

ZB 21-01

RECEIVED
FEB 17 2021
Per _____

FAIR HAVEN ZONING BOARD OF ADJUSTMENT

APPLICANT: Mike McQue PROPERTY ADDRESS: 11 William Street
BLOCK: 45 LOT: 26 ZONE: _____ PHONE #: 908-433-4100
APPLICANT ADDRESS (IF DIFFERENT): _____
ZONING BOARD ACCOUNT #: _____

APPLICATION GUIDELINES

In accordance with Borough requirements, the following items must be submitted with the application before it can be deemed complete.

- ☒ Letter from Zoning Office
- ☒ Compliance with Chapter 30.12 of the Fair Haven Land Development Code
- ☒ Original signed survey with raised seal, plus 15 copies
- ☒ Architectural plans containing the following information: *
 - ☒ Complete floor plans showing existing and proposed conditions with string dimensions
 - ☒ Elevations of all sides of structure(s) with string dimensions
 - ☒ Zoning Schedule: must include total habitable floor area and floor area ratio
 - ☒ Detail as to calculation of habitable floor area. All measurements must be from exterior perimeter of structure.
 - ☒ Detail as to lot coverage calculation
 - ☒ Location and type of proposed attic access
 - ☒ Site plan showing existing and proposed conditions and setbacks
 - ☒ Key Map showing all properties within 200'
- ☒ Photographs of the property and adjacent properties
- ☒ Statement of legal basis for granting variances sought
- ☒ List of property owners within 200' and all others required to be served
- ☒ Proof of payment of taxes for the current quarter
- ☒ Proposed Notice to Property Owners with copy of Zoning Officer's letter attached.
- ☒ Proposed Notice to be published in newspaper.
- ☒ Payment of application and escrow fees

THE FOLLOWING ARE TO BE SUBMITTED AFTER NOTIFICATION THAT APPLICATION HAS BEEN DEEMED COMPLETE

- ____ Affidavit of Publication from Newspaper
- ____ Affidavit of Service: Copy of Notice sent to property owners with copy of Zoning Officer's letter attached, must be attached to affidavit.

IF A WAIVER OF ANY OF THE ABOVE REQUIREMENTS IS REQUESTED, SUCH REQUEST MUST BE IN WRITING AND SUBMITTED WITH THE APPLICATION

* For applications involving variances only, 15 copies of the plans are required. Of those, 11 may be reduced size. For applications involving a site plan, 20 copies are required and 15 may be reduced size.

APPLICATION TO ZONING BOARD OF ADJUSTMENT

BOROUGH OF FAIR HAVEN

NOTICE TO APPLICANTS

Please complete and attach only the part(s) that relate to the relief you seek from the Zoning Board of Adjustment. These are set forth as PART I, PART II and/or PART III

PART I relates solely to appeals of "...any order, requirement, decision or refusal made by an administrative officer based on or made in the enforcement of the zoning ordinance." PART I is *not* a request for a variance from the requirements of the zoning ordinance.

PART II relates to requests to "...interpretation of the zoning map or ordinance or for Decisions upon other special questions upon which (the) board is authorized to pass by any zoning or official map ordinance..." PART II applications may also be combined with applications for relief under PART III applications.

PART III relates to applications for variance(s) to allow departure from the requirements of the zoning ordinance for specific reasons and in particular cases set forth in the New Jersey Municipal Land Use Law (MLUL) and the local zoning ordinance. This is the most common application Part.

APPLICATION TO THE ZONING BOARD OF ADJUSTMENT
OF THE BOROUGH OF FAIR HAVEN

PART I

FILL IN ONLY IF AN APPEAL IS TAKEN FROM A DETERMINATION OF THE ZONING OFFICER OR BUILDING INSPECTOR.

Phone #

Applicant's Name _____ Phone # _____

Applicant's Address _____

Owner's Name _____

Owner's Address _____

Relationship of applicant to owner (i.e. tenant, purchaser under contract, etc.)

Location of Premises: _____ Block _____ Lot _____
(Street) (Tax Map Reference)

(Street)

(Tax Map Reference)

The premises are located in the following Zone

(NOTICE OF APPEAL)

TAKE NOTICE that the undersigned, owner of premises in the Borough of Fair Haven, designated on the Borough Tax Map as Block _____, Lot _____ and also known and designated as (street address) _____, in said Borough located in an _____ zoning district hereby appeals to the Zoning Board of Adjustment from the order, determination, or decision of said enforcing official made on the _____ day of _____, 20____ a building permit to _____ permit construction of a _____ on premises designated as Block _____, Lot _____ on the Municipal Tax Map, owned by _____ for the reason that the appellant alleges error in the order, requirement, decision of refusal of said Administrative Officer in that: _____

TAKE FURTHER NOTICE that you are hereby required to immediately transmit to the Secretary of the Zoning Board of Adjustment all papers constituting the record upon which the action appealed from was taken, in accordance with the Rules of the Zoning Board of Adjustment and the statute in such case made and provided.

Dated: _____

(Appellant name)

N/A

(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.)

APPLICATION TO ZONING BOARD OF ADJUSTMENT
OF THE BOROUGH OF FAIR HAVEN

PART II

TO BE FILLED IN ONLY IF APPLICATION IS FOR INTERPRETATION OF ZONING MAP OR CONSTRUCTION OF ORDINANCE PURSUANT TO N.J.S. 40:55D-70b.

Phone # _____

Applicant's Name _____

Applicant's Address _____

Owner's Name _____

Owner's Address _____

Relationship of applicant to owner (i.e. tenant, purchaser under contract, etc.) _____

Location of Premises: _____ Block _____ Lot _____
(Street) (Tax Map Reference)

The premises are located in the following Zone _____

Applicant should attach statement of contentions as to such interpretation or construction to this application.

APPLICATION TO ZONING BOARD OF ADJUSTMENT
OF THE BOROUGH OF FAIR HAVEN

PART III

TO BE FILLED IN ONLY IF APPLICATION IS MADE DIRECTLY TO THE BOARD
OF ADJUSTMENT OR IF ALTERNATIVE RELIEF IS SOUGHT PURSUANT TO
N.J.S. 40:55D-70c or d. AND ARTICLE 4 OF THE LAND USE ORDINANCE AND
DEVELOPMENT REGULATIONS OF THE BOROUGH OF FAIR HAVEN

Phone# 908 433 4100

Applicant's Name MICHAEL MCCUE

Applicant's Address 11 William Street

Owner's Name MICHAEL MCCUE

Owner's Address 11 WILLIAM STREET, FAIR HAVEN, NJ 07704

Relationship of applicant of owner (i.e. tenant, purchaser under contract, etc.)

Location of Premises 11 William Street Block 45 Lot 26
(Street) (Tax Map Reference)

The premises are located in the following Zone R-5

Request is hereby made for permission to erect, alter, convert, use, a add a
second story to and renovate existing dwelling contrary to the
requirements of Article _____, Exhibit _____ of the Zoning Ordinance, or
for other relief as follows:

See zoning denial letter

1. Said property is 30' x 50' (NON-CONFORMING) 1500 sq ft
(give dimensions and area)

and has the following structures single family dwelling & shed (to be removed)
(dwelling, garage, shed, pool, etc.)

2. Size of proposed building:

a) Total square footage of all stories (exclusive of attached garage & cellar), half stories
or any attic served by a fixed stairway 1171 square feet

b) Number of stories 2

c) Height of principal building 28

3. Setbacks of building: Front 4.8 Rear 8 Side 2(N) Side 8(S)

PAGE 2 of PART III

4. Has there been any previous appeal, request, or application to this or any other Borough Board or the Construction Official involving these premises? Yes ___ No ☒

If YES, state the nature, date and the disposition of said matter: _____

5. Attach a statement to this application stating what exceptional conditions exist preventing the Applicant from complying with the Zoning Ordinance. Also include a statement of facts showing why the relief requested can be granted without substantial detriment to the public good and will not substantially impair the intent and purpose of the Zoning plan and Zoning ordinance.

6. All applicants must attach to this application a schedule showing the following information (if applicable):

Type of construction (frame, stone, brick, etc.) Frame

Present use of existing building(s) & premises single family residential

Describe any deed restrictions affecting the property. None

Total proposed dwelling units 1

Total proposed professional offices 0

Total proposed parking spaces 1

A photograph or photographs of land & buildings involved in the application.

Name & addresses of all expert witnesses proposed to be used. ARCHITECT.

Proof of payment of all property taxes due & owing on the premises. MATT OROVIN

7. A SEALED SURVEY made by a licensed Land Surveyor to scale (not less than 1" = 100' of the property). Scale drawings (of not less than .25" = 1' of the proposed building(s) of the existing structure(s) indicating the changes, alterations or additions contemplated, if relevant.

8. A copy of any conditional contract or agreement related to this application must be filed with the application or presented to the Board at the times of the hearing.

9. A signed copy of the attached checklist indicating the documents to be submitted with the application to conform to the requirements of the Fair Haven Land Use Ordinance with respect to applications for variances and as set forth in Article 12 of the Fair Haven Land Use Ordinance.

12A Shrewsbury Ave
Red Bank, NJ 07701

732-747-
0303

PAGE 3 of Part III

10. If the applicant is a corporation or partnership, the names and addresses of all stockholders or partners owning a 10% or greater interest in said corporation or partnership shall be set forth in accordance with P.L. 977 Ch. 336.

N/A

State of New Jersey, County of Hammont ss

_____ being duly sworn according to law hereby certify that the information presented in this application to be true and accurate. If applicant is not the owner of the property, have the owner sign below, consent, or file with the application a letter signed by the owner consenting to the application.

The foregoing application is hereby consented to this 17 day of February, 2021.

William Street

(Owner(s) of property referred to)

(Applicant(s) other than owners)

11 William Street

(Address of property referred to)

Sworn and subscribed to
before me this 17 day of
February 2021

Elizabeth Ann Berube
Signature of person authorized to take oaths

ELIZABETH ANN BERUBE
NOTARY PUBLIC
STATE OF NEW JERSEY
MY COMMISSION EXPIRES NOV. 22, 2022

Item Number	Minor		Major		Variance			Item Description	Applicant Mark	Status	Borough Mark	Comments
			Prelim	Final	40:55D-70							
	Subdivision	Site Plan	Subdivision	Site Plan	Subdivision	Site Plan	(a) & (b)	(c)	(d)			
5	•	•	•	•	•	•	•	•	Completed Escrow Agreement signed by owner and applicant.	✓ Complies Waiver		
6	•	•	•	•	•	•	•	•	Completed Ownership Disclosure Statement.	✓ Complies Waiver		N/A
7	•	•	•	•	•	•	•	•	Tax Collector Certification from the Borough Tax Collector that all current taxes and assessments on the property are paid to date.	✓ Complies Waiver		
8	•	•	•	•	•	•	•	•	Certified list of property owners within 200' of the property as prepared by the Borough Tax Assessor.	✓ Complies Waiver		
9	•	•	•	•	•	•	•	•	Completed Monmouth County Planning Board application. Copy of a check made payable to "Monmouth County."	✓ Complies Waiver		N/A
10	•	•	•	•	•	•	•	•	Completed Freehold Soil Conservation District (FSCD) application. Copy of a check made payable to "FSCD."	✓ Complies Waiver		N/A

LAND USE AND DEVELOPMENT REGULATIONS

30-12

Item Number	Minor		Major		Variance			Item Description	Applicant Mark	Status	Borough Mark	Comments		
			Prelim	Final	40:55D-70									
	Subdivision	Site Plan	Subdivision	Site Plan	Subdivision	Site Plan	(a) & (b)	(c)	(d)					
11	•	•	•	•	•	•	•	•	•	Completed Monmouth County Health Department application. Copy of a check made payable to "Monmouth County."	✓	Complies		N/A
											Waiver			
12	•	•	•	•	•	•				Public utility "will serve" letters.		Complies		
												Waiver		
13			•	•	•	•				Environmental Impact Assessment		Complies		
												Waiver		
14	•	•	•	•	•	•				Freshwater wetlands Letter of Interpretation.		Complies		
												Waiver		
15	•	•	•	•	•	•				List of all Federal, State, regional, and/or municipal approvals or permits required.		Complies		
												Waiver		
16	•	•	•	•	•	•	•	•	•	Copies of all easements, covenants and deed restrictions including metes and bounds descriptions, on or affecting the property in question.	✓	Complies		N/A
												Waiver		

Item Number	Minor		Major		Variance			Item Description	Applicant Mark	Status	Borough Mark	Comments	
			Prelim	Final	40:55D-70								
	Subdivision	Site Plan	Subdivision	Site Plan	Subdivision	Site Plan	(a) & (b)						(c)
17	•	•	•	•	•	•		•	•	Twenty (20) prints prepared by a New Jersey licensed Professional Engineer or Land Surveyor. Each sheet must be signed and sealed by the appropriate professional. (8 copies 24x36, 12 copies 11x17).	✓	Complies	
												Waiver	
18	•	•	•	•	•	•		•	•	A digital copy of the plan in .dwg format (ACAD 2007 or later) and .pdf format (Adobe).	✓	Complies	
												Waiver	
19	•		•		•					Certification from the Borough Tax Assessor approving the block and lot designations.		Complies	
												Waiver	
20			•							Certification from the Borough approving the road names and subdivision name.		Complies	
												Waiver	
21	•		•							An affirmative statement in writing indication how all applicable conditional use standards are met.		Complies	
												Waiver	
22					•	•				An engineer's estimate of all the improvements identified on the approved preliminary plan, which remain to be completed at the time of final plat.		Complies	
												Waiver	

LAND USE AND DEVELOPMENT REGULATIONS

30-12

Item Number	Minor		Major		Variance			Item Description	Applicant Mark	Status	Borough Mark	Comments
			Prelim		Final		40:55D-70					
	Subdivision	Site Plan	Subdivision	Site Plan	Subdivision	Site Plan	(a) & (b)	(c)	(d)			
23					•	•				Complies		
										Waiver		
24					•	•				Complies		
										Waiver		
25	•	•	•	•						Complies		
										Waiver		
26		•				•				Complies		
										Waiver		

Item Number	Minor		Major		Variance			Item Description	Applicant Mark	Status	Borough Mark	Comments
			Prelim	Final	40:55D-70							
	Subdivision	Site Plan	Subdivision	Site Plan	Subdivision	Site Plan	(a) & (b)					
27	•	•	•	•	•	•	•	•	•	Complies		
										Waiver		
28	•	•	•	•	•	•	•	•	•	Complies		
										Waiver		
29	•	•	•	•	•	•	•	•	•	Complies		
										Waiver		
Plans shall show or include the following:												
30	•	•	•	•	•	•	•	•	•	Complies		
										Waiver		
31	•	•	•	•	•	•	•	•	•	Complies		
										Waiver		
32	•	•	•	•	•	•	•	•	•	Complies		
										Waiver		
33	•	•	•	•	•	•	•	•	•	Complies		
										Waiver		

LAND USE AND DEVELOPMENT REGULATIONS

30-12

Item Number	Minor		Major		Variance			Item Description	Applicant Mark	Status	Borough Mark	Comments	
			Prelim	Final	40:55D-70								
	Subdivision	Site Plan	Subdivision	Site Plan	Subdivision	Site Plan	(a) & (b)	(c)	(d)				
34	•	•	•	•	•	•				Title block denoting type of application, tax map sheet, County, name of municipality, block and lot, and street location	Complies		
											Waiver		
35	•	•	•	•	•	•				Name, address, and phone number of property owner and applicant.	Complies		
											Waiver		
36	•	•	•	•	•	•				North arrow and scale	Complies		
											Waiver		
37	•	•	•	•	•	•	•	•		Schedule of required zone district requirements. Include basis for building and lot coverage, building height, FAR, and habitable floor area.	✓ Complies		
											Waiver		
38	•	•	•	•	•	•				Approval signature block for Board Chairman, Secretary, and Borough Engineer.	Complies		
											Waiver		
39	•		•		•					Certification blocks required by map filing law.	Complies		
											Waiver		
40	•		•		•					Monumentation as specified by map filing law.	Complies		
											Waiver		
41	•	•	•	•	•	•	•	•		Date of current property survey.	✓ Complies		
											Waiver		

Item Number	Minor		Major		Variance			Item Description	Applicant Mark	Status	Borough Mark	Comments
			Prelim	Final	40:55D-70							
	Subdivision	Site Plan	Subdivision	Site Plan	Subdivision	Site Plan	(a) & (b)					
42	•		•		•					Complies		
										Waiver		
43	•		•		•	•				Complies		
										Waiver		
44	•	•	•	•	•	•				Complies		
										Waiver		
45	•	•	•	•	•	•	•	•	✓	Complies		
										Waiver		
46	•	•	•	•	•	•	•	•	✓	Complies		
										Waiver		
47	•	•	•	•	•	•				Complies		
										Waiver		
48	•		•		•					Complies		
										Waiver		

LAND USE AND DEVELOPMENT REGULATIONS

30-12

Item Number	Minor		Major		Variance			Item Description	Applicant Mark	Status	Borough Mark	Comments
			Prelim	Final	40:55D-70							
	Subdivision	Site Plan	Subdivision	Site Plan	Subdivision	Site Plan	(a) & (b)	(c)	(d)			
49	•		•		•				Area of proposed lots in square feet.	Complies Waiver		
50	•	•	•	•	•	•			Any existing or proposed easement or land reserved for or dedicated to public use.	Complies Waiver		
51	•	•	•	•	•	•			Property owners within 200 feet of subject property.	Complies Waiver		
52	•	•	•	•	•	•			Location of streams, floodplains, wetlands or other environmentally sensitive areas on or within 200' of the project site (Note: variance applications need only show these features on site)	Complies Waiver		
53	•	•	•	•	•	•			Preliminary architectural plans and elevations.	Complies Waiver		
54			•	•	•	•			Site identification signs, traffic control signs, and identification signs.	Complies Waiver		
55	•		•		•				Existing and proposed sight triangles.	Complies Waiver		
56			•						Proposed street names when new road is proposed.	Complies Waiver		
57	•		•						Parking plan.	Complies Waiver		

Item Number	Minor		Major		Variance			Item Description	Applicant Mark	Status	Borough Mark	Comments	
			Prelim	Final	40:55D-70								
	Subdivision	Site Plan	Subdivision	Site Plan	Subdivision	Site Plan	(a) & (b)	(c)	(d)				
58			•	•	•	•				Phasing plan as applicable.	Complies		
										Waiver			
59						•	•			Solid waste management and recycling plan showing holding location and provisions for waste and recyclables.	Complies		
										Waiver			
60	•	•	•	•	•	•				Site layout showing all roadways, circulation patterns, curb, sidewalk, buffers, structures, open space, recreation, etc., as applicable.	Complies		
										Waiver			
61	•	•	•	•	•	•				Grading and utility plan.	Complies		
										Waiver			
62	•	•	•	•	•	•				Profiles of existing and proposed roadways and including all utilities and stormwater facilities. Roadway cross section at 50' intervals.	Complies		
										Waiver			
63	•	•	•	•	•	•				Landscaping plan.	Complies		
										Waiver			
64	•	•	•	•	•	•				Soil erosion and sediment control plan prepared in accordance with the standards for soil erosion and sediment control standards in New Jersey.	Complies		
										Waiver			

LAND USE AND DEVELOPMENT REGULATIONS

30-12

Item Number	Minor		Major		Variance			Item Description	Applicant Mark	Status	Borough Mark	Comments
			Prelim	Final	40:55D-70							
	Subdivision	Site Plan	Subdivision	Site Plan	Subdivision	Site Plan	(a) & (b)	(c)	(d)			

65	•	•	•	•	•	•				Lighting plan.	Complies		
											Waiver		
66	•	•	•	•	•	•				Construction details for any on-site and off-site improvement.	Complies		
											Waiver		

(2002 Code § 16.48.020; Ord. No. 2014-18)