

APPLICATION FOR  
BOARD HEARING (CONT'D)

**P-01-20**  
**REVISED**

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APPLICATION IS HEREBY MADE FOR:

1.      Appeal of Administrative Action Pursuant to Section C.40:55-70a (Attach Form #01)
2.      Appeal for Interpretation Pursuant to Section C.40:55D-70b (Attach Form #02)
3.   X   Application for Hearing (Attach Form #00)
4.   X   Relief from Zoning Requirements Pursuant to Section C.40:55D-70c (Attach Form #03)
5.      Use Variance Pursuant to Section C.40:55D-70d (Attach Form #04)
6.      Conditional Use Authorization Pursuant to Section C.40:55D-67 (Attach Form #05)
7.      Approval of Subdivision (Attach Form #06)
8.      Final Approval of Major Subdivision (Attach Form #07)
9.   X   Preliminary Approval of Site Plan (Attach Form #08)
10.   X   Final Approval of Site Plan (Attach Form #09)
11.      Direction to Issue a Building Permit Pursuant to Section 602 or 604 of the Elizabeth Development Control Ordinance
12.      Hearing Application Checklist (Attach Form #18)

**NOTE: IF AN APPLICATION FOR DEVELOPMENT HAS BEEN SUBMITTED FOR THIS PROPERTY WITHIN THE LEAST TEN YEARS, PLEASE PROVIDE THE FOLLOWING INFORMATION.**

DATE OF APPLICATION

TYPE OF DEVELOPMENT

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**APPLICATION FOR  
BOARD HEARING**

**PROJECT'S GENERAL INFORMATION**

**PROPERTY:**

Address 700-712 Court Street  
Owner(s) Abilio Teixeira  
Address(es) 585 Cherry Street, Elizabeth, NJ  
Date of Purchase \_\_\_\_\_ Property Tax-Account # 7-141

**APPLICANT:**

Name Court Street Properties, LLC  
Address 762 Trumbull Street, Elizabeth, NJ 07201  
Contact Person Alcides T. Andril, Esq.  
Telephone (908) 558-0100

**PROPOSED OWNERSHIP STATUS\*:**

Proprietorship \_\_\_\_\_ Partnership \_\_\_\_\_ Corporation \_\_\_\_\_  
Lessee \_\_\_\_\_ Contingent Purchaser X  
Other \_\_\_\_\_ (Explain) \_\_\_\_\_

**PROJECT'S ATTORNEY:**

Name Alcides T. Andril, Esq. Telephone (908) 558-0100  
Firm Andril & Espinosa, LLC  
Address 534 Westfield Avenue, Elizabeth, New Jersey 07208

**PROJECT'S ARCHITECT:**

Name Christopher Zehnder Telephone (908) 965-1900  
Firm \_\_\_\_\_  
Address 215 Jefferson Avenue, Elizabeth, NJ 07201  
New Jersey License # 16426

**PROJECT'S ENGINEER:**

Name \_\_\_\_\_ Telephone ( ) \_\_\_\_\_  
Firm \_\_\_\_\_  
Address \_\_\_\_\_  
New Jersey License # \_\_\_\_\_

**PROJECT'S LAND SURVEYOR:**

Name Robert H. Wetzel Telephone (732) 382-4257  
Firm \_\_\_\_\_  
Address 959 Jaques Street, Rahway, NJ 07065  
New Jersey License # 39253

**\*Note:** If the applicant is not the proprietor, then the applicant is required to submit a letter signed by the property owner, authorizing the filing and processing of this application (attach Form #13). Corporations and partnerships must attach form #14. CORPORATIONS MUST BE REPRESENTED BY AN ATTORNEY.

**APPLICATION FOR  
 BOARD HEARING (CONT'D)**

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**PHYSICAL DEVELOPMENT INTENT**

Property Description

Address 700-712 Court Street  
 Owner(s) Abilio Teixeira

Property Tax-Account # 7-141 Zoning C-2  
 Lot Area 16,400 Square Feet Tract Area 16,400 Square

Feet

	STREET	LINEAR FEET
FRONTAGE:	<u>Court Street</u>	<u>164</u>
	<u>Seventh Street</u>	<u>100</u>

**STRUCTURES:**

INTENT*	STORIES	CONSTRUCTION TYPE	USE** TYPE	FLOOR AREA (Sq. Ft.)	EFF. Units	# OF BEDROOMS/UNIT				
						1	2	3	4	5
<u>B</u>	<u>3</u>	<u>Frame</u>	<u>R</u>				<u>18</u>			

\* **NOTE:** Definition of Intent  
 A: Addition to Existing  
 B: New Construction  
 C: Existing to Remain  
 D: To Be Demolished

\*\* **NOTE:** Definition of Use Type  
 R: Residential  
 C: Commercial  
 W: Warehousing  
 M: Manufacturing  
 A: Accessory  
 I: Institutional  
 O: Office

**BUILDING LOTS (Please complete if property is to be subdivided):**

LOT AREA (Sq. Ft.)	LOT FRONTAGE (Sq. Ft.)
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

APPLICATION FOR  
BOARD HEARING (CONT'D)

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CERTIFICATION FOR EXEMPTION FROM SITE PLAN APPROVAL (Please complete for projects other than one or two family residence):

- | YES         | NO       |  |
|-------------|----------|--|
| 1. _____    | <u>X</u> | Will the development require conditional use authorization?  |
| 2. _____    | <u>X</u> | Will the project involve a use requiring screening?  |
| 3. _____    | <u>X</u> | Does the lot width exceed 80 feet and will there be a change of use from one Schedule II Category to another?          |
| 4. <u>X</u> | _____    | Will the building construction or reconstruction cover more than 300 square feet?                                      |
| 5. <u>X</u> | _____    | Will the lot have 5 or more parking stalls and will stalls, aisles or driveways be established, altered or eliminated? |
| 6. <u>X</u> | _____    | Will the development involve the removal of soil exceeding 1 foot in depth?  |
| 7. _____    | <u>X</u> | Will 5,000 square feet or more of residential open space be provided?  |

NOTE: A Yes response to one or more of the above questions indicates the need for a site plan review or, a certification from the City Engineer, City Planner and Zoning Administrator that improvements meet the criteria for exemption from site plan hearing requirements.

**APPLICATION FOR  
BOARD HEARING (CONT'D)**

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Present Use Category: C-2  
Principle Use(s): C-2  
Major Accessory Use(s): \_\_\_\_\_

Proposed Use Category: C-2  
Principle Use(s): C-2  
Major Accessory Use(s): \_\_\_\_\_

**USE:**

Describe the PRESENT USE of the property including both indoor and outdoor activities:

Vacant lot  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

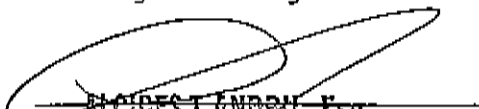
Describe the PROPOSED USE of the property including both indoor and outdoor activities:

Construction of a new three story eighteen unit residential building  
\_\_\_\_\_  
\_\_\_\_\_

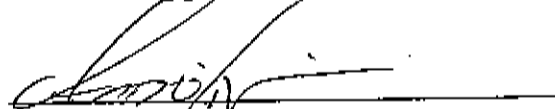
**REQUIRED ATTACHMENTS:**

- |    | <u>YES</u> | <u>NO</u> |  |
|----|------------|-----------|--|
| 1. | _____      | <u>X</u>  | Is a new public street right-of-way proposed? If yes, please attach description.   |
| 2. | _____      | <u>X</u>  | Are off-tract facilities proposed? If yes, please attach description.  |
| 3. | _____      | <u>X</u>  | Are there any deed restrictions which affect the subject property in or contemplated? If yes, please attach description.     |
| 4. | _____      | <u>X</u>  | Is the subject property located in "A" Flood Hazard Area? If yes, please attach copy of necessary permit or waiver.          |
| 5. | _____      | <u>X</u>  | Is the subject property within 500 feet of a tidal water body? If yes, please attach copy of the necessary permit or waiver. |

I hereby depose and say that all the statements contained in these papers submitted herewith are true and correct. I also authorize City officials and Board members to have physical access to the property and any structures on the property as necessary for the purpose of gathering information relevant to this application.

  
ROBERT L. ENDRETH, Esq.  
NOTARY PUBLIC  
An Attorney At Law  
of the State of New Jersey

1-15-20  
DATE

  
APPLICANT'S SIGNATURE

1-15-20  
DATE

APPLICATION FOR BOARD ACTION  
 DCP FORM #03, PAGE 1 OF 3  
 (Revised March 14, 1988)

Planning Board   x    
 Zoning Board       

Application #         
 Date Filed         
 Filing Fee \$         
 Received By         
 Hearing Date         
 Final Hearing       

**APPEAL FOR RELIEF FROM  
 ZONING REQUIREMENTS**

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Appeal is hereby made, pursuant to Section C.40:55D-70c of the New Jersey Municipal Land Use Law, for the permission to vary requirements of the zoning article of the Development Control Ordinance of the City of Elizabeth as follows:

A.	SECTION	REQUIREMENTS	RELIEF REQUESTED
1.	17.36.110	Front Yard 35'	3' proposed
2.		Rear yard 57'5"	56'/25' proposed
3.		Imp. Coverage 60%	64.7 proposed
4.			
5.			
6.			
7.			
8.			
9.			
10.			

**B. ARGUMENTS:** Arguments must be submitted in support of the requested relief. On a separate sheet, for each variance requested, explain fully how the physical characteristics of the property in question prevents compliance with the strict application of the code requirements creating an undue hardship for the applicant.

APPLICATION FOR BOARD ACTION  
DCP FORM #03, PAGE 2 OF 3  
(Revised March 14, 1988)

Planning Board  X   
Zoning Board \_\_\_\_\_

Application # \_\_\_\_\_  
Date Filed \_\_\_\_\_  
Filing Fee \$ \_\_\_\_\_  
Received By \_\_\_\_\_  
Hearing Date \_\_\_\_\_  
Final Hearing \_\_\_\_\_

**APPEAL FOR RELIEF FROM  
ZONING REQUIREMENTS (CONT'D)**

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**C. PUBLIC HEARING NOTIFICATION INFORMATION:** THE APPLICANT SHALL NOTIFY ALL OWNERS OF PROPERTY LOCATED IN THE STATE AND WITHIN TWO HUNDRED (200) FEET IN ALL DIRECTIONS OF PROPERTY IN QUESTION. Notice shall be given by the applicant at least ten (10) days prior to the date of the hearing to the following parties where applicable. Notice shall be by personal service or certified mail. An affidavit of proof of service demonstrating compliance with this requirement shall be filed with the City agency holding the hearing at least two (2) days prior to the date of the hearing.

- | YES      | NO         |   |
|----------|------------|---|
| 1. _____ | <u> X </u> | Is the subject property located within two hundred (200) feet of any municipal boundary? If yes, the City Clerk of adjacent municipality and County Planning Board shall be notified of the hearing by applicant (please see Note 1). |
| 2. _____ | <u> X </u> | Is the subject property adjacent to an existing or proposed county road or adjoining other county land? If yes, the County Planning Board shall be notified of the hearing by applicant (please see Note 1).                          |
| 3. _____ | <u> X </u> | Is the subject property adjacent to a state highway? If yes, the Commissioner of Transportation shall be notified of the hearing by the applicant (please see Note 2).  |

**D. DISCLOSURE OF INFORMATION:** If the application involves variances to construct twenty-five (25) or more residential units, or if the proposed project is owned by a corporation or partnership, the applicant is required to submit a disclosure statement of all stockholders or partners with ten percent (10%) or greater interest in the corporation or partnership pursuant to N.J.S.A. 40:55D-48.1 et seq.

APPLICATION FOR BOARD ACTION  
DCP FORM #03, PAGE 3 OF 3  
(Revised March 14, 1988)

Planning Board   X    
Zoning Board       

Application #         
Date Filed         
Filing Fee \$         
Received By         
Hearing Date         
Final Hearing       

**APPEAL FOR RELIEF FROM  
ZONING REQUIREMENTS (CONT'D)**

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**NOTE 1:** If the subject property is located within two-hundred (200) feet of a municipal boundary, or if the subject property is adjacent to a county road or land, the applicant should file Form #15 and submit it to:

Union County Planning Board  
Union County Department of Engineering & Planning  
Union County Administrative Building  
Elizabethtown Plaza  
Elizabeth, New Jersey 07201

**NOTE 2:** If the subject property is located adjacent to a state highway or property, the applicant should file Form #15 and submit it to:

New Jersey Department of Transportation  
1035 Parkway Avenue  
P.O. Box 101  
Trenton, New Jersey 08625



DCP Form # 08  
 Application for Preliminary  
 Approval of Site Plan

Application # \_\_\_\_\_  
 Date Filed \_\_\_\_\_  
 Filing fee \$ \_\_\_\_\_  
 Received by \_\_\_\_\_

Application is hereby made for approval of proposed Site Plan for the land herein described.

1.

Plan Description	Prepared By	Date	For Official Use Only
Site Plan	Christopher Zehnder	1-2-20	

2. Notification Information.

YES      NO

Does the proposed development provide or is it required to provide five (5) or more parking spaces and located adjacent to an existing or proposed country road? If yes, County Planning Board shall be notified or hearing by the applicant and a copy of the site plan shall be submitted to the County Planning Board by the local board

X

3. Publication Hearing Notification Information

Notice shall be given by the applicant at lease ten (10) days Prior to the date of the hearing to the following parties where applicable. Notice shall be by personal service or certified mail. An affidavit of proof of service demonstrating compliance with this requirement shall be filed with the City agency holding the hearing at lease two (2 ) days prior to the date of the hearing.

X

a ) Is the subject property located within 200 feet ( 200' ) of any municipal boundary? If yes, City Clerk of adjacent municipality and County Planning Board shall be notified of hearing by applicant.

X

YES

NO

b ) Is the subject property located adjacent to a State Highway?  
If yes, applicant shall notify the Commissioner of Transportation  
of the hearing ( Form 15 ).

X

THE APPLICANT SHALL NOTIFY ALL PROPERTY OWNERS  
LOCATED IN THE STATE AND WITHIN TWO HUNDRED  
FEET ( 200' ) IN ALL DIRECTIONS OF THE PROPERTY IN  
QUESTION.

4. Disclosure information

Is the applicant and/or owner a corporation, partnership or limited  
liability company and does the subdivision involve six (6) or more  
lots? If yes, submit disclosure of all stockholders and/or members  
holding 10% or more of the stock or partners and/or members  
with a 10% or greater interest in the partnership of limited  
liability company pursuant to N.J.S.A. 40:55D-48.1 et seq.  
( Form #14)

X

DO NOT WRITE ABOVE LINE

Application is hereby made for final approval of the proposed site plan for the land hereinafter more particularly described. (Attach Form #24 Final Plan Intake Checklist, Form #25 Public Works Final Approval Certification Checklist, and Form #26 Planning Final Approval Certification Checklist)

1. Date of preliminary approval: Pending. Date of any extensions granted (attach documentation): None. Preliminary site plan approval pursuant to N.J.S.A. 40:55 D-49, expire three years from the date of preliminary approval. The applicant may apply to the reviewing Board for extensions for additional periods of at least one (1) year but not to exceed a total extension of two (2) years.

	<u>Contact Persons</u>	<u>Phone</u>
2. a. Draining Plan	Chris Zehnder	965-1900
b. Paving Plan	"	"
c. Utility Plan	"	"
d. Landscaping Plan	"	"
e. Sign Plan	"	"
f. Lighting Plan	"	"
g. Elevation Drawing	"	"

3. Does the final plan follow exactly the plan granted preliminary approval in regard to development plans, area covered, and other details? (Yes or No) YES. If not, indicate material changes (attach copy if necessary).

NONE

4. Have all conditions of preliminary approval have been met? (Yes or No) YES. Attach evidence of compliance if not included on plans. If conditions have not been met, specify reasons.

NO CONDITIONS WERE IMPOSED BY THE BOARD DURING THE PRELIMINARY SITE PLAN APPROVAL PROCESS.

5. Person to whom final approved plan is to be issued:

Name: Alcides T. Andril, Esq.

Address: 534 Westfield Avenue

Elizabeth, NJ 07208

Phone: (908) 558-0100

Check One:

Applicant will pick up

Documents should be mailed X

OWNER'S CONSENT FORM

I, ABILIO TELXEIRA, THE OWNER OF THE PREMISES KNOWN AS 700-712 COURT STREET, ELIZABETH, NJ, TAX ACCOUNT NUMBER  7-141  FOR WHICH AN APPLICATION OF DEVELOPMENT HAS BEEN SUBMITTED BY  COURT STREET PROPERTIES, LLC , A CONTINGENT PURCHASER WHICH INVOLVES THE CONSTRUCTION OF AN EIGHTEEN UNIT RESIDENTIAL BUILDING AND REQUIRES THE GRANTING OF A SITE PLAN APPROVAL AND SUCH BULK VARIANCES AS MAY BE REQUIRED.

I HEREBY CERTIFY THAT I HAVE READ THE APPLICATION AND GRANT PERMISSION TO THE APPLICANT TO PROCEED BEFORE THE PROPER BOARD. I FURTHER CERTIFY THAT I AM AWARE THAT THE ENTIRE PROPERTY IS SUBJECT TO THE ACTIONS OF THE REVIEWING BOARD WHICH MAY AFFECT THE PROPERTY RIGHTS OF MYSELF OR MY SUCCESSORS AND THAT AS THE OWNER OF SAID PROPERTY I AM ULTIMATELY RESPONSIBLE FOR COMPLYING WITH ANY AND ALL CONDITIONS IMPOSED BY THE REVIEWING BOARD. I FURTHER CERTIFY THAT I AM AWARE INFORMATION REGARDING THE APPLICATION AND THE PROSPECTIVE CONDITIONS OF APPROVAL WILL BE AVAILABLE FOR PUBLIC INSPECTION FOR TEN (10) DAYS PRIOR TO THE HEARING AND THAT THE ACTUAL DECISION CONTAINING THE CONDITIONS IMPOSED WILL BE AVAILABLE FOR PUBLIC INSPECTION NOT LATER THAN TEN (10) DAYS AFTER SAID HEARING. INFORMATION IS AVAILABLE DURING NORMAL BUSINESS HOURS AT THE OFFICE OF THE DIVISION OF ZONING AND LAND USE CONTROL, 50 WINFIELD SCOTT PLAZA, ELIZABETH, N.J. 07201.

NOTARY PUBLIC  
DATE:  1-14-20

Abilio Telxeira   
OWNER'S SIGNATURE  
DATE:  1-14-20

STAMP OF THE NOTARY