

LAND USE AND DEVELOPMENT

102 Attachment 10

Township of Bethlehem

**Board of Adjustment Application Form
[Amended 10-5-2006 by Ord. No. 255-37-2-2006]**

**Township of Bethlehem
405 Mine Road
Asbury, New Jersey 08802**

Date of Application: _____

Township Application Number: _____

An application is hereby made for:

- _____ N.J.S.A. 40:55D-70(a) Appeal or (b) interpretation
- _____ N.J.S.A. 40:55D-70(c) bulk variance
- _____ N.J.S.A. 40-55D070(d) conditional use
- _____ Other ancillary relief (N.J.S.A. 40:55D-34 &35)

General Information:

Name of Applicant: _____

Address of Applicant: _____

Phone Number(s): _____

Contact Person (if different from above): _____

Owner of the Property if not Applicant: _____

Address of Owner: _____

Description of the Site:

Street Address: _____

Tax Map Block Number: _____ Lot Number: _____

How Property is Zoned: _____

Principal Use: _____

Proposed Use: _____

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Description of Proposal:

Explain in detail the exact nature of the application and the changes to be made to the site: _____

Compliance with Land Development Ordinance:

Requirements	Required	Proposed	Complies?
Lot Area			
Lot Frontage			
Lot Width			
Lot Depth			
Front Yard Set Back			
Side Yard Set Back			
Rear Yard Set Back			
Floor area Ratio			
Impervious Cover			
Off Street parking			
Other			

Additional Information:

Specify the relief sought from the Board of Adjustment under NJSA 40:55D-70d et seq. (D variance) by answering the following questions:

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- A. Does your application seek a variance to permit a use or structure not allowed by the zoning ordinance? If yes, explain.

- B. Does your application request a variance so that you can expand the use or structure on a site currently considered as not conforming in the zone in which it is located? Explain.

- C. Is your use or structure conditional in the zoning ordinance? If so, does your application seek a variance in order to deviate from a specification or standard previously imposed on the property when conditional use was granted? Explain.

- D. Does your application request a variance in order to increase the floor area ratio to more than the maximum allowed in the zone and thus increase the intensity of use on the site? Explain.

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E. Does your application request a variance that will result in an increase in the use of the site? Explain.

F. Does your application seek to permit an increase in the height of a building by more than 10% of the maximum allowed? Explain.

G. Does your application seek to permit a structure to be placed on the site in violation of the setback requirements? Explain.

H. How would the granting of this variance serve the general welfare and the public good?

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- I. Explain how the negative impact of this variance on surrounding properties and on the general public will be mitigated.

If the variance is requested under NJSA 40:55D-70c (C variance), please answer the following questions:

- A. Is the variance requested because the property is exceptionally narrow or shallow or has an unusual shape that prohibits the structure from being built in accordance with land use requirements? Explain.

- B. Is the variance requested because the topography or physical features do not allow for a structure to be built within requirements of the land use law? Explain.

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C. Is the variance requested because of an extraordinary or exceptional situation unique to the property that creates an undue hardship on the owner if the land use law is strictly observed? Explain.

D. Explain how the benefits of granting the variance substantially outweigh any detriment to the public good.

Has there been any previous appeal involving the site? If so, state the character of the appeal and the date of the disposition. Attach a copy of the resolution of approval.

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Other Required Information: (Supply 20 copies of each)

- _____ Attach the completed application form
- _____ Attach a copy of the deed.
- _____ Attach a copy of proof of payment of taxes.
- _____ Attach a copy of the Certified List of Property Owners.
- _____ Attach a copy of the Escrow Fee Agreement.
- _____ Attach a plot plan showing the block and lot numbers, dimensions of the lot, dimensions of present and proposed structures, and location of all structures in relation to all other structures and to the property lines. If available, include plans of any proposed buildings.
- _____ Attach the Permission for a Site Walk.
- _____ Attach a list of possible witnesses, including professional consultants. Include the name, the address, the telephone number and the title of the individual.
- _____ Attach a resume for each professional employed by the applicant to be placed on file in the office of the Board of Adjustment.
- _____ Attach a Disclosure of Partnership Interest if applicable.
- _____ Attach a list of outside agencies that may be reviewing this application if applicable.
- _____ Attach a Certifications form.
- _____ Indicate compliance with the requirements of the Growth Share Ordinance, section 101-10 of the Township Code.
- _____ Indicate the amount of application fees and development review escrow funds that are being submitted with this application and calculations in accordance with Article IX, §102-53:

Application Fees	\$	
Development review escrow	\$	

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BOARD OF ADJUSTMENT

LAND DEVELOPMENT ESCROW AGREEMENT

Land Development Application #: _____

Application name: _____

Block: _____ Lots: _____

Developer's name: _____

Developer's address: _____

Pursuant to §102-53 of the Township of Bethlehem Code, the undersigned hereby agrees to pay for the cost of professional services, including but not limited to engineering, professional planning and legal services, necessary to review the developer's application as captioned above.

Name (print or type legibly)

Applicant's Signature Date

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CERTIFICATIONS

Applicant's Certification:

I CERTIFY that the foregoing statements and the 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 and authorized to sign on behalf of the partnership.

[If the applicant is a corporation an authorized corporate officer must sign this. 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

Property Owner's Consent to Application (If owner is other than 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. I certify that I am authorized by the corporation/partnership to sign this certification.

[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

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PERMISSION FOR A SITE WALK

Application: _____

Site Address: _____

Block _____

Lot _____

PURSUANT TO THE BETHLEHEM TOWNSHIP BOARD OF ADJUSTMENT BYLAWS

Site inspection of the applicant’s property to be developed (property) is recommended for all Board of Adjustment members, representatives of all municipal, county, state, federal or other regulatory agencies required to review the application for development and consultants and experts hired by the Board of Adjustment and government or regulatory agencies. Applications for development include the submission of permission for individuals to physically inspect the property and permission is therefore granted to enter and inspect the property and buildings. The applicant shall be notified of said inspection at least three (3) days prior to the site inspection and shall have the right to be present at the time of site inspection, accompanied by the applicant’s attorney and other representatives. Further, the applicant shall be advised that any information obtained from the site inspection and facts respecting the physical situation of the property that may be disclosed by the inspection may be placed on the record at the time of public hearing and used as a basis, in whole or in part, for the decision of the Board.

I (WE) HEREBY GRANT PERMISSION FOR SITE WALKS AS A PART OF THIS APPLICATION.

Applicant’s Signature (or authorized representative)

Date

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SAMPLE NOTICE

**NOTICE OF PUBLIC HEARING
BETHLEHEM TOWNSHIP BOARD OF ADJUSTMENT
HUNTERDON COUNTY**

PLEASE TAKE NOTICE that (Name of applicant) has applied to the Board of Adjustment of Bethlehem Township for (Type of application & description of proposed development, including section of Land Use and Development Ordinance from which variance relief is sought, if applicable) on property located at (Street address), also known as Block _ Lot _ in Bethlehem Township, Hunterdon County, New Jersey. Said property is owned by (Name of owner). (A more detailed description of the proposal may be included.)

A public hearing on this application will be held by the Bethlehem Township Board of Adjustment on **(Insert date)** at 7:30 p.m. at the Municipal Building located at 405 Mine Road, Asbury, New Jersey. All interested parties will have the opportunity to express support of or objection to the application, and may have an agent or attorney appear on their behalf.

Documents and maps pertaining to the application for which approval is sought are on file in the office of the Board of Adjustment at the Municipal Building at 405 Mine Road, Asbury, New Jersey, and are available for inspection during the Board office's regular business hours.

This notice is provided pursuant to the Municipal Land Use Law of the State of New Jersey.

(Name) _____

(Date) _____