

Planning Board: ___
Zoning Board X

Application Date Filed Z-01-21
Filing Fee \$ _____
Received By _____
Hearing Date _____
Final Hearing _____

APPLICATION FOR
BOARD HEARING (CONT'D)

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Original # 21-004

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. X 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)

Received in Land Division
PB ___ ZBA ___ by ___

FEB 09 2021

PB/ZBA Office, City Hall, Rm 403
City of Elizabeth, NJ 07201

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

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PROJECT'S GENERAL INFORMATION

PROPERTY:

Address 862-864 East Jersey Street
Owner(s) Antonio Carneiro
Address(es) 2257 Copper Hill Drive, Union, NJ 07083
Date of Purchase 7-12-2002 Property Tax-Account # 7-255

APPLICANT:

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

PROPOSED OWNERSHIP STATUS*:

Proprietorship X Partnership _____ Corporation _____
Lessee _____ Contingent Purchaser _____
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 James R. Guerra Telephone (908) 355-2555
Firm _____
Address 55 Jefferson Avenue, Elizabeth, NJ 07201
New Jersey License # 06059

PROJECT'S ENGINEER:

Name Thomas J. Quinn Telephone (908) 322-2030
Firm EKA Associates, PA
Address 328 Park Avenue, Scotch Plains, NJ 07076
New Jersey License # 24GE04107200

PROJECT'S LAND SURVEYOR:

Name James R. Watson Telephone (908) 322-2030
Firm EKA Associates, PA
Address _____
New Jersey License # 30750

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

Planning Board _____
 Zoning Board X

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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 width 71.25'</u>	<u>50' existing</u>
2.	_____	<u>Lot frontage 71.25'</u>	<u>50' existing</u>
3.	_____	<u>Lot depth 125'</u>	<u>116'5" existing</u>
4.	<u>17.36.110</u>	<u>front yard 3'</u>	<u>-0- existing</u>
5.	_____	<u>Side yard 15'</u>	<u>-0- existing</u>
6.	_____	<u>interior side yard</u>	<u>5' proposed</u>
7.	_____	<u>7'8:</u>	_____
8.	_____	<u>Open Space (Addition)</u>	<u>-0- proposed</u>
9.	_____	<u>Coverage 60% (Addition)</u>	<u>-0- proposed</u>
10.	<u>17.36.130</u>	<u>Site Triangle 110'</u>	<u>63'10" existing</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.

Planning Board _____

Zoning Board X

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

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Present Use Category: R-3

Principle Use(s): R-3

Major Accessory Use(s): _____

Proposed Use Category: Residential/commercial

Principle Use(s): Residential/commercial

Major Accessory Use(s): _____

USE:

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

Existing first floor commercial use with second floor apartment facing East Jersey Street and and a five car masonry garage facing Smith Street

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

Renovation of exsiting structure to maintain one commercial unit and one residential unit on first floor, four residential units on the second and third floors and removal of the garage to provide for required off street parking.

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.

ALCIDES T. ANDRIL, Esq.
NOTARY PUBLIC
An Attorney At Law
of the State of New Jersey

2-9-21
DATE

[Signature]
APPLICANT'S SIGNATURE

2-9-21
DATE

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> 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.

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**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 Site Plan	Prepared By Thomas J. Quinn	Date 12-16-20	For Official Use Only

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 X

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 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	James Guerra	355-2555
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