



PLANNING/ZONING APPLICATION

DATE RECEIVED: 11/18/2020	APPLICATION NO:
RECEIVED BY: A. Russo	PB#414-20

(Items above to be filled out by the Planning Board Secretary)

INDICATE TYPE(s) of APPLICATION *(please check all that apply)*

- | | |
|--|--|
| <input type="checkbox"/> Minor Subdivision | <input checked="" type="checkbox"/> Preliminary Major Site Plan |
| <input type="checkbox"/> Preliminary Major Subdivision | <input checked="" type="checkbox"/> Final Major Site Plan |
| <input type="checkbox"/> Final Major Subdivision | <input checked="" type="checkbox"/> Bulk Variance ("C" Variance) |
| <input type="checkbox"/> Conditional Use Approval | <input type="checkbox"/> Use Variance ("D" Variance) |
| <input type="checkbox"/> Amended Board Approval | <input type="checkbox"/> Amended Preliminary, Final or Minor Site Plan |

APPLICANT

Name	Brian McGuinness	
Address	10 Warne Road	
City, State, Zip	Matawan, New Jersey 07747	
Phone/Email	(732)-904-4578	

OWNER *Property owner if different from Applicant*

Name		
Address		
City, State, Zip		
Phone/Email		

ATTORNEY

Name/ Firm	Thomas E. Downs, IV, Esq.	
Address	415 Main Street - PO Box: 3145	
City, State, Zip	South Amboy, New Jersey 08879	
Phone/Email	(732)-679-5600	thomasedownsiv@gmail.com

PLANNER

Name/ Firm	James W. Higgins, PP	
Address	823 West Park Avenue #261	
City, State, Zip	Ocean Township, New Jersey 07712	
Phone/Email	(732)-245-0273	jwhassoc@me.com

ENGINEER

Name/Preparer Firm	Formosa Engineering, Inc.	
Address	168 Route One, North	
City, State, Zip	Edison, New Jersey 08817	
Phone/Email	(732)-632-8087	awformosaeng@aol.com

ARCHITECT

Name/Preparer Firm	Andrew Podberezniak, R.A.	
Address	11 High Point Drive	
City, State, Zip	Springfield, New Jersey 07081	
Phone/Email	(973)-493-9476	jacek.durka@gmail.com

**PROPERTY
INFORMATION**

Address	116-118 David Street, South Amboy, New Jersey 08879		
Block(s)	39	Lot(s)	10
Zone		Tax Sheet#	
Total Site Area	Acreage	Sq. Ft.	5,000
Date property acquired by present owner	July 16, 2019		
List any business or commercial activities at the property	None		
List any prior appeals, variances and developmental approvals involving this property	None known		
List and describe all existing structures on the property	Garage and three (3) family house.		

VARIANCE(s) REQUESTED (NJSA MLUL 40:55D) *(please check all that apply)*

"C" VARIANCE

Bulk (c) Variance

the applicant must prove hardship as outlined in the MLUL 40:55D-70c (1) where:

"C-1"

(a) by reason of exceptional narrowness, shallowness or shape of a specific piece of property, or;

(b) by reason of exceptional topographic conditions or physical features uniquely affecting a specific piece of property, or;

(c) by reason of an extraordinary situation uniquely affecting a specific piece of property or the structures lawfully existing thereon, the strict application of any regulation pursuant to article 8 of this act (C40:55D-62 et seq.) would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardship upon, the developer of such property, grant, upon an application or an appeal relating to, such property, a variance from such strict application of such regulation so as to relieve such difficulties or hardship.

"C-2"

40:55D-70c (2), proof of hardship is not necessary.

Two things must be proven to receive approval for a C-2 variance:

(1) An applicant must show that the purposes of the MLUL (40:55D-2) would be advanced by a deviation from the zoning ordinance requirement and

(2) that the variance can be granted without substantial detriment to the public good and without substantial impairment of the intent and purpose of the zone plan and zoning ordinance (negative criteria).

"D" VARIANCE

Use (d) Variance

Six instances for granting a "D" variance in the MLUL (40:55-70d):

(1) a use or principal structure in a district restricted against such a use or principal structure;

(2) an expansion of a nonconforming use;

(3) deviation from a specification or standard pursuant to section 54 of P.L. 1975, c. 291 (C.40:55D-67) pertaining solely to a conditional use;

(4) an increase in the permitted floor area ratio as defined in section 3.1 of P.L. 1975, C.291 (C.40:55D-4);

(5) an increase in the permitted density as defined in section 3.1 of P.L. 1975, c.291 (C.40:55D-4) except as applied to the required lot area for a lot or lots for detached one or two dwelling unit buildings, which lot or lots are either an isolated undersized lot or lots resulting from a minor subdivision;

(6) an increase of height which exceeds either 10 feet or 10% of the max building height permitted in the district of the principle use.

PLEASE COMPLETE ALL THAT APPLY	Required	Existing	Proposed	Variance
Minimum Lot Requirements				<i>(check if yes)</i>
Lot Area (sq. ft.)	5,000	5,000	5,000	
Lot Width (ft.)	50	50	50	
Lot Depth (ft.)	100	100	100	
Minimum Setback Requirements				
Front Yard (ft.)	25	8.51	18.00	
One Side Yard (ft.)	5	8.58	6.00	
Total Two Side Yards (ft.)	10	19.33	12.00	
Rear Yard (ft.)	25	52.97	34.00	
Maximum Percentage of Lot Occupied				
Lot Coverage (%)	25	35.48	36.22	
Impervious Land Coverage (%)	60	72.38	55.11	
Maximum Height Requirement				
Building Height (ft.)	35	<35	34.83	
Stories	2 1/2	3	3	
Parking				
Number of Parking Spaces		2	4	
Parking Stall width/length	n/a	n/a	n/a	n/a
Accessory Uses				
Garage Area (sq. ft.)		655.09	N/A	
Garage Height (ft.)		<15	N/A	
Fence Height (ft.)		3.5	3.5	
Shed Area (sq. ft.)		N/A	N/A	
Shed Height (ft.)		N/A	N/A	
Deck Area (sq. ft.)		N/A	430.50	
Minimum Distance of Accessory Use				
Side Yard Setback (ft.)	3	N/A	N/A	N/A
Rear Yard Setback (ft.)	3	N/A	N/A	N/A
Maximum Area (sq. ft.)	180	N/A	N/A	N/A
Maximum Height (ft.)	15	N/A	N/A	N/A
Density				
Maximum dwelling units per acre	8.71	8.71	17.42	
Maximum dwelling units per building	1	1	2	
Other				
Minimum floor areas per dwelling unit (sq. ft.)	1,000			
Distance Between Buildings	10			
Signage - Type		N/A	N/A	
Landscaped Buffers	40	N/A	N/A	

DETAILED DESCRIPTION OF EXISTING AND PROPOSED USE:

to construct a two (2) family home with Bulk Variances and conditional use and such other relief that the Board may determine.

Existing Building Area/Sq. Ft:

Proposed Building Area/Sq. Ft:

Existing Building Height in Ft:

Proposed Building Height in Ft:

PLEASE DESCRIBE REASON AND JUSTIFICATION FOR REQUESTING VARIANCES

Lot coverage, Front setback & Conditional Use

PLEASE DESCRIBE REASON AND JUSTIFICATION FOR REQUESTING WAIVER

PLEASE LIST ANY POTENTIAL AREAS OF ARCHITECTURAL OR HISTORICAL SIGNIFICANCE.

Year Structure(s) Built:

None known

➤ **If additional space is needed for any of the above areas, please attach a rider**