



BOROUGH OF OLD TAPPAN

227 OLD TAPPAN ROAD

OLD TAPPAN, NEW JERSEY 07675

RESIDENTIAL VARIANCE APPLICATION PROCEDURE

1. Obtain a copy of the Residential Variance Application form at the Borough Hall. Complete the application and submit **5 copies** of the application with all fees and requirements.
2. If the applicant is appealing the decision of a municipal officer (Construction Code Official, Zoning Officer), then a Notice of Appeal must accompany the application.
3. An application must also be accompanied by a folded plat plan (for mailing), survey (one original must be sealed) and building plans containing the following information:
 - a. The lot lines of the property which is the subject of the application.
 - b. All existing and or proposed structures.
 - c. All surrounding streets.
 - d. Complete and accurate dimensions.
 - e. Topography with grade changes if any.
 - f. Front, side, and rear architectural elevations and floor plans
 - g. Photographs of existing structure, property and adjoining homes.
4. Missing items must be provided to complete the **5 copies** of the submitted applications. After the Old Tappan Planning Board deems the application complete, the applicant must provide **15 additional collated** sets of the complete application to the Planning Board Secretary for distribution to the various Borough Departments. The Applicant will then be notified of a hearing date.
5. Written notice of the public hearing must be served not less than ten (10) days prior to the public hearing on all property owners within two hundred (200) feet of the property which is the subject of the application. A sample of a written notice is included in the Application packet.
6. If the property that is the subject of the application is within two hundred (200) feet of an adjoining NJ municipality, then the Bergen County Planning Board must be notified, which is located at Court Plaza South, Room 204 W, 21 Main Street, Hackensack, NJ 07601-7000. Frontage of the property on a County Road also requires notification of the Bergen County Planning Board.
7. Procedures for applications to the Old Tappan Planning Board are detailed in the Chapter 45 of the Code of the Borough of Old Tappan, which can be accessed online through the Borough's web site, www.oldtappan.net (see Ordinances webpage). Many requirements for variance applications are prescribed by the Municipal Land Use Law, N.J.S.A. 40:55D-1, et seq. Note: Applicant must complete the Application Procedures Checklist Schedule A regarding Residential Variances and Fences.

Plans submitted to the Planning Board shall be accompanied by CAD-generated data files as described below. At a minimum, the initial plan submission and the final plan submission shall meet these requirements. The Board, in its discretion, may also require plan revisions that occur between initial and final submissions to be submitted in CAD format. A summary of CAD requirements is as follows:

- (1) A datum reference of New Jersey North American datum 1993 (1996 adjustment - NAD 83) shall be utilized, unless New Jersey North American datum 1988 (NAVD 88) is available, in which case NAVD 88 shall be utilized.
- (2) The digital CAD files shall have mapped features and associated text stored on unique layers.
- (3) The digital CAD files shall be saved with a display view matching the submitted hardcopy prints.
- (4) The digital CAD files shall be submitted on compact disk (CD-R).
- (5) Acceptable drawing formats include:
 - (a) Autocad (.dwg), Release 14 or later;
 - (b) Data Exchange format (.dxf);
 - (c) Microstation (.dgn); or
 - (d) ESRI (.shp) or later.

Official Use Only:

Date Application Recorded: / / 2____

Completion Date: / / 2____

Decision Date: / / 2____

Application Fee: \$200.00

Escrow Deposit: \$1000.00

Fence Variance Escrow: \$750.00

Additional Escrow may be required.

Applicant:**Block No.:****Lot No.:**

APPLICATION FOR RESIDENTIAL VARIANCE **BOROUGH OF OLD TAPPAN**

1. APPLICANT / PROPERTY OWNER INFORMATION:

Name: _____

Address: _____

Phone: _____

Fax: _____

Email: _____

Applicant is a: Corporation ☐ Partnership ☐ Individual(s) ☐

If Applicant is a corporation or partnership, please list the names and addresses of persons having a 10% or more interest in the corporation or partnership on a separate page and attach to this application.

Relationship of applicant to property: Owner ☐ Purchaser under contract ☐Lessee ☐ or other (specify) _____**IF APPLICANT IS REPRESENTED BY AN ATTORNEY:**

Name: _____

Address: _____

Phone/Fax: _____

E-mail: _____

OTHER REPRESENTATIVE OF THE APPLICANT:

Name: _____

Address: _____

Phone/Fax: _____

E-mail: _____

2. PROPERTY INFORMATION:

Street Address: _____

Tax Map Block Number: _____ Lot Number: _____

Zoning District: _____

Lot Area: _____

Lot Dimensions: _____

Property is located (check applicable status)

☐ Within 200 feet of another municipality

☐ Adjacent to an existing or proposed County Road

Note: If any category is checked, notice of hearing concerning this application is required.

List prior applications or Municipal actions regarding this property.

Describe relief requested: (Use separate sheet if necessary)

This image shows a blank sheet of white paper with horizontal ruling lines. The lines are evenly spaced and extend across the width of the page. There are no margins, text, or other markings on the paper.[illegible]

4. REASONS FOR REQUEST IN SUPPORT OF THIS APPLICATION:

This variance is sought because of (check applicable).

- ☐ Exceptional narrowness of the property
- ☐ Exceptional shallowness of the property
- ☐ Shape of the property
- ☐ Exceptional topographic or physical features of the property
- ☐ Other extraordinary or exceptional situation

Briefly describe property features or situation.

Note: It is the responsibility of the applicant to prove to the Planning Board that the applicant’s request for a variance is justified.

5. OTHER REQUIRED INFORMATION:

Attach a survey indicating the dimensions of the property and area, the size of the present and proposed structures, location of structures in relation to other structures on the property and property lines, including all existing and proposed driveways, topography for grade changes if any and preliminary front, side, and rear architectural elevations and floor plans. 19 folded copies are required. File copy must be sealed.

6. VERIFICATION AND AUTHORIZATION:

If applicant is property owner.

Applicant / Property Owner's Statements:

1. I, the undersigned being the owner of the property designated in this application consent to the inspection of the subject property in connection with this application as deemed necessary by the Municipal Authority and consent to the making of this Variance Application to the Old Tappan Planning Board.
2. I hereby certify that the above statements made by me and the statements and information contained in the documents submitted in connection with this application are, to the best of my knowledge, true and accurate.

Applicant / Property Owner's Signature

Date

Applicant / Property Owner's Signature

Date

If applicant is other than the property owner (must be notarized)

_____ is hereby authorized to make the within Application to the Old Tappan Planning Board.

Property Owner's Signature

Date

Sworn and Subscribed to before me

_____ day of _____, 2005

(Notary)

Applicant's Signature

Date

Sworn and Subscribed to before me

_____ day of _____, 2005

(Notary)

Notice To Be Published in Official Newspaper

Borough of Old Tappan Planning Board

TAKE NOTICE that on the _____ day of _____ 2__.

At 7:00 o'clock p.m., a hearing will be held before the Borough of Old Tappan Planning Board at the Municipal Building located at 227 Old Tappan Road, Old Tappan, New Jersey on the appeal or application of the undersigned for a variance or other relief so as to permit

on the premises located at _____

and designated as Block _____ Lot _____ on the Borough of Old Tappan Tax Map.

The following described maps or papers are on file in the office of the Borough Clerk and are available for inspection:

Any interested party may appear at said hearing date and participate therein in accordance with the rules of the Old Tappan Planning Board.

(Name of Applicant)

(Publication Date)

Borough of Old Tappan Residential C Variance Application Checklist Schedule A

Applicant _____ Block _____ Lot _____	Complies	Deficient	Waiver Sought	Not Applicable
<i>General Requirements For All Applications</i>				
1. Information sheet (showing name, address, telephone number, etc., of owner, lot and block number of property, etc.).	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. 19 total copies of the application in form pertaining to the type of approval requested, completely filled in. Any item not applicable Or requested waived, should be indicated as such on the form.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. A certificate from the Borough Tax Collector that all municipal real estate taxes are currently paid and up to date.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4. Receipts showing that all application fees have been paid and all escrow deposits have been posted.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5. Affidavit of ownership. If applicant is other than the owner, a consent form executed by the owner authorizing the applicant to proceed.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. If applicant is a corporation or partnership, list the names and addresses of all stockholders or individual partners owning at least 10% of its stock of any class as required by N.J.S.A. 40:55D-48.1 and 40:55D-48.2.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7. If applicant is a corporation and/or is represented by an attorney, the name, address and telephone number of the attorney representing said applicant.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8. a) Names and addresses of proposed fact witnesses and projected time required for the testimony of each witness.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Names, addresses and qualifications of any expert witnesses together with the projected time required for the testimony of each expert witness. Copies of expert's reports are to be furnished in accordance with Board regulations.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Applicant _____ Block _____ Lot _____		Complies	Deficient	Waiver Sought	Not Applicable
9.	(Except for final major subdivision or site plan approval) a schedule of zoning requirements applicable to the property and a listing of whether or not the application is in compliance with such requirements.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10.	Listing of all approvals sought by the applicant including any variances, waivers and/or exceptions being sought; reference to specific ordinance sections and explanation of reasons why such variance or exception is requested.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11.	Copies of any prior resolutions or other documentation regarding past decisions involving the property.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12.	Copies of any easements, deed restrictions or covenants affecting use of the premises.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
13.	(Except for final major subdivision or final site plan approval) an indication of floodplains and/or wetlands delineated on the plans.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	a) If none, a certification must be furnished by a licensed P.E. that, based on a review of the National Inventory Wetlands Map, and a physical inspection of the premises, there are no designated wetlands or flood-plains on site or a Letter of Interpretation (LOI) from the NJDEP must be submitted indicating the absence of fresh water wetlands on site;	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	b) If fresh water wetlands exist on site, an LOI from the NJDEP must be submitted indicating the presence of such fresh water wetlands and verifying the delineation of the boundaries of said fresh water wetlands as shown on the plat;	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	c) If fresh water wetlands exist, a copy of any application made to the NJDEP for any permit concerning a proposed regulated activity in or around said fresh water wetlands, together with a copy of any permit issued by NJDEP must be submitted.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
14.	A list of all other governmental agencies which must review the application and issue an approval.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Variance Applications					

Applicant _____ Block _____ Lot _____		Complies	Deficient	Waiver Sought	Not Applicable
1.	Plat clearly and legibly drawn or reproduced at a scale not smaller than 1 inch equals 100 feet.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2.	Sheet size either 15 x 21, 24 x 36 or 30 x 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	State of New Jersey				
3.	Plans shall be prepared by an architect, planner, engineer, land surveyor, or the applicant, where appropriate.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4.	Plat prepared to scale based on deed description, Tax Map or similarly reasonably accurate data for the purpose of review and discussion by the municipal agency.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5.	Metes and bounds description of parcel in question based upon current land survey information.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6.	Key map showing location of tract to be considered in relation to surrounding area.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7.	Property line shown in degrees, minutes, and seconds.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8.	Title block containing name of applicant, preparer, lot and block numbers, date prepared, date of last amendment and zoning district.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9.	Each block and lot numbered in conformity with the Municipal Tax Map as determined by the Municipal Tax Assessor.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10.	Scale of map, both written and graphic.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11.	North arrow giving reference meridian.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12.	Space for signatures of Chairman and secretary of the municipal agency.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
13.	Names of all property owners within 200 feet of subject property.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
14.	Location of existing and proposed property lines with dimensions in feet to the nearest two decimal places.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
15.	Zoning district in which parcel is located, indicating all setbacks, lot coverage, height, floor area ratio, and density, both as to required and proposed. Indicate the above both written and graphically.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
16.	Zone requirements per ordinance and per application.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Applicant _____ Block _____ Lot _____	Complies	Deficient	Waiver Sought	Not Applicable
17. Acreage of affected parcel to the nearest hundredth of an acre.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
For "c" variances the aforementioned plat should additionally show:				
1. Existing and proposed dimensions of all structures.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. Setbacks.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. Lot and building dimensions.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4. Existing and proposed building dimensions and locations.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5. Lot dimensions.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Location of structures adjoining and surrounding the lots.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7. Lot lines of adjoining and surrounding lots.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8. Ordinance required setback lines.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9. Access location(s).	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10. Master Plan section(s) relative to the site in question and Master Plan section(s) relative to propped use (if any).	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11. Area map showing vicinity and location.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>