

ORANGE ZONING BOARD OF ADJUSTMENT

29 NORTH DAY STREET
ORANGE, NEW JERSEY 07050
973-266-4100

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The Orange Zoning Board of Adjustment meets for public meetings on the fourth Monday of each month (*unless noted otherwise) at 7:30 p.m. in Orange City Hall, 3rd Floor Council Chambers, 29 North Day Street, Orange.

FILE EARLY

Filing by the deadline does not ensure that your case will be heard that month - *all applications must be deemed complete before they are scheduled for a hearing date.* Please file all applications early - this ensures that the Board Secretary has sufficient time to alert the applicant of any missing components.

WHERE TO FILE YOUR APPLICATION

Please call Board Secretary TaQuisha Knight at (973) 266-4100 to make an appointment to file your application. Her office is located in the Planning & Development Department at Orange City Hall.

Case# _____

BOARD OF ADJUSTMENT City of Orange Township, New Jersey

I. Application is hereby made for (check all applicable):

Site Plan Review	_____	Subdivision	_____	Conditional Use	_____
Preliminary	_____	Major	_____	Use Variance	_____
Final	_____	Minor	_____	Other Variance	_____

II. For the following property:

Street Address: _____

Block# _____ Lot/lots# _____ Zone: _____

Present use: _____

Proposed use: _____

If a variance is involved, specify each variance(s) requested and the reason(s) for each variance requested: _____

(If more space is required, please use an additional sheet of paper)

III. Applicant:

Name: _____ **Phone#** (____) _____

Address: _____

Applicant is a: Corporation _____ Partnership _____ Individual _____ Other _____
(specify)

The relationship of the applicant to the property in question is:

Owner _____ Lessee _____ Other _____ (specify)

If applicant is a corporation or partnership, attach a list of names and addresses of persons who have a 10% or more interest in same.

IV. Owner: _____ **Phone#**(____) _____

Address: _____

V. Applicant's engineer: _____ **Phone#** (____) _____

Address: _____ **Fax#** (____) _____

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VI. Applicant's architect: _____ **Phone#** (____) _____

Address: _____ **Fax#** (____) _____

VII. Applicant's surveyor: _____ **Phone#** (____) _____

Address: _____ **Fax#** (____) _____

VIII. Applicant's attorney: _____ **Phone#** (____) _____

Address: _____ **Fax#** (____) _____

IX. Applicant's planning consultant: _____

Address: _____

Phone# (____) _____ **Fax#** (____) _____

X. Applicant's traffic engineer: _____

Address: _____

Phone# (____) _____ **Fax#** (____) _____

List any other expert who will submit a report or who will testify for the applicant (attach additional sheets as may be necessary)

XI. The following are attached and made part of this application (check all that are applicable):

- A. Letter of authority or power of attorney, in case the appeal is made by other than the Owner _____.
- B. Requisite site plan _____ survey _____ other plans _____
(specify)
- C. Certificate from Tax collector that all taxes, including water and sewer bills have been paid _____.
- D. Request for waiver from site plan review _____

XII. List below any county, state or other government body approvals which may be required: _____

XIII. Has there been any previous appeal involving these premises? If so, state date of filing, nature of appeal and disposition _____

XIV. Are these premises in any way involved in any legal proceeding now pending? If so, state its nature _____

XV. List below the arguments to support this application: _____

XVI. 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.

Sworn to and subscribed before me this

_____ day of _____, 200__

Notary Public

Signature of Applicant

(For Board Use Only)

Application deemed complete on _____ Fee received _____

Reviews received from:

City Engineer _____
City Planner _____
Police Department _____
Fire Department _____
Health Department _____

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**BOARD OF ADJUSTMENT
City of Orange Township, New Jersey**

NOTICE TO ADJACENT PROPERTY OWNERS

TO:

DATE _____

(NAME)

(STREET ADDRESS)

(CITY) (STATE) (ZIP CODE)

Dear: _____

PLEASE TAKE NOTICE that the undersigned has filed an appeal or application for Development with the Board of Adjustment for a _____

_____, at _____ P.M., in the City Hall, Orange, New Jersey; that said notices were served not less than ten (10) days prior to said date of hearing; that said list of persons, comprising all the owners of property located within two hundred (200) feet (in every direction) of the property at _____ to be affected by said appeal, have been notified as required by law and the Rules of Procedures of said Board of Adjustment.

Sworn to Before Me

This _____ Day of _____, 200__

(Notary Public) (L.S)

NOTE: List separately with the address those persons served personally and those served by certified mail, attaching mail receipts.

CASE# _____

BOARD OF ADJUSTMENT
City of Orange Township, New Jersey

NOTICE OF APPEAL FROM DECISION OF ZONING OFFICER OR BUILDING
INSPECTOR

To be filled in only if an appeal is taken from a determination of the Zoning Officer or Building Inspector. 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.

TAKE NOTICE that the undersigned, owner of premises in the City of Orange Township, New Jersey, designated on the City of Orange Township Tax Map as Block _____ Lot(s) _____, and known as _____ (street address), located in a

_____ zone hereby appeals to the Zoning Board of Adjustment from the order, determination, decision of _____ (name of enforcing official) made on the _____ day of _____, 200____,

(brief statement of reason for appeal).

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.

Appellant's name (please print or type)

Appellant's signature

Date

**BOARD OF ADJUSTMENT
City of Orange Township
29 North Day Street, Orange, NJ 07050
(973) 266-4100**

**Procedure to Complete Application for Hearing Before the
Orange Zoning Board of Adjustment**

Step 1.

- A. Obtain a "Letter of Denial" from the City Zoning Officer. Although not required by law, this letter is requested so that the application may be processed as quickly and efficiently as possible.
- B. Applications must be filed by the deadline date. See schedule of meeting dates and filing Deadline dates.
- C. File application with the Board Secretary. The original and 23 copies of the following documents must be submitted with the application:

1. Board of Adjustment Application form (3 pages).
2. Letter of Denial from City Zoning Officer (optional, but preferred).
3. Notice of Appeal from the opinion of the Zoning Officer, if applicable.
4. Area Map traced from the tax map in the City Engineer's Office, showing all parcels and street numbers of same within 200 feet of the property for which the appeal is being sought. (Not required for minor subdivision only).
5. Names and addresses of property owners within 200 feet of the property for which the appeal is being sought (take the area map obtained in the City Engineer's Office to the Tax Assessor's Office to obtain this list). Not required for minor subdivisions only.
6. Certification that taxes and water/sewer bills are paid.
7. Letter of authorization from the property owner if the applicant is not the owner.
8. If the applicant is a corporation or partnership, a list of names and addresses of all persons who have a 10% or more interest in same.
9. Written metes and bounds, bearing original signature and seal of the NJ licensed surveyor preparing them (for minor and major subdivisions only).
10. Originally signed and sealed plat map containing all information required by the City's development and subdivision ordinances. (for minor and major subdivisions only).
11. Originally signed and sealed site plan (not required for minor and major subdivisions only). See attached site plan checklist for items required on the site plan.

Coalesce and staple all the above required documents to form the original and 23 sets. **All plans and maps must be folded** and attached to each set.

- D. Pay filing fee as per the attached fee schedule.

Step 2.

- A. By personal service, registered or certified mail, notify all property owners of all lots within 200 feet of the involved property using the attached "Notice to Adjacent Property Owners" Form, **at least 10 days prior to the date of the public hearing.**
- B. Publish a notice of the hearing in the newspaper published in Orange (*The Orange Transcript or the Star Ledger*) in an issue published **at least ten days prior to the hearing date.** Use the same form as the "Notice to Adjacent Property Owners", however omit everything above the words "Please take notice".
- C. Complete the "Affidavit" in the presence of a Notary Public and file the "Affidavit", "Notice to Adjacent Property Owners", and Proof of Publication (available from the newspaper in which your notice of hearing was published) with the Board Secretary prior to the hearing.
- D. Applicant or owner, or attorney representing either of the aforementioned must be present at the time of the public hearing.
- E. Corporations must be represented by an attorney at law.

GENERAL REGULATIONS

1. The Board will hear only the application as filed, including plans for proposed construction; no amendments to plans may be made between the filing date and the hearing date without refile and reservice being fully complied with as to amended plans. The appeal form shall state specifically and in detail all issues and matters the Board is asked to rule upon with reference to the appropriate sections of the Zoning Ordinance. All plans submitted must be legible and contain sufficient information for the Board to properly determine the questions before it.
2. All applicable statutory provisions, municipal ordinances, regulations and codes of the City of Orange Township must be complied with in filing and prosecuting the appeal (See N.J.S. 40:55D-70 et seq.)
3. Unless all papers including application form, construction plans, site plans, area maps, etc. are filed in accordance with the Board's rules, the application will not be heard.
4. Upon request, the applicant is to provide the Board with one certified copy of the transcript or the proceedings; this requirement may be waived by the Board at its discretion. If the Board requests a transcript, their decision will not be rendered until a copy of the transcript is furnished.
5. If the application is granted by the Board, a building permit or certificate of occupancy must be obtained before beginning the proposed work, making any alterations, or changing the permitted use of the site in question. The building permit or certificate of occupancy must be obtained within one year of the date of approval or such approval and the variance granted are automatically revoked.
6. Once a variance has been granted, no changes whatever may be permitted in the plans filed and these must be followed in every detail.
7. Applicants are notified of the result of their appeals and the result of appeal is published in the *Orange Transcript* and the applicant is billed for this publication.
8. Before a certificate of occupancy can be issued, all work called for by the plans must be finished and all conditions imposed by the Board must be completed and met.

FEE SCHEDULE (*Non-refundable*)

	<u>Type of Application</u>		<u>Fee</u>
1.	40:55D-70 (a)	Hear and Decide Appeals	\$ 150.00
2.	40:55D-70 (b)	Special Questions & Interpretations of Map	150.00

3.	40:55D-70 (c)	Bulk Variance	250.00
4.	40:55D-70 (d)	Use Variance	350.00
5.	Subdivision review		
	a.	minor subdivision	150.00
	b.	preliminary major subdivision	250.00
	c.	final major subdivision	300.00
		plus \$10 per lot	

*Where an applicant for preliminary and final major subdivision approval is requested to be heard at the same meeting, the fee shall be that of the preliminary fee plus one-half the final fee.

6.	Site Plan Review (includes conditional use application fee)		
	a.	residential	250.00
	b.	all others	350.00
7.	Stenographer fee*		75.00

*Note: The \$75 stenographer fee must be added to any other fees accrued.

Fees - Continued

TECHNICAL REVIEW FEES

	<u>Type of Application</u>	<u>Escrow Deposits</u>
8.	Variances not requiring site plan or Subdivision approval (use, etc.)	\$ 1,000.00
9.	Conditional use approval	\$ 1,000.00
10.	Site Plan Application	
	<u>Residential site plans</u>	
	Minor residential site plan for one (1) single family	\$ 250.00
	<u>Residential site plan – Preliminary Approval</u>	
	0-10 units	\$ 2,500.00
	11-50 units	\$ 5,000.00
	51-100 units	\$10,000.00
	Over 100 units	\$15,000.00
	Final Approval	33% of preliminary approval

A complete site plan application shall include all of the information listed in the site plan checklist below and all the information required in the application.

1. Site plan drawings must be drawn to exact scale and shall clearly indicate all existing and proposed lot lines, easements, buildings and improvements. All copies of all site plans shall bear the original signature and raised seal of the New Jersey licensed architect or engineer responsible for the preparation of such plans. All site plans must indicate accurate lot lines certified by the original signature and raised seal of a New Jersey licensed land surveyor. The checklist below will assure that adequate information is provided on the site plan drawings for the reviewing board to make an informed determination. All information listed below is mandatory. Failure to provide any item listed below shall render an application for development incomplete as per N.J.S. 40:55D-10.3 (unless the applicant has requested waiver(s) for one or more of the checklist requirements):
 - a. A key map, drawn at a scale of not less than one (1) inch of 600 feet, showing the area within a one-thousand-foot (1000') radius of the site and clearly indicating the streets in the area and the specific lots involved in the application.
 - b. A zoning comparison chart, showing required and proposed provisions as per the Zoning Ordinance and/or the applicable redevelopment plan for the district wherein the application is situated. In the case of a use variance application, the zoning comparison chart shall contain three (3) columns, one (1) showing the zoning requirements for the district, one (1) showing the requirements for the use in the next highest district wherein such use is permitted, if any, and the third showing the provisions as per the development proposal.

The zoning comparison chart shall include, but not be limited to the following information:

1. Zoning and/or redevelopment plan district(s).
 2. Lot area and dimensions.
 3. Gross floor area-floor area ration (FAR).
 4. Building coverage in square feet and percent of lot area.
 5. Residential density in terms of dwelling units per acre.
 6. Height in terms of feet and stories.
 7. Yards and setbacks.
 8. Parking, loading and access.
 9. Signage.
 10. Landscaping percent of lot coverage.
 11. Recreation areas.
 12. Bonus provisions.
 13. Lighting.
 14. Buffer area.
 15. Utility connection locations.
- c. Structure location, dimensions, gross floor area (GFA) in square feet, floor plans with typical dimensions for all internal areas of the structure, height and use.
 - d. All paved areas, including construction details and sections.
 - e. All walks and other surface treatments.

- f. All buffer areas.
 - g. All landscaped areas and areas of trees and shrubs, including a planting schedule and maintenance procedures.
 - h. All lighting, including wattage or candlepower and area of diffusion.
 - i. All utilities, including hookup details.
 - j. All fences and walls.
 - k. All curbs, including construction details and sections.
 - l. All driveways, loading areas, loading berths and fire lanes
 - m. All area of refuse storage and collection, including method of collection.
 - n. All drainage methods including directions of flow.
 - o. All recreation areas and equipment.
 - p. All lot lines, dimensions, bearing angles and lot areas in square feet and acres or fraction thereof.
 - q. The percent of lot coverage for each structure and in total.
 - r. All parking areas, indicating the angle of parking with typical aisle and stall dimensions and the number of spaces, individually by row, and in total by tract.
 - s. Elevation drawings for each façade or side of all structures, indicating all signage, surface treatments, colors and methods of screening rooftop equipment.
 - t. The location and dimensions of all pedestrian and vehicular access.
 - u. The names and locations of all streets abutting or within the project area.
 - v. Sight triangles.
 - w. All signs with dimensions.
 - x. Street address with unit numbers
 - y. Boundaries of the site or tract.
 - z. North arrow.
 - aa. The date of drawing and dates of all revisions.
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- bb. Graphic scale, in standard architectural scales in whole multiples of one-sixteenth (1/16) of an inch or standard engineering scales in multiples of ten (10) and not less than one (1) inch equals eight (8) feet (arch) or one (1) inch equals ten (10) feet (eng) for projects on less than five (5) acres and not less than 1 inch equals sixteen feet (arch) or 1 inch equals 30 feet (eng) for larger projects, and further provided that cover sheets depicting the overall site may be at a scale of 1 inch is 50 feet or 100 feet only. The use of engineering scales is preferred.
 - cc. The zoning and/or redevelopment districts boundaries and identification.
 - dd. Project title.
 - ee. All dimensions of setbacks, buffers and yards.
 - ff. Detail drawings and/or sections, as appropriate, are required for all lighting, paving, curbing, fencing, landscaping, signage, and drainage.
 - gg. One (1) illustrative site plan shall be prepared for the Board's use. Such illustrative site plan shall be nearly colored according to the following schedule:
 - 1. Asphalt: gray.
 - 2. Concrete paved areas: beige.
 - 3. Buildings: dark brown.
 - 4. Landscaped areas: light green.
 - 5. Trees and shrubs: dark green.
 - 6. Water: light blue.
 - 7. Signs: red.

8. Lighting fixtures: black.
9. Other details: true color.