

***Procedures for
Homeowner Application
Lawrence Township, Mercer County NJ
Zoning Board of Adjustment***

1. At the time of the filing of the application, the applicant also provide the Division of Planning and Redevelopment with the following:
 - a) Fifteen (15) copies of the appropriate documents from the master checklist (one (1) application must have an original signature).
 - b) Fifteen (15) copies of a legible plot plan of the property to scale (not less than 1"=50'), showing the alteration (addition, deck, swimming pool, etc).
 - c) Fifteen (15) copies of a prepared written statement, explaining in more detail the requested variance(s) and the reasons for such request. A copy of the instructions regarding required information follows (see Item 6).
 - d) Property Owner's List Request Form. There is a \$10.00 fee for this list, which must be paid at the time of the filing of the application. If there are over forty names, an additional \$0.25 per name will be charged (request form PO-1 attached).
 - e) Appropriate fee and escrow (see item 3).

No application will be accepted without all completed necessary papers. The Administrative Officer shall determine the completeness of all applications (including appeals) within forty-five (45) days of their receipt.

2. An appeal from the action of the Administrative Officer must be filed with the Department of Planning and Redevelopment within 20 days after the Administrative Officer's action.

3. **Application Fees and Escrow:** At the time of filing an application, the appropriate fees must be paid to the Finance Department, as follows:

a.	<u>Appeal:</u> (N.J.S.A. 40:55D-70a)	\$200.00 application fee (No escrow required)
b.	<u>Bulk ("C") Variance:</u> (N.J.S.A. 40:55D-70c)	\$100.00 application fee plus \$400.00 minimum escrow
c.	<u>Interpretation:</u> (N.J.S.A 40:55D-70b)	\$200.00 application fee plus \$200.00 minimum escrow

4. A legal notice (sample attached) shall be completed and published in the Legal Notices section of either the Trenton Times or the Lawrence Ledger at least ten (10) days prior to the meeting. This notice is also to be served (hand delivered or sent certified mail) to all adjacent property owners within 200' of the property in question and all appropriate utility and cable companies as provided in the official property owners list from the Municipal Engineer. **NOTE:** In accordance with § 7.706(e)(1) of the Land Use Ordinance, appeals do not have to be noticed, unless they are accompanied by a "C" variance application.
5. At least seven (7) days prior to the meeting, at which the hearing on this application is scheduled, the applicant must provide the Division of Planning and Redevelopment with the following documents:
 - a. An **Affidavit of Service of Notice**, along with photocopies of all white certified receipts, showing mailing to adjacent property owners and all appropriate utility and cable companies as provided in the official property owners list from the Municipal Engineer., or sheet with original signatures of person(s) to whom notices were hand-delivered.
 - b. A certified copy of legal notice from newspaper.

6. The Zoning Board of Adjustment will expedite consideration of individual homeowner “C” variance applications. To provide the Board with a clear understanding of the project, a written statement should be attached to the application with the following information.
 - a. Describe the property, existing structures and surrounding properties and structures.
 - b. Explain the type of variance requested and the reason the variance is needed. For example, a rear yard setback variance is needed to permit construction of an addition to the existing dwelling. The addition will intrude into the required 35’ rear yard setback by 9’. The addition is needed to upgrade the living area of the dwelling to accommodate a growing family.
 - c. Explain any exceptional conditions or circumstances.
 - d. Provide reasons for granting the variance in accordance with Municipal Use Law. The statutory standards for the Zoning Board of Adjustment granting a “C” variance are as follows:

Motion on Findings

- Hardship: (Type 1)
- 1.a. exceptional narrowness, shallowness or shape of a specific property, or
 - 1.b. exceptional topographic conditions or physical features uniquely affecting a specific piece of property, or
 - 1.c. an extraordinary or exceptional situations uniquely affecting a specific piece of property or the structures lawfully existing thereon,

Such that the strict application of any zoning regulation would result in a peculiar and exceptional situation, and undue hardship would be placed upon the owner of such property.

or

- Flexible: (Type 2) the purposes of the Municipal Land Use Law would be advanced by a deviation from the Land Use Ordinance requirements and the benefits of the deviation would substantially outweigh any detriment.

For either Type (1) or Type (2) variances, the Zoning Board must also find that there is not substantial detriment to the public good or substantial impairment to the Land Use Ordinance or zone plan.

The statutory standards for the Zoning Board to **deny** a “C” variance are as follows:

1. Substantial detriment to the public good, or
2. Substantial impairment to the intent of the Land Use Ordinance or zone plan, or
- 3.a The benefits of the deviation do not substantially outweigh the detriment, and
- 3.b No undue hardship or exceptional practical difficulties would result from strict application of the zoning regulation.

Providing the above information prior to the hearing will save time for the individual homeowner and the Zoning Board, which translates to a saving of money to both the homeowner and the Township. Questions with regard to this procedure should be directed to the Administrative Officer at 609/844-7076.

Township of Lawrence
Mercer County NJ
Department of Community Development
Property Owner's List Request Form

_____ Date

TO: Department of Engineering

Please prepare a list of property owners within 200' of:

Block _____ Lot _____ Tax Map Page(s) _____
Application No. _____

Applicant: Name: _____
Address: _____
Phone No.: _____
E:mail: _____

Contact: Name: _____
Address: _____
Phone No.: _____
E-mail: _____

The above list is requested to be provided by the Department of Engineering within seven (7) days as per Ordinance requirements.

Please Mail Request to: Township of Lawrence
Department of Engineering
2207 Lawrence Road
P O. Box 6006
Lawrenceville NJ 08648

Please Note: There is a \$10.00 charge for the list. If the list is over forty (40) names, an additional \$0.25 per name will be charged. No list or recheck of same will be released until the required fee is paid.

NOTICE TO APPLICANTS

Lawrence Township would like to offer applicants an explanation of our escrow accounting system so that they may better understand our practices prior to filing an application with our Zoning or Planning Board.

There are two cost components to the application submission – the application fee and the escrow deposit. The application fee is a non-refundable charge to cover direct administrative expenses.

The escrow deposit is authorized by State law and is established to cover the costs of professional services including engineering, legal, planning and other expenses connected with the review of an application and the appearance before the Zoning or Planning Boards. Some professional services are provided by in-house staff and other services by outside consultants. The law provides that the costs of outside consultant services are recovered in full and in-house staff services are recovered at double the staff member's hourly compensation. The initial escrow deposit established by Lawrence Township is almost always less than the Township's cost to complete the application process. When an escrow account is depleted, the applicant must replenish the account.

The Township sends invoices quarterly on escrow accounts. Please be advised; however, that any charges in excess of the escrow deposit must be paid in full at each of the following stages – before plans are approved, before a building permit is issued, and before a Certificate of Occupancy is issued.

We hope that this assists you in understanding the costs associated with the application process. If you need further assistance, please contact the Administrative Officer at 609/844-7076.

**Township of Lawrence
Mercer County NJ
Department of Community Development
Land Use Application Master Checklist**

Application No. _____

Name of Applicant: _____

- | | |
|--|---|
| <p>Required for all applications:</p> <p>() General Information</p> <p>() Certifications</p> <p>() Taxpayer Identification number & certification</p> <p>Type of approval sought (check all as appropriate):</p> <p>() Appeal from decision of Administrative Officer</p> <p>() Bulk Variance (parcel)</p> <p>() Bulk Variance (signage)</p> <p>() Bulk Variance (homeowner)</p> <p>() Conditional Use</p> <p>() Informal</p> <p>() Interpretation</p> <p>() Lot Consolidation</p> <p>() Site Plan, Informal</p> <p>() Site Plan, Waiver</p> <p>() Site Plan, Minor</p> <p>() Site Plan, Preliminary Major</p> <p>() Site Plan, Final Major</p> <p>() Subdivision, Minor</p> <p>() Subdivision, Preliminary Major</p> <p>() Subdivision, Final Major</p> <p>() Use Variance</p> <p>() Other (specify)</p> | <p>Complete form:</p> <p>Form G-1</p> <p>Form C-1</p> <p>IRS form W-9</p> <p>Form A-1</p> <p>Form B-1</p> <p>Form B-2</p> <p>Form B-3</p> <p>N/A</p> <p>N/A</p> <p>N/A</p> <p>N/A</p> <p>N/A</p> <p>N/A</p> <p>N/A</p> <p>N/A</p> <p>N/A</p> <p>N/A</p> <p>N/A</p> <p>N/A</p> <p>N/A</p> <p>N/A</p> <p>N/A</p> <p>N/A</p> <p>N/A</p> <p>N/A</p> <p>Form U-1</p> <p>N/A</p> |
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List all accompanying material:

<u>Description</u>	<u>Number Submitted</u>

List name & address of all expert witnesses expected to testify:

Township of Lawrence
Mercer County NJ
Department of Community Development

Application No. _____

General Information

1. Applicant:

Name	_____	Phone	_____
Address	_____	Fax	_____
	_____	Email	_____

2. Owner of land (as shown on current tax records):

Name	_____	Phone	_____
Address	_____	Fax	_____
	_____	Email	_____

3. Attorney (where applicable):

Name	_____	Phone	_____
Address	_____	Fax	_____
	_____	Email	_____

4. Engineer (where applicable):

Name	_____	Phone	_____
Address	_____	Fax	_____
	_____	Email	_____

5. If the applicant is a corporation or partnership, list the names and addresses of all stock holders or partners owning a 10% or greater interest in said corporation or partnership in accordance with P.L.1977 Ch.336.

6. Location of Land:

Lot No(s) _____ Block(s) _____ Tax Map pg(s) _____

Street(s) _____

7. Zoning designation of parcel (see Zoning Map): _____

8. Name of proposed development: _____

Township of Lawrence
Mercer County NJ
Department of Community Development

Application No. _____

Certifications

Certification of applicant:

I/we do hereby certify that all statements made herein and in any documents submitted herewith are true and accurate.

Applicant's signature _____

Date _____
Date _____

Owner's consent to filing of application:

If the applicant is not the owner of the property, have owner sign below or file with the application a letter signed by the owner consenting to the application.

I am the current owner of the subject property and am aware of and consent to the filing of this application.

Owner's signature _____

Date _____
Date _____

Acceptance of reasonable review & inspection costs:

I/we do hereby agree to pay all reasonable costs for professional review of the plan(s) and material submitted herewith and for subsequent township inspection of any improvements to be constructed in connection therewith or future bond releases, where such inspection is required.

Applicant's signature _____

Date _____
Date _____

Authorization for township officials to enter upon property:

I/we do hereby grant authorization to township officials, including Planning or Zoning Board members, to enter upon the subject property for the purpose of inspection related to this application.

Owner's signature _____

Date _____
Date _____

AFFIDAVIT OF SERVICE TO NOTICE

Township of Lawrence)
County of Mercer)
State of New Jersey)

IN RE: Application of _____

I, _____, of full age, being duly sworn according to law, upon _____ oath, depose and say: That at least ten (10) days prior to the hearing of this application, I gave or caused to be given written notice thereof, IN THE FORM ATTACHED HERETO, and in the manner herein set forth, to all parties upon whom the New Jersey Revised Statutes require such notice to be served as follows:

1. To all property owners within 200' of the property to be affected by this application, by sending said notice by registered or certified mail to the last known address of the property owner or owners as shown by the most recent tax lists of the municipality, or by handing a copy of said notice to said property owner(s); and
2. If the property to be affected by this application is situated within 200' of an adjoining municipality, by sending a copy of said notice by registered or certified mail to the Municipal Clerk of such adjoining municipality and the County Planning Board of the County in which said adjoining municipality is located and the County Planning Board of Mercer County.
3. If the property to be affected by this application adjoins a County road or other County lands, by sending a copy of said notice by registered or certified mail to the County Planning Board of Mercer County.
4. If this application involves property abutting upon or adjacent to a State Highway, by sending a copy of said notice by registered or certified mail to the Commissioner of the New Jersey Department of Transportation.

A true list of names of said property owners, Clerks, boards and/or agencies served, with their addresses, and stating the date and manner of service upon each is as follows:

NOTICE

File No. _____

NOTICE is hereby given that on the _____ day of _____, 20__, at 7:00 p.m. in the Lower Level Conference Room in The Municipal Building, 2207 Lawrenceville Road, Lawrenceville NJ 08648, the Lawrence Township Zoning Board of Adjustment will hold a hearing on the appeal or application of the undersigned, at which time and place all interested parties will be given an opportunity to be heard:

LOCATION OF PREMISES – STREET ADDRESS AND BLOCK(s) / LOT(s):

NAME AND NATURE OF APPEAL OR APPLICATION:

and any other variances and/or waivers that are found to be required:

Copies of the application and plan are available for inspection at the office of the Lawrence Township Planning and Redevelopment, Municipal Building, weekdays (except holidays), between the hours of 8:30 a.m. and 4:30 p.m.

By: _____
Appellant or Applicant

Township of Lawrence
Mercer County NJ
Department of Community Development
Appeal from decision of Administrative Officer

Application No. _____

NOTICE OF APPEAL

TAKE NOTICE that the undersigned, owner of premises in the Township of Lawrence designated on township tax map page _____ as Block(s) _____ Lot(s) _____ ("*Premises*"), also known as _____, located in the _____ zoning district, owned by _____ or has interest in said premises and has permission of the owner and has sought relief from the administrative officer, hereby appeals to the Zoning Board of Adjustment from the order, determination, or decision of said administrative officer made on the ___ day of _____, granting / denying a _____ to _____ permit construction of a _____ on said premises. The administrative officer gave as the reason for that action (attach any correspondence):

TAKE FURTHER NOTICE that you are hereby required to immediately transmit to the Secretary of the Zoning Board of Adjustment and the statute in which such case made and provides.

Dated: _____

_____ Appellant

(NOTE: THIS NOTICE OF APPEAL MUST BE SERVED UPON THE ADMINISTRATIVE OFFICER FROM WHOM THE APPEAL IS TAKEN WITHIN 20 DAYS OF THE DATE OF THE ACTION WHICH IS APPEALED).

Township of Lawrence
Mercer County NJ
Department of Community Development

Application No. _____

Bulk Variance (Homeowner)

(Attach additional pages as necessary)

Request is hereby made for permission to erect, alter or convert a _____
_____ contrary to the requirements of § _____ of the Land Use
Ordinance, or for other relief as follows:

1. Is the property a corner lot? _____
2. Is public sewer available to property? _____ Public Water? _____
3. Explain the **EXCEPTIONAL** conditions or circumstances uniquely affecting the property involved or the structures existing on the property which would cause peculiar and exceptional practical difficulties or undue hardship and which do not apply generally to other properties in the same zone or neighborhood or

Explain how the purposes of the municipal land use law would be advanced by the proposed deviation(s) from the zoning ordinance requirements and how the benefits of the proposed deviation(s) would be advanced by the benefits of the proposed deviation(s) would substantially outweigh any detriment:

4. State how the proposed variance(s) can be granted without substantial detriment to the public good.

5. State how the proposed variance(s) will not substantially impair the intent and purpose of the zone plan and zoning ordinance:

(continued next page)

Township of Lawrence
Mercer County NJ
Department of Community Development
Bulk Variance (Homeowner)

Application No. _____

(Attach additional pages as necessary)

6. Explain what efforts have been made by the applicant to acquire adjoining lands so as to reduce the extent of the variance or eliminate the necessity for the variance.

7. Has there been any previous appeal, request, or application to this or any other Township Boards or the Building Inspector involving these premises?

_____ Yes _____ No

If Yes, state the nature, date, application no. and disposition of said matter.

(continued next page)

Township of Lawrence
Mercer County NJ
Department of Community Development

Application No. _____

Existing and proposed property dimensions as compared to the zoning ordinance requirements:

Zoning District _____	Permitted for zone in which property is located	Existing	Proposed	Extent of variance requested
LOT DATA				
Lot Area	SF	SF	SF	SF
Lot Frontage	FT	FT	FT	FT
Lot Width	FT	FT	FT	FT
Lot Depth	FT	FT	FT	FT
Floodplain Buffer (if applicable)	FT	FT	FT	FT
Total Impervious Coverage	%	%	%	%
PRINCIPAL BUILDING				
Front Yard setback	FT	FT	FT	FT
Left Side Yard setback	FT	FT	FT	FT
Right Side Yard setback	FT	FT	FT	FT
Rear Yard setback	FT	FT	FT	FT
Building Height	FT	FT	FT	FT
ACCESSORY BUILDING				
Side Yard setback	FT	FT	FT	FT
Rear Yard setback	FT	FT	FT	FT
Building Height	FT	FT	FT	FT

Mark any pre-existing variance with an “ * ”.