AFFIDAVIT OF OWNERSHIP / POWER OF ATTORNEY

AFFIDAVIT OF OWNERSHIP (FOR ALL APPLICATIONS):

STATE OF NEW JERSEY)
) ss.
COUNTY OF MERCER)

_____, of full age, being duly sworn according to law, on oath deposes and says

that the deponent resides at: _____ in the _____ of

_____, County of _____, and State of

_____, that _____ is the owner in fee of all that certain lot,

piece or parcel of land situated, lying, and being in the Township of Princeton, New Jersey, and known and

designated as Lot(s) _____, Block _____.

Owner also assures Zoning Officers, other pertinent Township officers, and members of the Zoning Board the right to inspect the property under consideration, at reasonable times.

SWORN AND SCRIBED

BEFORE ME THIS _____ DAY OF _____, 20_____

(Owner's Signature)
(Co-owner's Signature)

Notary Public, State of New Jersey

**POWER OF ATTORNEY (REQUIRED IF APPLICANT IS NOT OWNER ABOVE):
TO THE ZONING BOARD OF ADJUSTMENT:**

_____ is hereby authorized to make the within application, with respect to the property defined above.

(Owner[s] to sign here)

Date: _____, 20_____

LAND DEVELOPMENT ESCROW AGREEMENT

**TOWNSHIP OF PRINCETON
COUNTY OF MERCER
STATE OF NEW JERSEY**

Land Development Application Number: _____ (by Zoning Office)

Lot(s): _____

Block: _____

Name and Address of Developer (Applicant):

Pursuant to Section 10B-36 of the Princeton Township Code, the undersigned hereby agrees to pay for the cost of professional services, including engineering, professional planning, and legal services necessary to review the developer's application as captioned above.

Developer (Applicant)

Title

Date: _____, 20____

PUBLICATION OF NOTICE
(ref. R.S. 40:55D, 11 & 12
Township Code 10B-49,50 & 55)

Date: _____ (Publication Notice should be typed)

NOTICE

Notice is hereby given that on the _____ day of _____, _____(year), at _____P.M.,
at the Municipal Complex, 400 Witherspoon Street, Princeton, New Jersey, the Zoning Board of
Adjustment of said Township will hold a hearing on the (appeal) (application) of the undersigned,
at which time and place all interested persons will be given an opportunity to be heard.

Location of premises: (address, block and lot number)
Nature of appeal or application: (ref. Note 2 below)

**The following described maps and papers are on file in the office of the Zoning Board at the
Municipal Complex, 400 Witherspoon St., and are available for inspection between the hours of
9:00 a.m. and 4:00 p.m.
(Insert description of documents)**

(Print name)

Signature of Applicant/Appellant

**Note 1: This must be published as a legal notice in the official newspaper of Princeton Township or
in a newspaper of general circulation in Princeton Township, at least ten (10) days before
the meeting date**

**Note2: Consult R.S. 40:55D-11 & 12 and Twp Code 10B-49, 50 & 55 and include in notice all
required contents. Include references to all requests made in conjunction with the
application for development, subdivision, conditional use, variance or special permit.**

NOTICE OF HEARING TO PROPERTY OWNERS WITHIN 200 FEET

**ZONING BOARD OF ADJUSTMENT
TOWNSHIP OF PRINCETON, NEW JERSEY**

Date: _____

**NOTICE OF HEARING TO PROPERTY OWNERS
(N.J.S.A. 40:55D-11 & 12)**

TO WHOM IT MAY CONCERN:

In compliance with 10B-55 to 10B-56.1 of the Princeton Township Land Use Code, notice is hereby served

upon you to the effect that (I) (we) _____

do hereby propose to: **(Give detailed information)**

Location of property: (address, block and lot number)

The undersigned has filed an appeal or application for development with the Zoning Board of Adjustment of The Township of Princeton so as to permit _____

_____.

(if applicable) (I) (We) have also applied to the Zoning Board of Adjustment for a subdivision _____, site plan _____, and/or conditional use _____ approval.

Any person or persons affected by this (appeal) (application) may have an opportunity to be heard at the meeting to be held on _____, at _____ P.M. in the Main Meeting Room of the Municipal Complex, 400 Witherspoon Street, Princeton, New Jersey.

All documents relating to this application may be inspected by the public between the hours of 9:00 a.m. and 4:00 p.m. in the office of the Zoning Board of Adjustment, Municipal Complex, 400 Witherspoon Street, Princeton, New Jersey.

Signature of Applicant/Appellant

TOWNSHIP OF PRINCETON

ZONING BOARD OF ADJUSTMENT

AFFIDAVIT OF PROOF OF SERVICE AND PUBLICATION

(N.J.S.A. 40:55d-12b)

PROOF OF SERVICE OF NOTICES REQUIRED BY STATUTE MUST BE FILED AND VERIFIED WITH SECRETARY TO THE ZONING BOARD OF ADJUSTMENT AT LEAST TWO (2) DAYS PRIOR TO THE MEETING OR CASE WILL NOT BE HEARD.

STATE OF NEW JERSEY }

}ss.

COUNTY OF _____ }

_____, of full age, being duly sworn according to law,
deposes and says that (he) (she) resides at _____
in the Municipality of _____, County of _____,
and State of _____, that (he) (she) (they) is (are) the applicant(s)
in a proceeding before the Zoning Board of Adjustment of the Township of Princeton, New
Jersey, being an (appeal) (application) under the Zoning Ordinance, and which has
the file number _____ and related to premises _____;
that on _____, 20____ (he) (she) (they) gave written notice of the
hearing on this application to each and all of the persons upon whom service must be
had, in the required form and according to the attached lists, and in the manner
Indicated thereon; and to the official newspaper of Princeton Township or in a
Newspaper of general circulation in Princeton Township as indicated on the attached
Proof of Publication.

Signature of Applicant(s)

Sworn to and scribed to before me this _____ day of _____, 20____.

Notary Public, State of New Jersey

NOTE TO APPLICANT: ATTACH LIST OF ALL PERSONS SERVED AND PROOF OF PUBLICATION

FILING FEES: CONDITIONAL USE

1. WITH INITIAL APPLICATION:	REVIEW/ HEARING FEES	ESCROW FEES
Conditional Use Authorization for expansion Of existing conditional use	\$300.00	\$250.00
Conditional Use Authorization for deferral of Parking requirements	\$300.00	\$250.00
Conditional Use authorization for home Occupation use	\$300.00	\$200.00
Conditional Use Authorization other	\$300.00	\$500.00
Educational Training Fee	\$ 30.00	
Decision publication	\$ 25.00	
List of property owners, utilities, & other government entities:	\$ 10.00 or \$.25/name whichever is greater	

Please submit two separate checks: one for application fees, educational training fee, decision publication fee and owners list fee; the other for the escrow amount. Both checks should be made payable to the *Township of Princeton*.

