



COMMUNITY DEVELOPMENT DEPARTMENT
TOWNSHIP OF FRANKLIN

1571 DELSEA DRIVE
FRANKLINVILLE, NJ 08322-0300
Telephone (856) 694-1234
Fax (856) 694-2823
www.franklintownship.com

VARIANCE

PLANNING BOARD
ZONING BOARD
HOUSING ENFORCEMENT
ZONING ENFORCEMENT

Memo

To: All Applicants, Developers, Attorneys, Engineers, Surveyors, Realtors & Other Interested Parties
RE: Submission Deadlines for Development Applications to Allow for Administrative Completeness Review and Presentation Guidelines

Submission Deadlines and Procedures:

1. The Planning Board and Zoning Board of Adjustment have authorized the Community Development Department to administratively determine if development applications are Complete for Review. To facilitate administrative review, Completeness Review Checklists (Minor Subdivision, Major Subdivision, Site Plan & General Development Plan) are provided to guide you in preparing your project proposal. **Please note that for all applications in addition to the checklist items, the applicant is required to review all proposed new lots with the Tax Assessor to determine the appropriate lot and block numbers. The Tax Assessor must sign off on the application form as to this requirement.**
2. In order to provide the maximum opportunity for your application to be scheduled for hearing as soon as possible, the submission deadline is 45 days prior to the next scheduled meeting. Our goal is to provide the applicant with a list of incomplete items far enough in advance so the plans can be corrected, resubmitted and rechecked and deemed complete with enough time for you to provide any public notice that may be required. **You will not be given a tentative meeting date until your application is deemed complete. Once deemed complete you will be scheduled on the next available agenda.**

Hearing Presentation Guidelines:

1. **When you receive notice of completeness you are required to submit 15 copies of the application, subdivision/site plan, and all supporting documents to the Department no later than ten (10) days prior to your scheduled meeting date. Failure to comply with this requirement will result in postponement of your hearing date to the next available meeting. This applies to all applicants.**
2. The Planning Board and Zoning Board have established guidelines for presentation of major subdivisions and site plans. **The applicant is required to prepare a minimum of two site plan displays for presentation to the Board, one for Board viewing and one for viewing by the public. In addition copies of any written reports should be made available for review by the public during the hearing.**

TOWNSHIP OF FRANKLIN

INSTRUCTIONS

1. In the case of individuals, they or their attorneys should complete the **PETITION** and **NOTICE OF HEARING** forms in full. **Applications by Corporations** will only be accepted from attorneys. (Disclosure Statement attached.)
2. Obtain a sketch plat, preferably made by an engineer, of the premises showing in detail, existing boundary lines and location of structures on the premises in question and adjacent properties, with scale and all distances between buildings and side lines indicated. Buildings on adjacent lots must be set forth and their distances from the boundary lines. In addition, indicate any change sought to be made. (Sample sketch attached.) If parcel in question is in the **Pinelands**, a **Certificate of Filing** from Pinelands must be submitted.
3. Obtain from Tax Assessor, a list of all persons owning property within 200 feet of the premises in question. (Request for attached.)
4. Proof that all taxes are paid to date must also be submitted with the completed application

File fifteen (15) copies of the following:

- a. Petition and Notice of Hearing
- b. Sketch or Map
- c. Tax Assessor's Certified list

With the Secretary of the Zoning Board of Adjustment at Town Hall, 1571 Delsea Drive, Franklinville, NJ 08322 **together with the appropriate fees** (fee schedule attached) **at least forty-five (45) days prior to the** to the date of the hearing.

5. **NOTICE:** Serve all property owners within 200 feet of the premises in question with a copy of the **PETITION AND NOTICE OF HEARING** by certified mail, return receipt requested, or personally so that they receive notice **at least ten (10) days prior to hearing.**

Also, Notice must be served to the following:

- a. The Clerk of another municipality within 200 feet of the premises in question.
- b. The County Planning Board for development adjacent to a County Road or proposed road shown on the official county map or on the county master plan, adjoining other County land or situated 200 feet of municipal boundary.
- c. The Commissioner of Transportation for development adjacent to a State Highway.
- d. The State Planning Commission for development of property which exceed 150 acres or 500 dwelling units.
- e. Any public utility requesting to be noticed within 200 feet of the premises in question.

6. **PUBLIC NOTICE:** Public Notice must be given at least ten (10) days prior to the hearing by publishing in the official newspaper of the Township. (Public Notice form attached.)
7. File affidavit of mailing, the Tax Assessor's Certified List together with the return receipts and any certified letters, which were refused or were not able to be served, prior to the date of hearing with **B. Michael Borelli, Solicitor** of the Zoning Board of Adjustment, at 40 N. Woodbury-Glassboro Road, Pitman, NJ 08071. The appeal will not be listed on the agenda unless this provision is complied with.
8. **Any application not properly filed or served will not be listed for hearing.**
9. At the hearing, individuals may appear on their own behalf or be represented by attorneys. Corporations must be represented by attorneys. Applications should be prepared to present such witnesses as are necessary to support the contentions of their application.
10. Meetings are usually held the first Tuesday of each month with the exception of Reorganization in January, election days in February, June and November and a few holidays, check schedule. All paperwork must be in the office forty-five (45) days prior to the meeting. (See deadline schedule.)

In the Matter of the Appeal of:

TOWNSHIP OF FRANKLIN
ZONING BOARD OF ADJUSTMENT

)

Name _____

Mailing Address _____

)

PETITION and NOTICE
OF HEARING

(Attorney)
Phone Number _____

TO: The Zoning Board of Adjustment of the Township of Franklin

(Strike inapplicable terms and insert all required information)

1. This application concerns Block(s) _____, Lot(s) _____ on the Tax Map of the Township of Franklin and the following street address _____. The premises are owned by _____. Applicant's interest in property if other than owner is _____

2. The land has frontage on _____ street of _____ feet and a depth of _____ feet.

3. I have filed a map (plot plan) or sketch of the premises with the Planning and Zoning Administrative Officer which may be examined at the Department of Planning and Zoning, Township Municipal Building, South Delsea Drive, Franklinville, New Jersey, on which map or sketch I have indicated existing location of boundary lines and structures and changes requested to be granted herein.

4. The land is in _____ zone, and the present use of the land is:

5. I desire to make the following changes: (insert how the existing use will be changed or modified)

6. An appeal is hereby made for a variance from or an exception according to the terms of Section _____ of the Zoning Ordinance, whereas, _____

7. I desire the Zoning Board of Adjustment to grant a

Check one or more

TYPE	"A" ()	Sub-Division ()	Site Plan Approval ()
VARIANCE	"B" ()	Conditional	Other ()
	"C" ()	Use Permit ()	_____
	"D" ()	Temporary	_____
		Use Permit ()	

NOTE: No site plan approval can be approved without a formal application made to the Planning Board and proper fee is paid.

8. Set forth, in detail including all facts which you wish to rely on at the hearing, why the Zoning Board of Adjustment should grant your application. (Attach as many additional sheets as needed.) Applications may be decided on reasons herein stated in the event that one desires to be heard on the application.

9. State name, address and telephone number of attorney representing applicant, (if any).

Name _____
 Address _____

 Phone number () _____ Facsimile # _____
 E-Mail _____

10. Set forth any previous applications made to this Board for the above described property, indicating date and results.

11. TAKE NOTICE that a hearing on the above application will be held at Township of Franklin Municipal Building, South Delsea Drive, Franklinville, New Jersey on _____ at 7:00 p.m., at which time you may appear, individually or by counsel and express your opinions for or against the application.

DATED: _____

X

 Applicant or Attorney

(Attorney) Phone Number _____

12. Attached hereto and made a part of this application I submit the following:

AFFIDAVIT OF APPLICANT

STATE OF NEW JERSEY)
 ss.
COUNTY OF)

_____ of full age, being duly sworn according to law, on oath deposes and says that all of the above statements and the statements contained in the papers submitted herewith are true.

Sworn and subscribed to before me this

_____ day of _____, _____

_____ A Notary Public of the State of New Jersey

_____ ^X Applicant

AFFIDAVIT OF OWNERSHIP

STATE OF NEW JERSEY)
 ss.
COUNTY OF)

_____ of full age, being duly sworn according to law, on oath deposes and says, that deponent resides at _____ in Franklinville, NJ, Township of Franklin, in the County of Gloucester and State of New Jersey, that _____ is the owner in fee of all that certain lot, piece or parcel of land situated, lying and being in the Municipality of Franklin Township aforesaid and known and designated as Number _____

Sworn and subscribed to before me this

_____ day of _____, _____

_____ A Notary Public of the State of New Jersey

_____ ^X Owner to Sign Here

AUTHORIZATION - FOR CONTRACT PURCHASER

(If Contract Purchaser is making this application, the following authorization must be executed)

To the Board of Adjustment:

_____ is hereby authorized to make the within application.

Dated: _____ ^X Owner to Sign Here

(Note: Contract Purchaser must produce a signed copy of the contract for the Board of Adjustment at the hearing.)

DISCLOSURE STATEMENT PURSUANT TO L. 1977, C-336

- A. Is this application to subdivide a parcel or parcels of land into six or more lots?
YES _____ NO _____
- B. Is this application for a variance to construct a multiple dwelling of 25 or more family units?
YES _____ NO _____
- C. Is this application for approval of a site or sites to be used for commercial purposes?
YES _____ NO _____

IF ANY OF THE ABOVE ANSWERS WERE YES PROCEED TO "D"

- D. Is the applicant a corporation or partnership?
YES _____ NO _____

IF YES:

1. List the names and addresses of all stockholders or individual partners owning at least 10% of its stock of any class or at least 10% of the interest in the partnership, as the case may be. (Use extra sheets if necessary.)

2. Does a corporation or partnership own 10% or more of the stock of this corporation or partnership?
YES _____ NO _____

If Yes:

List the names and addresses of the stockholders of that corporation holding 10% or more of the stock or of 10% or greater interest in that partnership, as the case may be. This requirement is to be followed by every corporate stockholder or partner in a partnership, until the names and addresses of the noncorporate stockholders and individual partners exceeding 10% ownership criterion established in L. 1977, C. 336 have been listed (use extra sheets if necessary.)

DATE _____ APPLICANT SIGNATURE X _____

SKETCH PLAT SPECIFICATIONS

These specifications are required for an application for a Variance to the Zoning Board of Adjustment. The purpose of a Sketch Plat is to provide sufficient data for proper evaluation and determination by the Zoning Board of Adjustment.

Fourteen (14) copies of a Sketch Plat, size 8-1/2 inches by 11 inches shall accompany all applications to the Zoning Board of Adjustment. (Larger if required)

This list of specifications is intended to serve as a guide in the preparation of a Sketch Plat.

The following requirements are illustrated on the attached Sample Sketch Plat. The letters as listed here are shown on the sample plan in large letters.

SIMPLIFIED SKETCH PLAT

A simplified sketch plat may be submitted when minor construction or no construction is involved. The plan shall:

- A. Be drawn neatly to scale, preferable at one inch equals twenty feet.
- B. Indicate the entire lot for which application is being made.
- C. Contain a symbol indicating the direction of north.
- D. Indicate the dimensions of the lot.
- E. Indicate the name of all streets and ways upon which the lot is located and indicate the street address.
- F. Indicate the name of the nearest intersecting street and the distance, in feet, to it.
- G. Indicate the location, height and dimension of existing and proposed structures including porches, stoops, etc.
- H. Indicate with dimensions, any parking areas with distance from buildings and property lines.
- I. When on-site parking is provided, indicate driveways and curb cuts.
- J. Indicate the name and address of the applicant of the subject lot and the date of plan preparation.

DETAILED SKETCH PLAT

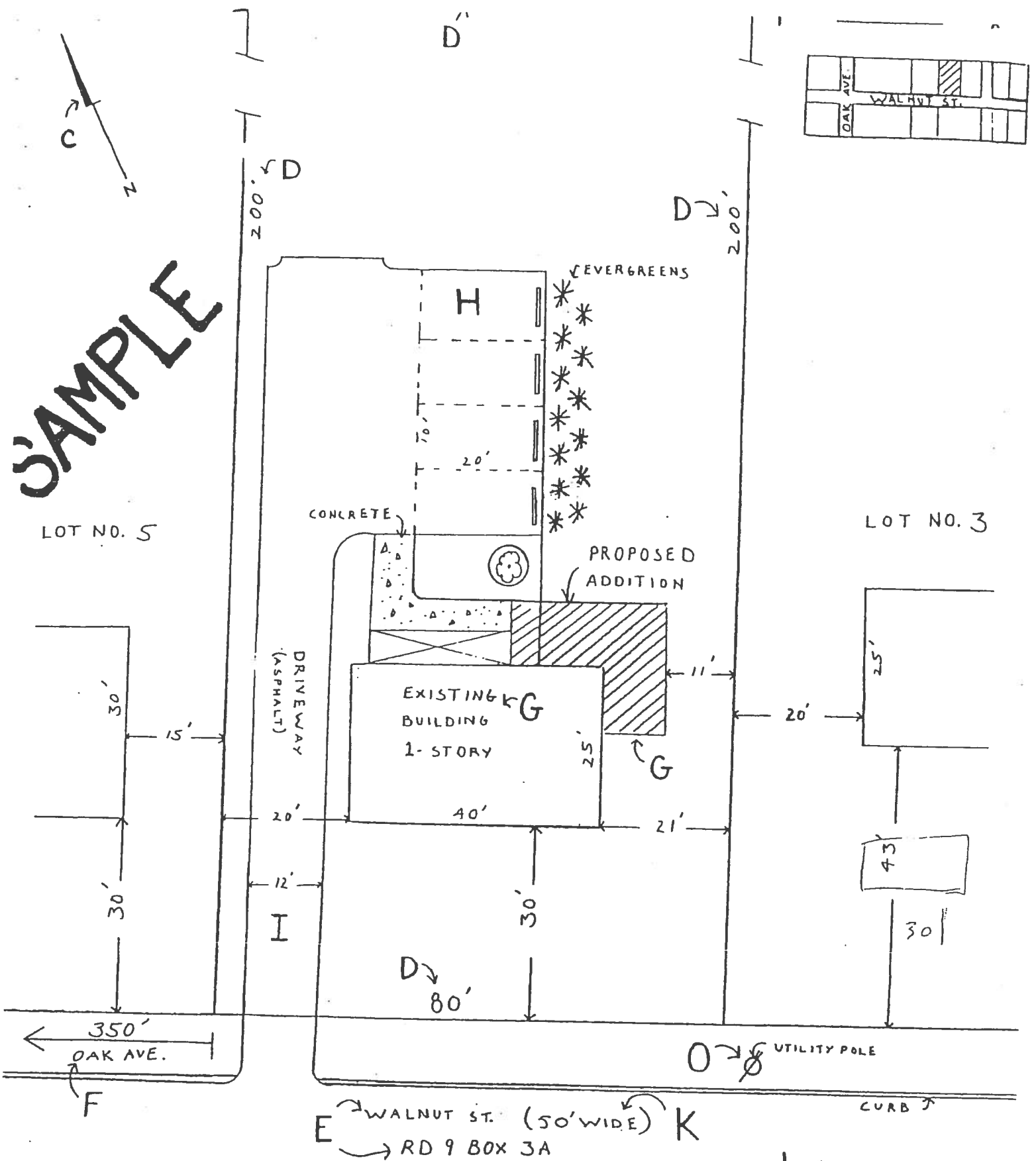
A detailed Sketch Plat must be submitted when major construction or a new use of land is involved. In addition to the items above, the detailed Sketch Plat shall:

- K. Indicate the width of all right of ways (streets and ways) upon which the lot is located.
- L. Indicate the lot number of the subject property and of the abutting lots.
- M. Indicate the name and address of owner of lot.
- N. Indicate existing and proposed contours when the site is not relatively level.
- O. Indicate the location and type of existing and proposed street fixtures such as utility poles, street lights, traffic signals and signs.
- P. Draw a key map of area.

SAMPLE

LOT NO. 5

LOT NO. 3



APPLICANT: J
ADDRESS :

BLOCK: 700 LOT: 4

DATE: 01/29/93 SCALE: 1" = 20'

OWNER:

L

APPLICANT'S OFFER TO ABUTTING
PROPERTY OWNERS

Mr./Mrs. _____
Lot _____ Block _____
Address: _____

Re: Application # ZB _____

Dear Mr./Mrs. _____:
I have made application to the _____ Township Zoning Board for a variance(s) to construct a single-family residence [or other structure as applicable] on Block _____, Lot _____, which abuts your property. This letter is to inquire whether you would be interested in selling me your lot or a portion of your lot in order to make my lot conform or more nearly conform with the current _____ Zoning Ordinance. In the alternative, you may have an interest in purchasing my lot at the "fair market value" which in this instance means a building lot price as if the variance had been granted.

It is my intention to demonstrate to the _____ Zoning Board that a "hardship" exists as I am unable to either acquire additional land or sell my land at its fair market value.

If you have any interest in selling your lot, or a portion of your lot to me or in purchasing my lot, please indicate on the enclosed copy of this letter your position with respect to this application. The _____ Township Zoning Board hearing on the undersigned's variance application is scheduled for _____ at which time a copy of this letter and any response from you will be offered into evidence.

Enclosed is a stamped-return addressed envelope for your convenience. You may, of course, attend the Zoning Board hearing and give testimony concerning your position.

Very truly yours,

Applicant

Applicant's Tel. No. (Home) _____
(Work) _____
CERTIFIED MAIL — RRR # _____
ANTICENTRAL MAIL

RESPONSE OF ABUTTING PROPERTY OWNERS

RE: Applicant _____
Lot _____, Block _____
Township of _____

1. We have an interest in purchasing the Applicant's property (yes or no) _____
2. We are willing to pay \$ _____
3. We have an interest in selling our property (yes or no) _____
4. We are willing to sell our property for \$ _____
5. We have an interest in selling a portion of our property consisting of _____ square feet (yes or no) _____
6. We are willing to sell the property described in #5 for \$ _____
7. We have no interest in buying the Applicant's property or selling our property or a portion of our property (yes or no) _____
8. We will be in attendance at the Zoning Board application to give our testimony (yes or no) _____

Signature

Signature

Dated: _____

Note: You may send a copy of this response directly to the zoning board secretary as follows: _____

TOWNSHIP OF FRANKLIN
ZONING BOARD OF ADJUSTMENT

In the Matter of the Appeal of:

Name _____

Address _____

AFFIDAVIT OF MAILING

STATE OF NEW JERSEY)
 ss.
COUNTY OF GLOUCESTER)

_____, being duly sworn upon his oath deposes and says:

On _____, _____, I sent copies of the attached PETITION and NOTICE OF HEARING by certified mail, return receipt requested to the persons whose name were supplied to me by the Tax Assessor as being residents within 200 feet of the premises in question on letter attached hereto. I attach all receipts and unopened returned letters hereto.

X

Sworn to and subscribed before
me, a Notary Public of New Jersey
this _____ day of _____,

Notary Public of New Jersey

Variance Evaluation Criteria:

Under the provisions of the MLUL, in order for the Planning Board to approve a 'c (1)' variance the applicant must show (1) peculiar and exceptional practical difficulties to, or (2) exceptional and undue hardship upon, the applicant arising out of (a) the exceptional narrowness, shallowness or shape of a particular 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 and exceptional situation uniquely affecting a specific piece of property or the structures lawfully existing thereon. Please note that in all cases the alleged hardships must relate to a specific piece of property.

To approve a "c" (2) variance the Board must find that the application has shown it (1) relates to a specific piece of property; (2) that the purposes of the Municipal Land Use Law would be advanced by a deviation from the zoning ordinance requirement; (3) that the variance can be granted without substantial detriment to the public good; (4) that the benefits of the deviation would substantially outweigh any detriment and (5) that the variance will not substantially impair the intent and purpose of the master plan and zoning ordinance.

Burden of Proof

As with all variance requests, the applicant bears the burden of proving both the positive and negative criteria. The positive criteria in the case of a c (1) variance relate to the hardship and the positive criteria in the case of a c (2) variance relate to the benefits.

The Planning Board must find that the request also meets the negative criteria of NJSA 40:55D-70. Negative criteria consists of two elements: No relief may ever be granted unless it can be done (1) without substantial detriment to the public good, and (2) without substantially impairing the intent and purpose of the land use plan and zoning ordinance. The courts have interpreted 'substantial detriment to the public good' to require an evaluation of the impact of the proposed use variance on the adjacent properties and a determination as to whether or not it will cause such damage to the character of the neighborhood.

Hardship

- The applicant must demonstrate that the property's unique characteristics inhibit "the extent" to which the property can be used. Applicant must address the conditions described in N.J.S 40:55D-70 c (1).
- The applicant must provide proof that the parcel was offered for sale (at fair market value) to adjacent property owners and that they had no interest in purchasing the lot.
- The applicant must show proof that they attempted to purchase additional property to bring the lot into conformance with the ordinance bulk standards.

Impact on surrounding properties/character of the neighborhood

- Applicant must provide reasons why the variance will not have an adverse impact on the surrounding properties.

Consistency with the Master Plan & Zoning Ordinance

- Applicant must address how the variance will advance the purpose and intent of the Township master plan.

TOWNSHIP OF FRANKLIN
COUNTY OF GLOUCESTER

1571 DELSEA DRIVE • FRANKLINVILLE, N.J. 08322



Date: _____

Re: Request for new Block & Lot numbers for proposed subdivision

This letter is to request confirmation or assignment of new Block & Lot numbers for the proposed subdivision of the following property:

Block: _____ Lot: _____ Location: _____

_____ Enclosed you will find a copy of the proposed subdivision plans for your review and please mail back a mark up copy of the plan with your new block & lot numbers.

_____ I have faxed you a copy of the proposed subdivision plan for your review and please fax back a mark up copy of the plan with your new block & lot numbers.

Should you need any further information, please do not hesitate to call. Listed below our contact information for the proposed subdivision for your file:

Property Owner Information:

Developer Information: (if different)

Name: _____

Address: _____

State/Zip: _____

Phone #: _____

Fax #: _____

Signature: _____

PUBLIC NOTICE

**TOWNSHIP OF FRANKLIN
COUNTY OF GLOUCESTER
STATE OF NEW JERSEY**

The Township of Franklin Zoning Board of Adjustment will hold a Public Hearing for

located on _____

Block(s) _____ Lot(s) _____

ZB _____ seeking a variance to _____

on _____ at 7:00PM

in the Municipal Hall, South Delsea Drive.

All documents relating to this matter have been filed with the Secretary and are available for inspection during regular business hours.

NOTE: This **PUBLIC NOTICE** must be published at least ten (10) days prior to the date of the hearing in the official newspaper of the Township of Franklin.

C. Other fees.

- (1) Hear and decide appeals of a decision by the Zoning Officer: \$250.
- (2) Interpretation of Zoning Map or Zoning Ordinance: \$250.
- (3) Hardship/bulk or CI and C2 variance: \$150.
- (4) Use or D variance: \$300.
- (5) Conditional uses: \$400.
- (6) Hearing for permit for building or structure:
 - (a) In bed of mapped street: \$250.
 - (b) Not related to a street: \$250.

Escrow Fee - Variance \$1,000.00

VARIANCE APPLICATION FEE FORM

DOCKET # _____ APPLICANT _____

ADDRESS _____

BLOCK _____ LOT _____

PLEASE MAKE SEPARATE CHECKS FOR APPLICATION FEE & ESCROW
FEE MADE OUT TO THE TOWNSHIP OF FRANKLIN

APPLICATION FEE---Hardship/bulk or C1 and C2 VARIANCE

\$150.00 TOTAL _____

ESCROW FEE-----Hardship/bulk or C1 and C2 VARIANCE

\$1000.00 TOTAL _____

APPLICATION FEE ---Use or D Variance

\$300.00 TOTAL _____

ESCROW FEE -----Use or D Variance

\$1000.00 TOTAL _____

*Section 253-20E(4)

(4) If at any time the escrow fund is found to be insufficient to cover all reasonable fees for the required professional services, the applicant shall be notified, in writing, with an accounting of the fees and the applicant shall within 10 days increase the fund as shall be determined by the reviewing Board. In the event that the applicant shall fail to deposit the required fees, the reviewing Board shall be entitled to declare the application incomplete. Any excess funds in the escrow fund remaining 95 days after final action has been taken by the reviewing Board shall be returned to the applicant.

TOWNSHIP OF FRANKLIN
COUNTY OF GLOUCESTER

1571 DELSEA DRIVE • FRANKLINVILLE, N.J. 08322



200 FOOT ADJACENT PROPERTY OWNER LIST

Attached is the list of property owners within 200 ft of Block- _____ Lot _____
That was requested by:

Fee \$10.00

Name: _____
Company: _____
Address: _____

Cash: _____
Check #: _____
Date: _____

Phone # : (_____) _____ Fax # : (_____) _____

Please include the following on the list:

*Manager of R/E & R/W
Atlantic City Electric
5100 Harding Highway, Suite 399
Mays Landing, NJ 08330-9902*

*Engineering Manager
South Jersey Gas Co.
1 South Jersey Plaza
Hammonton, NJ 08037*

*Comcast
Construction Dept.
Attention: Jim Parkinson
1846 North West Blvd.
Vineland, NJ 08360*

*Public Service Electric and Gas Company
Manager-Corporate Properties
80 Park Plaza, T6B
Newark, NJ 07101*

**If the above property listed also fronts on any Railroad, State or County Highway
you must also notify the authorities below:**

*NJ State D.O.T.
Planning Division
PO Box 600
Trenton, NJ 08625-0600*

*Gloucester County D.P.W.
Planning Division
Rt. 47 Delsea Drive
Clayton, NJ 08312*

*P.R.S.L. c/o Conrail
Tax Department
PO Box 8499
Philadelphia, PA 19101*

If the property is within 200 feet of another municipality, you must also notify the Clerk of the Municipality and also obtain a listing of properties within that municipality.

Date Certified