

VARIANCE RELIEF – APPLICATION PACKAGE

Holmdel Township – Zoning Board of Adjustment
4 Crawford's Corner Road
Holmdel, NJ 07733

Phone 732-946-2820

Fax 732-975-9774

Dear Applicant:

Attached are the instructions for submitting an application to appear before the Holmdel Township Zoning Board of Adjustment to request Variance Relief.

If you have any questions, please contact us, and we will be happy to help you!

- Applications and revisions are accepted Monday through Friday from 9:00 a.m. to 3:00 p.m. Please call ahead to schedule an appointment. This will save you waiting time, and allow us to schedule our work around the time you will be arriving.
- Please note that *Notices of Public Hearing* (notice to property owners and newspaper) should indicate that documentation can be reviewed in the Planning/Zoning Board office during normal business hours, 9:00 a.m. to 5:00 p.m.
- Resolutions must be memorialized and all conditions of the Resolution met before any permits can be issued by the Construction Department.

We look forward to working with you!

Loretta Coscia, Zoning Board Secretary – Extension 1323
lcoscia@holmdeltownship-nj.com

Bonnie Imposimato, Administrative Officer – Extension 1321
bimposimato@holmdeltownship-nj.com

**INSTRUCTIONS FOR FILING A PETITION FOR VARIANCE(S)
FROM THE TERMS OF THE ZONING ORDINANCE**

1. **APPLICATION** – The applicant must fill out, in detail, the required *Petition* (Form 1), with their name, address, and a detailed description of the variance requested. The original *Petition* (Form 1) and fifteen (15) copies must then be filed with the Zoning Board Office, together with the required application and escrow fees at least fourteen (14) days prior to the hearing date. Also required for filing are (16) to scale drawings of the property showing the existing structures and any survey, map, or other information deemed pertinent to the hearing for the Board's file; see attached *Variance Checklist* (Form #7).
2. **FEES** (non refundable)
Variance Fees
 - a) Variance - \$345
 - b) Use Variance - \$1,000

ESCROW DEPOSIT (unused portion is refundable)

\$700 for Residential, \$1,000 for Commercial – is required to cover the cost of professional fees and also includes a Decision Fee-\$45, and Court Reporter - \$300. Unused escrow is refunded upon written request with *Return of Unused Escrow* (Form #8)

3. NOTICE

At least ten (10) days prior to the date of the hearing, the petitioner(s) shall give *Notice of Public Hearing* (Form #2) as set forth in NJSA 40:55D-12 as follows:

- a) To all property owners within two hundred feet (200 feet) of the property affected. A *Certified List* of the property owners (Form #5) within 200 feet of the subject property must be obtained from the Township Clerk's office by completing *Certified List* (Form #5) and paying a fee of \$10 to the Township of Holmdel
- b) To the Clerk of any adjoining municipality within 200 feet of the property if any. Should you need a certified list of property owners in adjoining municipalities, you must contact that municipality
- c) To the Monmouth County Planning Board, Hall of Records Annex, East Main Street, 2nd Floor, Freehold NJ 07728, in the event the property fronts on an existing or proposed County road or adjoins other County land, or is situated within 200 feet of a municipal boundary
- d) To the Commissioner of Transportation of the State of New Jersey, 1035 Parkway Avenue, Trenton, NJ 08625, if the property is adjacent to a State Highway

INSTRUCTIONS FOR FILING A PETITION FOR VARIANCE Cont'd.

- e) To the State Planning Commission, if the application concerns development of property in excess of 150 acres or 500 dwelling units, including plans and documents filed within the Township.

Notice may be made by Certified Mail, Return Receipt Requested, or by personal service, as set forth in NJSA40:55D-12. A copy of the *Notice of Public Hearing* (Form #2) will be presented to the Board.

4. PUBLICATION

At least ten (10) days prior to the hearing, applicant must publish the Notice of Public Hearing in the Asbury Park Press. **Please contact the Asbury Park Press several days before the ten-day deadline as the newspaper has a lag time from the time that the Notice is submitted, to the time that it is actually published.**

Notice shall include:

- a) Date, time and place of hearing
- b) Nature of matter(s) to be considered
- c) Identification of the property by street address, as well as block and lot numbers as shown on the current Holmdel Tax Map
- d) The location and times when documents/maps for which the approval is being sought can be seen

The Applicant is responsible for payment of this Notice, and will be given an *Affidavit of Publication* by the Asbury Park Press to be presented to the Board (or you can use Form #4 provided).

5. AFFIDAVIT OF SERVICE

The applicant shall prepare an *Affidavit of Service* (Form #3). This Affidavit shall indicate who was served and how they were served, and be presented to the Secretary of the Board prior to the hearing. A copy of the *Notice of Public Hearing* (Form #2), the original *Certified List* (Form #5) and the *Affidavit of Publication* (Form #4) and the date-stamped, white certified mail receipts must accompany the *Affidavit of Service*.

Zoning Board of Adjustment ~ Holmdel Township

- The Board generally meets on the first and third Wednesday of each month. Meetings begin at 7:00 p.m. and are held in the Court Room on the first floor of Town Hall.
- No testimony will be heard after 10:00 p.m. except in extraordinary circumstances.
- Revisions to site plans must be received by the Administrative Officer at least three (3) weeks before the scheduled hearing.
- Please do not proceed with your official *Notice of Public Hearing* until your meeting date has been confirmed by the Zoning Board administrative staff.
- Applying for a zoning variance is a technical, legal function. You may wish to retain an attorney to handle your application, or carefully follow the instructions provided. If you are a corporation (LLC), you must be represented by counsel.
- The Board cannot hear your case unless all of the proper forms and procedures have been followed. The burden of providing a validly-supported application is the responsibility of the applicant.
- For exhibits for the Public Hearing, please do not glue them to the exhibit board. Please use binder clips or some type of temporary adhesive to attach the exhibits. Please also email an exhibit to the Board Office, or provide on a zip drive to enable viewing in the meeting room screens.
- The following completed forms will be returned to the Board Secretary (hard copies are also available from the Zoning Board office).

Form	Form Name	Notes
#1	<i>Petition</i>	
#2	<i>Notice of Public Hearing</i>	
#3	<i>Affidavit of Service</i>	Must be notarized
#4	<i>Affidavit of Publication</i>	Must be notarized
#5	<i>Certified List</i>	Take completed form to the Clerk's Office to request 200' list
#6	<i>Tax Certification</i>	Complete form and bring to Tax Collector's Office
#7	<i>Variance Checklist</i>	See Variance Checklist for number of copies to be provided to Board Secretary

**HOLMDEL TOWNSHIP
PLANNING BOARD
ZONING BOARD**

IN THE MATTER OF APPLICATION

OF

PETITION

FOR A VARIANCE

The petition of _____

residing at _____

respectfully shows:

1 - They are the owners of the premises situated at _____

_____ in the Township of Holmdel and have owned said

Property since _____

2 - Said premises are known as Block _____, Lot _____ and are

located in the _____ Zone.

3 - Property is presently used as (list all uses) _____

4 - Petitioners desire a variance from the terms of the Zoning Ordinance to permit them

to _____

5 - Your Petitioner prays that a day be fixed for a hearing on this application and states that the proper

notice will be sent or served on all people required by statutes.

DATED: _____

Petitioner: _____

TOWNSHIP OF HOLMDEL – PLANNING BOARD or ZONING BOARD

NOTICE OF PUBLIC HEARING

IN THE MATTER OF THE APPLICATION OF: _____

**FOR PREMISES KNOWN AS BLOCK _____ LOT(S) _____
ON THE OFFICIAL TAX MAP OF THE TOWNSHIP OF HOLMDEL.**

TO WHOM IT MAY CONCERN:

PLEASE TAKE NOTICE that the **PLANNING BOARD or ZONING BOARD OF THE TOWNSHIP OF HOLMDEL** will hold a public hearing on _____ 20____, at 7:00 p.m. at 4 Crawfords Corner Road, Holmdel, New Jersey, to consider the application of the referenced applicant, _____ for _____ premises _____ designated _____ as Block _____ Lot(s) _____ on the official tax map of the **TOWNSHIP OF HOLMDEL**, which said premises are located at/more commonly known as _____, Holmdel, NJ 07733. Said premises are located in the _____ zone.

TAKE FURTHER NOTICE that the Applicant seeks the following relief:

Applicant further seeks any and all other variances as may be required for the matter here at issue.

THIS NOTICE is sent to owners of property who may be affected by this application, and is also published, as required by law. Any interested persons may have an opportunity to be heard at the hearing on this matter. You may appear either in person, or by your attorney or representative to ask questions, make comments or present any objections with regard to the granting of this application. The application and supporting documents are on file and available for inspection at the office of the Secretary of the **Planning Board or Zoning Board** at 4 Crawfords Corner Road, Holmdel, New Jersey during regular business hours (9:00 a.m. to 4:30 p.m.)

Respectfully,

Dated: _____

Applicant

IN THE MATTER OF THE APPLICATION of

**PLANNING BOARD
ZONING BOARD
TOWNSHIP OF HOLMDEL**

LOT(S) _____ BLOCK _____
OF THE OFFICAL TAX MAP OF
TOWNSHIP OF HOLMDEL

**AFFIDAVIT
OF
SERVICE**

**STATE OF NEW JERSEY
:SS
COUNTY OF MONMOUTH**

I, _____, of full age, being duly sworn according to law, upon his/her oath, deposes and says:

1. I am the Applicant/Applicant's Representative in the captioned matter.
2. **FOR THOSE INDIVIDUALS SERVED BY CERTIFIED MAIL:**
On _____, 20____, I mailed by certified mail, return receipt requested, a copy of the *Notice of Public Hearing* attached hereto, to each of the persons, municipal agencies and premises in question provided by Holmdel Township, which said list is attached hereto as *Certified List*. Service of this Notice was hereby made at least 10 days in advance of the public hearing scheduled in this matter.

If no one was served personally please circle *NONE*.

3. **FOR THOSE INDIVIDUALS SERVED PERSONALLY (if any):**
On _____, 20____, I personally served a copy of the *Notice of Public Hearing*, to the following persons on the *Certified List* at the address set forth upon the original Certified List of Property Owners. Service of this Notice was hereby made at least 10 days in advance of the public hearing scheduled in this matter. Everyone not served personally was served Certified Mail.
4. I state that all the referenced persons are the owners of the property within a radius of 200 feet of the property in question as set forth on the *Certified List*.

Applicant

Sworn to and subscribed
before me this _____
day of _____ 20____

Notary

HOLMDEL TOWNSHIP

To: Township Clerk

Please supply me with a CERTIFIED LIST of Property Owners within 200 feet of the below listed property. Attached is my fee of \$10 (cash, or check made payable to Holmdel Township).

LOT _____

BLOCK _____

ADDRESS _____

Name: _____

Address: _____

Phone: _____

Email: _____

**HOLMDEL TOWNSHIP
TAX CERTIFICATION**

- () Zoning Officer
- () Planning Board
- () Zoning Board of Adjustment

Property Owner(s): _____

Location: _____

Block: _____ Lot(s): _____ Condo: _____

For Official Use Only

THIS WILL CERTIFY THAT TAXES ON THE ABOVE PROPERTY

ARE PAID _____

ARE NOT PAID _____

_____ **QUARTER**

YEAR _____

THIS PROPERTY MAY BE SUBJECT TO ROLLBACK TAXES NOT YET ESTABLISHED.

Name _____

Title _____

Date _____

HOLMDEL TOWNSHIP VARIANCE CHECKLIST

Applicant's Name: _____

VARIANCE APPLICATIONS - BULK/SIGN

The following is a list of the items that must be provided in order for your application to be processed:

PR	N/A	W	[PR - Provided]	[N/A - Not Applicable]	[W - Waiver Requested]
			1. 15 copies of <i>Petition</i> (Form #1)		
			2. 15 copies of maps (surveys) unless variance is part of a site plan or subdivision application, in which case site plan or subdivision plans suffice		
			3. 2 copies of completed <i>Variance Checklist</i> (Form #7)		
			4. <i>Tax Certification</i> (Form #6)		
			5. Applicable filing/escrow fees (two separate checks needed)		
			6. 15 copies of Key Map showing location in the Township <i>(one copy provided by the Board office)</i>		
			7. 15 copies of Floor Plan and Elevations, where applicable, drawn to scale		
			8. 15 copies of Tax Map Sheet and block/lot numbers <i>(one copy provided by the Board office)</i>		
			9. 2 copies of W-9 (BOTH WITH ORIGINAL SIGNATURES)		
			10. 1 copy each, Variance Form #'s 2, 3 and 4 - must be filed prior to the meeting of the approving authority. Form #2 must be accompanied by the original <i>Certified List</i> of property owners, the white certified mail receipts obtained when the Notices were mailed, and certified green mail return-receipts. Form #4 or the original <i>Affidavit of Publication</i> from the Asbury Park Press must also be submitted. Notices must be provided according to law.		

USE VARIANCE (Only to be filled out if you are requesting a use variance)

			11. Items 1-10 above		
			12. Statement of drainage impact due to use variance		
			13. Statement of traffic impact due to use variance		
			14. Location of wetlands, floodplains, tidelands, etc., as surveyed in field: EIR		
			15. Engineered plans including items B-K of this checklist are required for any application for use variance where either site plan and/or subdivision approval is/ or will be required.		

