

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

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

APPLICATION FOR  
BOARD HEARING (CONT'D)

**P-32-19**  
**AMENDED**

=====

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. X Approval of Subdivision (Attach Form #06)
8. X Final Approval of Major Subdivision (Attach Form #07)
9. \_\_\_\_\_ Preliminary Approval of Site Plan (Attach Form #08)
10. \_\_\_\_\_ 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**

**P-32-19  
AMENDED**

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**PROJECT'S GENERAL INFORMATION**

**PROPERTY:**

Address 401-407 Livingston Street  
Owner(s) DYFLIP, LLC  
Address(es) 564 Spring Street, Elizabeth, NJ 07201  
Date of Purchase 12-4-19 Property Tax-Account # 3-666

**APPLICANT:**

Name same  
Address \_\_\_\_\_  
Contact Person Alcides T. Andril, Esq.  
Telephone (908) 558-0100

**PROPOSED OWNERSHIP STATUS\*:**

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

**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 Zen Architecture, LLC  
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 Martin A. Grant Telephone (732) 387-2007  
Firm \_\_\_\_\_  
Address 3 Jillian Court, Monroe Twp. NJ 08831  
New Jersey License # 35365

**\*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 401-407 Livingston Street  
 Owner(s) DYFLIP, llc

Property Tax-Account # 3-666 Zoning R-3A  
 Lot Area 8,750 Square Feet Tract Area 8750 Square

Feet

	STREET	LINEAR FEET
FRONTAGE:	<u>Livingston Street</u>	<u>100</u>
	<u>Fourth Street</u>	<u>75</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>2</u>	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	<u>2</u>	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	<u>2</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.)
<u>2500</u>	<u>25</u>
<u>2500</u>	<u>25</u>
<u>3750</u>	<u>50/75</u>
_____	_____
_____	_____
_____	_____

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)**

Present Use Category: R-3A  
Principle Use(s): R-3A  
Major Accessory Use(s): \_\_\_\_\_

Proposed Use Category: R-3A  
Principle Use(s): R-3A  
Major Accessory Use(s): \_\_\_\_\_

**USE:**

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

Existing church and three family structure

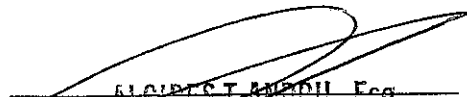
Describe the PROPOSED USE of the property including both indoor and outdoor activities:

The consolidation of three existing lots and the reconfiguration of lot lines to create three new lots with the construction of a new two family dwelling on each lot

**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.

  
ALVIN S. ANZANI, Esq.  
NOTARY PUBLIC  
An Attorney At Law  
of the State of New Jersey

3-9-20  
DATE

  
APPLICANT'S SIGNATURE

3-9-20  
DATE

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

=====

Present Use Category: R-3A  
Principle Use(s): R-3A  
Major Accessory Use(s): \_\_\_\_\_

Proposed Use Category: R-3A  
Principle Use(s): R-3A  
Major Accessory Use(s): \_\_\_\_\_

**USE:**

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

Existing church and three family structure

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

The consolidation of three existing lots and the reconfiguration of lot lines to create three new lots with the construction of a new two family dwelling on each lot

**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.          |
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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.

\_\_\_\_\_  
NOTARY PUBLIC

\_\_\_\_\_  
DATE

\_\_\_\_\_  
APPLICANT'S SIGNATURE

\_\_\_\_\_  
DATE

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

Planning Board   X    
Zoning Board       

Application #         
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**APPEAL FOR RELIEF FROM  
ZONING REQUIREMENTS**

=====

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.	<u>17.36.100</u>	<u>Lot depth 100'</u>	<u>75' Existing</u>
2.	<u>17.36.110</u>	<u>Left side yard 6'</u>	<u>3.1' proposed</u>
3.	<u>      </u>	<u>Rear Yard 25'</u>	<u>22' proposed</u>
4.	<u>      </u>	<u>      </u>	<u>      </u>
5.	<u>      </u>	<u>      </u>	<u>      </u>
6.	<u>      </u>	<u>      </u>	<u>      </u>
7.	<u>      </u>	<u>      </u>	<u>      </u>
8.	<u>      </u>	<u>      </u>	<u>      </u>
9.	<u>      </u>	<u>      </u>	<u>      </u>
10.	<u>      </u>	<u>      </u>	<u>      </u>

**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)

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**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>      </u> | <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>      </u> | <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>      </u> | <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   
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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

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

1.

Plan Description	Prepared By	Date	For Official Use Only
Major Subdivision	Martin Grant	8-3-19	

2. Classification of Subdivision. Indicate major or minor \_\_\_\_\_  
 ANY YES RESPONSE INDICATE THAT IT IS A MAJOR SUBDIVISION.

- |    |   |  |                                     |
|----|---|--|-------------------------------------|
| a) | Does the subdivision involve the creation of more than two lots?          | YES<br><input checked="" type="checkbox"/> | NO<br><input type="checkbox"/>      |
| b) | Does the subdivision involve the creation of any new streets?             | <input type="checkbox"/>                   | <input checked="" type="checkbox"/> |
| c) | Does the subdivision involve the extension of any off-tract improvements? | <input type="checkbox"/>                   | <input checked="" type="checkbox"/> |

3. Notification Information

Notification of the hearing shall be given to the Union County Planning Board by the applicant and a copy of the subdivision submitted to the Union County Planning Board by the local Board.

4. Public Hearing Notification Information - If Public Hearing has been waived omit this section.

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.

- |    |   |                                 |   |
|----|---|---------------------------------|---|
| a) | Is the subject property located within two hundred feet (200') of any municipal boundary? If yes, City Clerk of adjacent municipality and County Planning Board shall be notified of hearing by applicant | YES<br><input type="checkbox"/> | NO<br><input checked="" type="checkbox"/> |
| b) | Is the subject property adjacent to a state highway? If yes, applicant shall notify the Commissioner of Transportation of the hearing (FORM #15)  | <input type="checkbox"/>        | <input checked="" type="checkbox"/>       |

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

5. Disclosure Information

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

Application is hereby made for final approval of a proposed subdivision as shown and described on the accompanying maps and documents.

1. Date of preliminary approval: Pending Date of any extensions granted (attach documentation): \_\_\_\_\_. Pursuant to N.J.S.A. 40:55 D-49, preliminary approvals of major subdivisions 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 year but not to exceed a total extension of two (2) years.
2. Does the plat follow exactly the plat granted preliminary approval in regards to development plans, area covered, and other details? If not, indicate material changes (attach copy if necessary).

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

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

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

4. Are there any deed restrictions that apply or are contemplated? (Yes or No) No If yes, attach copy.

5. Person to whom signed document 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