

DCP FORM #04
(Revised 6/10/85)
Appeal for Use Variance

Application No: _____
Date Filed: _____
Filing Fee: _____
Received by: _____

DO NOT WRITE ABOVE THIS LINE

Request is hereby made pursuant to Section C.40:55D-70d of the New Jersey Municipal Land Use Law to the Board for permission to permit the construction of enclosed outdoor dining area, as a use in an C-5 Zone which is specifically prohibited by the Development Control Ordinance of the City of Elizabeth.

1. Arguments must be submitted in support of the requested "Use Variance". On a separate sheet, describe reasons why the requested use variance should be granted by the Board
2. **Public Hearing Notification Information**
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 or No

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| 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. (Note #1). | No |
| b) Is the subject property adjacent to an existing or proposed county road or adjoining other county land? If yes, County Planning Board shall be notified of hearing by applicant. (Note #1). | No |
| c) Is the subject property adjacent to a state highway? If yes, applicant shall notify the Commissioner of Transportation of the hearing. (Note #2) | Yes |

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

APPLICATION FOR BOARD ACTION
DCP FORM #04, PAGE 2 OF 2
(Revised March 14, 1988)

Application No: _____
Date Filed: _____
Received by: _____
Hearing Date: _____
Final Hearing: _____

APPEAL FOR USE VARIANCE CONT'D

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, NJ 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, NJ 08625**