

West Windsor Township

Department of Community Development – Division of Land Use

ZONING BOARD OF ADJUSTMENT

CHECKLIST

Bulk Variances (“C” type)

Use & Non-Use Variances (“D” type)

APPLICATION NAME: NATHAN PRUSSING + ALISON PRUSSING
 SUBJECT PROPERTY STREET ADDRESS/LOCATION: 976 ALEXANDER RD WEST WINDSOR, NJ 08550

Application No.: ZB - _____ Block: 11-01 Lot: 17

Zoning District: R1-A Variance Requested (check all that apply, see Page 3 for definitions):
 C-1 C-2 _____
 D-1 _____ D-2 _____ D-3 _____ D-4
 D-5 _____ D-6 _____

Applications shall be submitted to the Township Land Use Division during “Open Window Week” (The week of the second Wednesday of each month).

An application shall not be considered complete until ALL the documents and information listed below have been submitted and the applicant receives a letter from the Township Land Use Office deeming such application complete (letter deeming application complete or incomplete to be sent within 45 days from receipt of these submission requirements listed below).

PLEASE SUBMIT ONE (1) ORIGINAL COPY OF THE INFORMATION REQUESTED BELOW:

Submission Requirements:

Not Provided	Applicable	Waiver*	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1. Completed original “Application to West Windsor Zoning Board of Adjustment”.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	2. Completed “c” Bulk Variance Application (if applying for “c” Variance).
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	3. Completed “d” Variance Application (if applying for “d” Variance)
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	4. Fees: Checks made payable to West Windsor Township.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	A. Application Fee, \$100.00 for “c” Variance, \$1,000.00 for “d” Variance
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	B. Escrow Fee – per variance request, \$250.00 for “c” Variance, \$3,500.00 for “d” Variance Submit one (1) check for Application Fee(s) and one (1) check for Escrow Fee(s).
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	5. One (1) original copy of folded and collated maps, plans and documentation showing the following:
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	A. Key map with legible street plan showing location of subject property with north arrow.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	B. Accurate location of all property lines.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	C. Zoning classification of land.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	D. Tax map Block and Lot numbers.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	E. Location of existing and/or proposed houses, additions, driveways, pools, other buildings and structures with accurate distances from the property lines drawn to scale.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	F. For adjoining properties, distance from structures to nearest property line of subject property. Names of owners on all adjoining property.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	G. Location of existing and/or proposed septic systems and wells on property.

West Windsor Township Zoning Board of Adjustment Checklist

Not
Provided Applicable Waiver*

- | | | | |
|-------------------------------------|-------------------------------------|-------|---|
| <input checked="" type="checkbox"/> | _____ | _____ | H. Acreage of property. |
| <input checked="" type="checkbox"/> | _____ | _____ | I. Location of all easements, public right of way, greenbelt areas (as shown in the Conservation Element of the West Windsor Township Master Plan). |
| <input checked="" type="checkbox"/> | _____ | _____ | J. Identify any trees that will be removed by species and size (caliper). |
| <input checked="" type="checkbox"/> | _____ | _____ | K. Existing and proposed floor plans indicating overall dimensions and square footage for each floor. All existing and proposed architectural elevations. Indicate height of structure as defined in section 200-4 (Building Height) of the West Windsor Township Land Use Ordinance. |
| | _____ | _____ | 6. Certification in writing from the Tax Collector that all taxes are paid in full for the current quarter. |
| <input checked="" type="checkbox"/> | _____ | _____ | 7. Photos of property and existing structure (four sides). |
| <input checked="" type="checkbox"/> | _____ | _____ | 8. Completed Agreement to Pay for Professional Review and Inspections. |
| <input checked="" type="checkbox"/> | _____ | _____ | 9. Completed W-9 form. |
| <input checked="" type="checkbox"/> | _____ | _____ | 10. Completed Residential Conformity Checklist. |
| <input checked="" type="checkbox"/> | _____ | _____ | 11. Aerial photograph of subject property including lots within 200 feet of subject property. (Aerials can be acquired on-line at google.com). |
| | <input checked="" type="checkbox"/> | _____ | 12. NJDEP Letter of Interpretation/presence or absence of wetlands. |
| <input checked="" type="checkbox"/> | _____ | _____ | 13. For D-4, D-5 and D-6 Variances, please submit tax map showing size of lots, square footage of dwellings and as to the extent known, height of dwellings and submit photos of all such dwellings identified on lots on both sides of the street of the subject property for at least five hundred (500) feet on either side of the subject property. |

The following items are necessary for the Public Hearing and should be submitted to the Land Use Office by close of business of the day of the hearing (these items do not affect the completeness of the application):

- | | |
|-------|---|
| _____ | A. Certified list of property owners within 200 ft. of subject property. |
| _____ | B. Original notice to property owners. |
| _____ | C. Affidavit of publication from <i>The Princeton Packet</i> . |
| _____ | D. Certified mail receipts showing postal date stamp from letters sent to property owners and any green receipt cards from the post office. |
| _____ | E. Original of Affidavit of Proof of Service. |

*If waiver is requested, please attach written statement explaining why waiver should be granted.

* *Once the initial copy of the application(s), plans and documentation has been submitted, the Land Use Office will review the package for accuracy. A letter will be then be sent to the applicant requesting any changes if necessary and indicating the total number of copies of documentation needed. When the requested copies are received by the Land Use Office, the application will be deemed complete and the application will be scheduled for the next available meeting of the Zoning Board of Adjustment.

(The Zoning Board of Adjustment meets the first Thursday of each month at 7:30 p.m. at the West Windsor Township Municipal Building, 271 Clarksville Road, West Windsor, NJ 08550).

<u>Variance</u>	<u>Type</u>	<u>Municipal Land Use Law (MLUL)</u>
C-1	Hardship	<p>40:55D-70C(1)</p> <p>Where: (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 and exceptional 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 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.</p>
C-2	Flexible	<p>40:55D-70C(2)</p> <p>Where in an application or appeal relating to a specific piece of property the purposes of this act would be advanced by a deviation from the zoning ordinance requirements and the benefits of the deviation would substantially outweigh any detriment, grant a variance to allow departure from regulations pursuant to article 8 of this act; provided, however, that the fact that a proposed use is an inherently beneficial use shall not be dis-positive of a decision on a variance under this subsection and provided that no variance from those departures enumerated in subsection d. of this section shall be granted under this subsection; and provided further that the proposed development does not require approval by the planning board of a subdivision, site plan or conditional use, in conjunction with which the planning board has power to review a request for a variance pursuant to subsection a. of section 47 of this act.</p>
D-1	Use	<p>40:55D-70D(1)</p> <p>In particular cases for special reasons, grant a variance to allow departure from regulations pursuant to article 8 of this act to permit: (1) a use or principal structure in a district restricted against such use or principal structure,</p>
D-2	Expansion Of Non-Conforming Use	<p>40:55D-70D(2)</p> <p>An expansion of a non-conforming use.</p>
D-3	Conditional Use	<p>40:55D-70D(3)</p> <p>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.</p>
D-4	Floor Area Ratio	<p>40:55D-70D(4)</p> <p>An increase in the permitted floor area ratio as defined in section 3.1 of P.L.1975, c291 (C.40:55D-4).</p>
D-5	Density	<p>40:55D-70(5)</p> <p>An increase in the permitted density as defined in section 3.1 of P.L.1975, c291 (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.</p>
D-6	Height	<p>40:55D-70(6)</p> <p>A height of a principal structure which exceeds by 10 feet or 10% of the maximum height permitted in the district for a principal structure. A variance under this subsection shall be granted only by affirmative vote of at least five members, in the case of a municipal board, or two-thirds of the full authorized membership, in the case of a regional board, pursuant to article 10 of this act.</p>

West Windsor Township

Department of Community Development – Division of Land Use

APPLICATION TO WEST WINDSOR ZONING BOARD OF ADJUSTMENT

FOR OFFICIAL USE ONLY

Application Control Number: _____

Date Application Filed: _____

SECTION 1 - INFORMATION REGARDING THE APPLICANT

A) The Applicant's full legal name is _____

B) The Applicant's mailing address is 976 ALEXANDER ROAD PRINCETON
JUNCTION, NJ 08550

C) The Applicant's telephone number is 917-520-0744

D) The Applicant's fax number is _____

E) The Applicant is a: CORPORATION _____

PARTNERSHIP _____ INDIVIDUAL (S) X

OTHER (please specify) _____

F) If the Applicant is a corporation or a partnership, please attach a list of the names and addresses of persons having a 10% interest or more in the corporation or partnership.

G) The relationship of the Applicant to the property in question is: OWNER X
LEASEE _____ PURCHASE UNDER CONTRACT _____
OTHER (please specify) _____

H) If the Applicant is not the owner of the property in question, the Applicant must obtain and submit a copy of this application signed by the owner in the space provided in Section 7B.

(**Note:** If the applicant is a corporation seeking relief under N.J.S.A. 40:55D-70 et seq., then the Applicant must be represented by a New Jersey Attorney).

SECTION 2 - INFORMATION REGARDING THE PROPERTY

- A] The street address of the property is 976 ALEXANDER ROAD
- B] The tax map Block Number (s) 11.01; the Lot Number (s) is 17
- C] The zone in which the property is located is R1-A
- D] The dimensions of the property are 60' x 200'
- E] The size of the property is 12,000 square feet/acre(s).
- F] Road frontage of the property is 60 FT
- G] The property is located:
1. within 200 feet of another Municipality N/A
 2. adjacent to an existing or proposed County road N/A
 3. adjacent to a State highway N/A

(If any of the above apply, please make sure that all proper jurisdictional authorities ARE properly noticed and served - If there is any doubt on who should be notified, please contact the Planning/Zoning Office).

- H] Have there been any previous Zoning Board of Adjustment or Planning Board hearings involving this property: YES _____ NO X
- I] If the answer to "H" is YES, attach a copy of the written decision (s) adopted by the applicable Board.

SECTION 3 - INFORMATION ABOUT REQUESTED RELIEF

A] NATURE OF APPLICATION

1. Type of Variances:

"A" Variance

_____ Appeal of Zoning Officer

_____ Appeal of Alleged Error

"B" Variance

_____ Interpretation of Development Ordinance (Subdivision, Site Plan, Zoning)

"C" Variance

_____ Bulk Variance (dimensional)

"D" Variance

_____ Variance including, but not limited to a use or structure not permitted in a Zoning District; Floor Area Ratio, Density

2. a] Subdivision _____

b] Subdivision Application to follow _____

3. a] Site Plan _____

b] Site Plan Application to follow _____

4. Waiver of lot street frontage requirement _____

5. Exception to the official map _____

B] Please attach one copy of the following forms depending on the type of application being made:

1. (a) Appeal of Zoning Officer
(b) Appeal of Alleged Error

2. (a) Interpretation of Development Ordinance
(b) Interpretation of Zoning

3. Bulk Variance (dimensional)

4. Variance including, but not limited to a use or structure not permitted in a zoning district; Floor Area Ratio, or Density

SECTION 4 - INFORMATION ABOUT EXPERTS

The following information, although not required, is respectfully requested to enable the Board to facilitate the processing of this application.

- A) Applicant's Attorney:
Name _____
Address _____
Phone _____ Fax _____ E-Mail _____

- B) Applicant's Engineer:
Name _____
Address _____
Phone _____ Fax _____ E-Mail _____

- C) Applicant's Architect:
Name PRIMIANO ARCHITECTURE
Address 26 OLD TRENTON RD EAST WINDSOR, NJ 08512
Phone 609-235-1296 Fax _____ E-Mail JOSEPH@PRIMIANOARCHITECTURE.COM

- D) Applicant's Planner:
Name _____
Address _____
Phone _____ Fax _____ E-Mail _____

- E) Other Experts:
Name _____
Address _____
Phone _____ Fax _____ E-Mail _____

SECTION 5 SUBMISSION OF APPLICATION:

Please submit one (1) copy of the following material to the Planning/Zoning Office during "Open Window" week, which is the week of the second Wednesday of each month:

- A) Application – signed (copy of agreement with owner if being purchased)

- B) One (1) set of drawings (to scale) showing all adjoining properties affected and all features involved (i.e, dimensions of present and proposed buildings, location of all structures and distances between various structures and property lines, parking layout, etc.)

- C) One (1) set of applications as required by Section 3 (B) (Request for A, B, C or D Variance) [Once your application is received by the Planning and Zoning office you will receive a certified letter from the Director of Community Development outlining what, if any, changes are required. Application and escrow fee amounts and number of copies of applications and plans needed to be deemed complete will be outlined in said letter].

SECTION 6 - COMPLETE APPLICATION

Once an application has been deemed complete, the following items need to be addressed at least 10 days prior to your meeting date.

- A] _____ "Notice" of all property owners within 200 feet via "Certified Mail – Return Receipt Requested"
- B] _____ Copy of notice to the official newspaper of the West Windsor Township Zoning Board of Adjustment (contact the Planning & Zoning Office for the name of the official newspaper)
- C] _____ Notification of State or County if proposed application borders State/County Road, or is within 200 feet of such roadway
- D] _____ Notification of adjoining County or Municipality if proposed application is located within 200 feet of the proposed application.

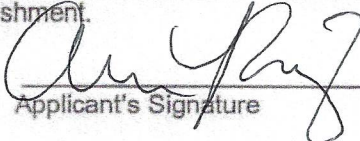
A complete application requires the following submissions to the Planning/Zoning Office at least 3 days prior to the scheduled meeting date.

- A] _____ Return receipts from Certified letters
- B] _____ Notarized Proof of Service
- C] _____ Proof of Publication (To be provided by the newspaper to which the notification was sent)
- D] _____ Person other than the owner makes a letter or power of attorney, in case appeal is made by person other than owner

SECTION 7 - VERIFICATION AND AUTHORIZATION

A] Applicant's Verification:

I hereby certify that the above statements made by me and the statements and information contained in the papers submitted in connection with this application are true. I am aware that if any of the foregoing statements are false, I am subject to punishment.

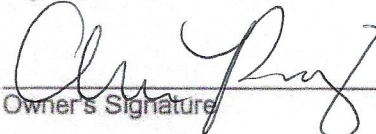


Applicant's Signature

B] Owner's Authorization:

I hereby certify that I reside at 976 ALEXANDER ROAD
in the County of MERCER and State of NEW JERSEY and that I am
the owner of all that certain lot, piece or parcel of land known as Block (s) 11.07
Lot (s) 17 on the Tax Map of West Windsor, which is the subject of the above
application, and that said application is hereby authorized by me .

ALISON PRUSSING
NATHAN PRUSSING
Owner's Name (PRINTED)



Owner's Signature

Owner's Telephone and Fax number 917-520-0744

SECTION 8 ADDITIONAL ITEMS:

Applicants, please take note of the following additional procedural requirements:

- A] All certified lists of property owners with 200 feet of the proposed application must be requested in writing from the Planning/Zoning Office. A fee of \$10.00 or \$.25 per lot, whichever is greater, is required for this service.
- B] Any use or "D" variance application requires the recordation of the hearing by a certified court reporter in accordance with a Resolution passed by the Zoning Board of Adjustment on November 8, 1978. The cost of such reporter must be borne by the applicant.
- C] Any corporate applicant seeking relief from the Zoning Board of Adjustment must be represented by a New Jersey Attorney.
- D] Attached is a sample notice form for all properties located within 200 feet of the proposed application.
- E] Attached is a Proof of Service form to be filled out by all applicants.

West Windsor Township

Department of Community Development - Division of Land Use

REQUEST FOR BULK VARIANCE N.J.S.A. 40:55d-70c

-- ATTACH TO PLANNING OR ZONING BOARD APPLICATION

CONTROL NO. ZB-06

Property Location 976 ALEXANDER RD Zoning District RI-A
Map _____ Block 11-07 Lot 17

District requirements

Proposed

Lot Area	<u>1 2/3 ACRES</u>	<u>0.275 ACRES</u>
Lot Frontage	<u>85.00 FT</u>	<u>60.00 FT</u>
Lot Width	<u>175.00 FT</u>	<u>60.00 FT</u>
Lot Depth	<u>175.00 FT</u>	<u>200.00 FT</u>
Front Yard	<u>40.00 FT</u>	<u>56.90 FT</u>
Side Yard	<u>20.00 FT</u>	<u>6.30 FT</u>
Rear Yard	<u>20.00 FT</u>	<u>79.17 FT</u>
Other	<u>MIC 17% (28.38% EXISTING)</u>	<u>29.33%</u>

-- Complete A - D, (Attach support documents as required)

A. - In the space below, state the nature of the constraints imposed by the physical characteristics of the land under consideration (i.e. exceptional narrowness, shallowness or topographic conditions).

THE LOT IS EXTREMELY UNDERSIZED. THE LOT
IS VERY NARROW.

B - In the space below, state any other extraordinary or exceptional situation or condition of the land involved which would constrain development in accordance with Zoning Regulations.

THE SET BACKS ARE 20 FEET. WITH A LOT ONLY BEING 60 FEET WIDE, THERE IS ONLY 20 FEET IN THE MIDDLE REMAINING. THIS IS IMPRACTICAL FOR ANY KIND OF ADDITION.

C - Explain how not granting this variance request would impose peculiar and exceptional practical difficulties or exceptional or undue hardship upon you.

THE HOUSE IS SMALL BY TODAY'S STANDARDS AND THE APPLICANT HAS A GROWING FAMILY. THE EXISTING HOUSE IS NOT LARGE ENOUGH TO ACCOMMODATE THEIR NEEDS. NOT BEING ABLE TO CONSTRUCT AN ADDITION WOULD REQUIRE THE APPLICANT TO MOVE TO ANOTHER HOUSE POSSIBLY IN ANOTHER TOWNSHIP.

D - Explain how the granting of this variance will not detrimentally affect the public good or substantially impair the intent and purpose of the Zone Plan and Zoning Ordinance.

THE FOOTPRINT OF THE HOME WILL NOT EXPAND, JUST A SECOND FLOOR. THE ADDITION IS NOT GETTING CLOSER TO ANY LOT LINE. THE HOUSE WILL NOT BE OVER POWERING THE NEIGHBORHOOD

West Windsor Township

Department of Community Development - Division of Land Use

REQUEST FOR VARIANCE INCLUDING, BUT NOT LIMITED TO A USE OR STRUCTURE NOT PERMITTED IN A ZONING DISTRICT,
N.J.S.A. 40:55d-70d
(For "d" Use and Non Use Variance)

--ATTACH TO ZONING BOARD APPLICATION

CONTROL NO. E322-06

Property Location 976 ALEXANDER ROAD

Zoning District R1-A

Map _____ Block 11.07 Lot 17

--COMPLETE A - E, (Attach support documents as required)

A - Describe below the specifics of the variance request.

F.A.R. AND IMPROVEMENT COVERAGE.

NEW SECOND FLOOR OVER EXISTING FIRST FLOOR

EXISTING FAR $\frac{11.99}{10}$ IMPROV $\frac{22.19}{10}$

B - Describe below the special reasons which exist that support the granting of the variance request.

THE LOT AREA IS SIGNIFICANTLY BELOW THE ZONING
REQUIREMENTS WHICH IMPACTS THE ALLOWABLE FLOOR
AREA AND IMPROVEMENT COVERAGE.

C - Describe how the public interest will be served by the granting of the variance request.

HAVING THE EXTRA SPACE WILL ALLOW THIS
FAMILY TO STAY IN THEIR HOME IN A COMMUNITY
THAT THEY ENJOY BEING A PART OF.

D - Describe what circumstances exist or what measures will be taken to ensure that, if the variance is granted, the surrounding property owners will experience no adverse impact or undue burden.

THERE ARE NO NEIGHBORS TO THE REAR OR TO THE RIGHT SIDE THE ONLY NEIGHBOR IS ON THE LEFT SIDE. THE NEW ADDITION WILL NOT GET ANY CLOSE TO THE PROPERTY LINE.

E - Describe how the granting of the variance request will not result in substantial detriment to the public good nor substantially impair the intent and purpose of the Zone Plan and Zoning Ordinance.

THE EXTREME ZONING RESTRICTIONS PUT A BURDEN ON THE APPLICANT AND ANYONE IN THIS ZONE. I BELIEVE THIS AREA IS IN THE PROCESS OF BEING REZONED WHICH WOULD HELP OUT EVERYONE. UNTIL THAT HAPPENS THIS APPLICANT HAS PROPOSED AN ADDITION THAT PROVIDES MORE SPACE BUT HAS A MINIMAL IMPACT ON THE NEIGHBORHOOD.