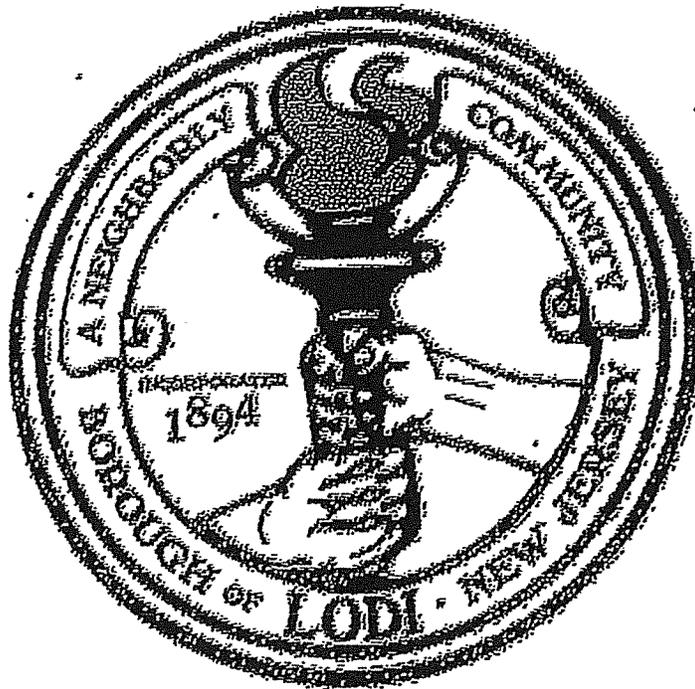


Borough of Lodi

Zoning Board of Adjustment



Application for Hearing

**BOROUGH OF LODI
ZONING BOARD OF ADJUSTMENT**

DOCUMENTS FOR FILING APPLICATIONS WITH BOARD OF ADJUSTMENT

Dear Applicant:

This packet has been prepared to assist you with your application for a hearing before the Lodi Zoning Board Of Adjustment. The Zoning Board is empowered to hear the following matters: (a) appeals of decisions of a zoning officer; (b) requests for interpretations of the zoning map or ordinance; (c) requests for variances; and, (d) requests for a certification that a nonconforming use or structure existed prior to the enactment of the zoning ordinance. In addition, in certain circumstances, the Zoning Board may undertake site plan review, and grant or deny sub-division requests.

If you feel that an error has been made in any order, requirement, decision or refusal made by an administrative officer of the Borough of Lodi, based on or made in the enforcement of a zoning ordinance, and you wish to appeal such decision before the zoning board, in addition to filing an *Application for Hearing*, a Notice of Appeal must be filed with the Building Department within twenty days of the date of the decision you are appealing. However, if you feel the decision is correct, and are seeking a variance, this step is not necessary.

Enclosed please find the following documents which make up the Board of Adjustment application:

1. Instructions
2. Application for Hearing
3. Schedule of Fees and Escrow
4. Disclosure statement
5. Proof of Service
6. Sample Notice to be Published in the Official Newspaper
7. Sample Notice to be Served upon Owners of Property Affected by Application
8. Certification by Zoning Officer and/or Construction Official
9. Certification by Tax Collector
10. Certification by Tax Assessor
11. Notice of Appeal
12. IRS Form W-9

Please review this package and instructions carefully, before you file your application. Failure to provide any required fees, documents or information will delay your hearing.

If you have any questions please contact the Zoning Officer, Mr. Melfi, at (973) 859 - 7465. You may also reach him by or by fax at (973) 859 - 7446.

Very Truly Yours,

Sharon Salvacion
Secretary to the Lodi Zoning Officer

BOROUGH OF LODI
ZONING BOARD OF ADJUSTMENT
Instructions

1. From the Zoning Office:
 - a.) Pay all required fees and escrows, and obtain a signed receipt (attached).
 - b.) Have the *Certification of the Zoning Officer and/or Construction Official* completed. Attach the appropriate prior resolution(s), if any.
2. From other Borough Offices:
 - a.) **Building Department** - If the Zoning Office determined that there were prior resolutions applicable to the subject property, then the Construction Official must also approve the *Certification of the Zoning Officer and/or Construction Official*.
 - b.) **Tax Assessor** - Obtain a certified listing of property owners within 200 feet of the property (attached).
 - c.) **Tax Collector** - Obtain a certification from the tax collector that all property taxes have been paid and are current (attached).
3. Complete an original *Application for Hearing* (attached). Please attach the following documents to the *Application*:
 - a.) Copy of Refusal of Permit (if issued).
 - b.) Copy of filed *Notice of Appeal* (if required). The copy must include the Zoning Department's receipt date.
 - c.) *Schedule of Fees and Escrow*, indicating that all required fees and escrow funds have been deposited (item 1a). The attached W-9 must be completed if total escrow collected is \$5,000 or more.
 - d.) Zoning Official's certification and prior resolutions (if any) (item 1b)
 - e.) *Owners and Address Report* (item 2a).
 - f.) Tax Collector's certification regarding property taxes (item 2b).
 - g.) Proposed *Notice to be Served upon Owners of Property Affected by Application* (sample attached). Please complete the entire Notice, except for the hearing date, which will be provided to you at a later date.
 - h.) Proposed *Notice to be Published in the Official Newspaper* (sample attached). Please complete the entire Notice, except for the hearing date, which will be provided to you at a later date.
 - i.) Signed and sealed property survey.
 - j.) Site plan (folded 8" x 14"). For one and two family homes, site plans should show plot lines, existing or proposed structures in relation to said lines, building plans, proposed parking and such other necessary information to fully explain the variations requested from the requirements of Zoning Code. For all other structures, site plans must completely comply with the Site Plan Review Ordinance of the Borough Of Lodi, or a waiver from the ordinance for the excluded information, should be requested. A zoning grid, showing all required and proposed bulk, height and other requirements, must be included for all applications.
 - k.) Architect's plan (folded 8" x 14"), show existing and proposed premises. Detailed floor plans, including the basement, if any, and all existing conditions and proposed changes, as well as elevations should be shown. Any plans not containing all required information will be considered incomplete.

- l.) self addressed stamped envelope (for mailing resolution)
4. Make thirteen copies of the application packet (item 3).
5. Place original set in a large envelope and mark same **Original**. Place each of the 13 copies in a separate, large envelope, and mark nine "Board Members", one "Zoning Department", one "Board Engineer," one "Board Attorney" and one "Board Planner". Deliver all the completed application packets, except for the packet marked "Board Attorney" at the Zoning Office, located on the second floor of Borough Hall. Deliver the Board Attorney's packet to:
Marcel R. Wurms, Esq.
PO Box 440
335 Passaic Avenue
Lodi, NJ 07644
6. After being notified of your hearing date, insert such date on your *Notice to Property Owners* within 200 feet and on the *Public Notice*.
 - a.) Mail or deliver the *Notice to Property Owners* to each of the parties listed on the Certified List of Property Owners (*Owners and Address Report*), at least ten days prior to the date of the hearing. If mailed, you must mail each notice by Certified Mail. If hand delivered, please obtain an acknowledgment of service, showing to whom you served the notice, and the date upon which you provided it.
 - b.) Have the *Public Notice* published in either *The Record*, the *Herald News* or the *Community News*, no later than ten days before the hearing date.
 - c.) Provide the Board Secretary with a your notarized, proof of service, at least five days prior to your hearing date. Your proof of service should have a copy of the certified proof of publication received from the newspaper. In addition, if the proof of service is not signed by a licensed attorney at law, it should have a copy of each of the certified mailing receipts attached.

IMPORTANT NOTES:

All documents described above must be fully completed and submitted to the Secretary of the Board no later than six weeks prior to a schedule meeting.

Only applications containing all the above information will be accepted. Incomplete applications will delay your hearing.

Applications will not be deemed complete until all required documents are received. You may receive a review letter from one or more of the Board's professionals, advising you of any additional documents, plans, amendments, etc., required to bring your application to a complete status. All amendments must be forwarded directly by the applicant in same manner as the original submissions as stated above.

Do not publish or send out any notices until advised to do so.
You will only receive such advice when your application has been deemed complete.

All notices must be published or served at least 10 days before the hearing date

**LODI ZONING BOARD OF ADJUSTMENT
APPLICATION FOR HEARING**

For official use only

Date filed: _____

Application Number: _____

	Zoning Official	Attorney	Engineer	Planner
Forwarded to (Name and date):	_____	_____	_____	_____
Deemed complete (Name and date or N/A)	_____	_____	_____	_____

Applicant / Property Location

Street Address

Block No..... Lot No(s)

Applicant

Address

.....

Phone No.: (. . .) Fax (. . .) E-mail

Relationship to owner: () owner () tenant () agent () contract purchaser

() other: _____

Type of Application (Check all that apply):

- ___ Appeal of Zoning Officer's Decision; ___ Interpretation of Zoning Map or Regulations;
 ___ Bulk Variance(s); ___ Use Variance; ___ Site Plan Review; ___ Sub-division; ___ Other

Project Details

Use district (Zone)

Present use or occupancy of each floor:

.....

Proposed use or occupancy of each floor:

.....

Size of lot Corner or interior

On how many streets does lot have frontage

Size of Building (at street level) width depth

Height of Building Stories feet

Set back from front property line Feet from side line, if corner lot

Other relevant details not provided for in foregoing

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.....

Please provide a brief description of the proposed project and relief sought, or if this is an appeal of a decision of a zoning officer, the grounds therefore:

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Property History

Has there been any previous hearing, either before the Zoning or Planning Boards, involving these premises? Yes / No. Completed *Certification of Construction Official* must be attached.

If so state (a) Relief requested
(b) Date Filed..... (c) Disposition.....

Also, attach a copy of all prior resolutions (whether granted or denied)

Applicant's Professionals

Attorney: _____

Address: _____

Tel. No. _____ Fax _____ E-mail _____

Architect: _____

Address: _____

Tel. No. _____ Fax _____ E-mail _____

Engineer: _____

Address: _____

Tel. No. _____ Fax _____ E-mail _____

Planner: _____

Address: _____

Tel. No. _____ Fax _____ E-mail _____

Other: _____

Field of Expertise: _____

Address: _____

Tel. No. _____ Fax _____ E-mail _____

Other: _____

Field of Expertise: _____

Address: _____

Tel. No. _____ Fax _____ E-mail _____

I hereby grant authorization to any member of the Board, as well as to any of its professionals, to visit and access the subject property, both the interior and exterior. If requested by any of the foregoing parties, upon reasonable notice, I will arrange to provide access to any part of the interior of the property at a mutually agreeable time.

I acknowledge that the statutory reporting period shall not begin to run until this application and accompanying plans are complete in all respects. We acknowledge and agree that if this application is not completed within one year of the date of filing, it will be subject to administrative dismissal without prejudice.

I certify that the foregoing information, as well as the information contained on all exhibits and attachments submitted herewith are true. I further certify that I am the individual applicant or that I am a duly authorized officer of a corporate applicant, a general partner of a partnership applicant, or a managing member of an LLC applicant.

Sworn to and Subscribed
before me this ____ day of _____, 20__ _____ Applicant

_____ Applicant

A Notary Public / Attorney at Law of the State of New Jersey
My commission expires: _____

(If the applicant is not the owner)

I certify that I am the owner of the subject property, that I have authorized the applicant to make this application and that I agree to be bound by the application, the representations made and the decision rendered by the Board in the same manner as if I were the applicant.

Sworn to and Subscribed
before me this ____ day of _____, 20__ _____ Owner

A Notary Public / Attorney at Law of the State of New Jersey
My commission expires: _____

**BOROUGH OF LODI
BOARD OF ADJUSTMENT
SCHEDULE OF FEES AND ESCROW**

Re: Applicant Name: _____ File # _____
 Owner's Name: _____
 Property Address: _____
 Block # _____ Lot # _____

SCHEDULE OF FEES

	<u>Administrative</u>		<u>Escrow</u>
	<u>Fee</u>		
1. Minor sub-division	(\$100) \$ _____	(\$500)	\$ _____
2. Major sub-division	(amt varies) \$ _____	(amt varies)	\$ _____
3. Minor site plan	(\$250) \$ _____	(amt varies)	\$ _____
4. Major site plan	(amt varies) \$ _____	(amt varies)	\$ _____
5. Appeal from administrative decision	(\$100) \$ _____	(\$500)	\$ _____
6. Interpretation	(\$100) \$ _____	(\$250)	\$ _____
7. Hardship Variance (c) (1)	(\$100) \$ _____	(\$500)	\$ _____
8. Bulk Variance (c) (2) (existing 1/2 fam homes)	(\$100) \$ _____	(\$250)	\$ _____
9. Additional bulk variances		(\$350 ea.)	\$ _____
10. "D" Variance	(amt varies) \$ _____	(\$500 min.)	\$ _____
11. Special meeting fee	(amt varies) \$ _____	(\$1,000)	\$ _____
12. Resolution copy			\$10.00
13. Cost of publication		(amt varies)	\$ _____
14. List of property owners		\$10.00	\$10.00
15. _____	\$ _____		\$ _____
TOTAL FILING & ESCROW FEES	\$ _____		\$ _____

Filing fees and escrow fees must be paid by separate checks, made payable to the Borough Of Lodi, and deposited with the Zoning Office, located at Borough Hall, One Memorial Drive, Lodi, NJ 07644.

Please note that any unused escrows will be refunded.

After review by the Borough's professionals, additional escrows may be required. If these additional escrows are not paid prior to the your meeting date, your application will not be heard.

===== FOR OFFICE USE ONLY =====

Acknowledge receipt of the above sum of filing fees and the above sum of escrow deposits on this _____ day of _____, 20____

LODI ZONING BOARD OF ADJUSTMENT

Disclosure Statement

The names and addresses of all persons owning 10% or more of the stock of a corporate applicant, or a 10% or more interest in any partnership or LLC applicant must be disclosed. All such entities shall list the names and addresses of its stockholders, members or partners, as the case may be, and this requirement shall be followed by every corporate stockholder, partner in a partnership, or member in an LLC, until the names and addresses of the non-corporate stockholders and individual partners or members, exceeding the 10% ownership criterion, have been listed. For purposes of this disclosure, interests owned by a spouse, any descendant or spouse thereof, or any ancestor or spouse thereof, shall be attributed to each other to determine whether the 10% threshold is met.

Name _____	Address _____	Interest _____
Name _____	Address _____	Interest _____
Name _____	Address _____	Interest _____
Name _____	Address _____	Interest _____
Name _____	Address _____	Interest _____
Name _____	Address _____	Interest _____
Name _____	Address _____	Interest _____
Name _____	Address _____	Interest _____
Name _____	Address _____	Interest _____
Name _____	Address _____	Interest _____
Name _____	Address _____	Interest _____

If the applicant is not the owner, please provide the owner's information:

Name _____	Address _____	Interest _____
Name _____	Address _____	Interest _____
Name _____	Address _____	Interest _____

State of New Jersey }
County of Bergen } ss:

....., of full age, being duly sworn
(Applicant's name)
according to law, deposes and says, that he is the applicant in a proceeding before the Lodi Zoning
Board Of Adjustment, relating to land located at (Property address)

and that he did on (at least ten (10) days prior to the hearing
(Date of mailing or service)
date), give personal notice to each of the parties listed on the Owner & Address Report, provided to
me by the Lodi Tax Assessor and dated (Date of report), and also provided a copy of the complete
application package to the Lodi Zoning Department. Said notices and packages were served by
certified mail or hand delivered. If mailed, copies of the U.S. Postal Service Certified Mail receipts for
each such party are attached hereto. If hand delivered, a dated, acknowledgment of service is
attached.

There is also attached a copy of the proof of publication for the public notice. The notice was
published in on
(Name of Newspaper) (Date of publication)

Sworn and subscribed to before me this day
of, 20.....

Notary Public of the State of New Jersey
My commission expires:

If this document is not signed by a licensed attorney at law of the State of New Jersey, attach
copies of the certified mailing receipts only. There is no need to provide proofs of receipt
("Green Cards").

**NOTICE TO BE SERVED ON OWNERS
OF PROPERTY AFFECTED BY APPLICATION
Borough Of Lodi
Zoning Board of Adjustment**

Please Take Notice:

That the undersigned has filed an appeal or application for development with the Zoning Board of Adjustment for a variation from the requirements of the Zoning Ordinance so as to permit

.....
.....
.....

and which requires the following variances:

.....
.....
.....
on the premises known as and designated as Block
Lot....., on the Borough's tax map. This notice is sent to you as an owner of property in the immediate vicinity.

A public hearing has been ordered for, 20, at 7:00 p.m. in the Council Chambers, first floor, Borough Hall, One Memorial Drive, Lodi, N.J. When the case is called, you may appear either in person, or attorney, and present any objections which you may have to the granting of the relief sought in this application.

This notice is sent to you by the applicant, by order of the Board of Adjustment.

A copy of the application is on file with the Zoning Officer, Borough Hall, Lodi, New Jersey, and available for inspection between the hours of 9 A.M. and 4:00 P.M.

Respectfully,

.....

Applicant

Borough Of Lodi
Zoning Board of Adjustment

Please Take Notice that a public hearing before the Lodi Zoning Board Of Adjustment has been

ordered for 20 at 7:00 p.m. in the Council Chambers, first floor, Borough Hall, One Memorial Drive, Lodi, N.J., on the appeal or application for development of the undersigned for a variation from the requirements of the Zoning Ordinance so as to permit

.....
.....
.....

and which requires the following variances:
.....
.....

on the premises known as and designated as Block
Lot..... on the Borough's tax map.

A copy of the application is on file with the Zoning Officer, Borough Hall, Lodi, New Jersey, and available for inspection between the hours of 9 A.M. and 4:00 P.M.

Any interested party may appear at said hearing and participate therein in accordance with the rules of the Lodi Zoning Board Of Adjustment .

.....
....., Applicant

Publication Date: _____

LODI ZONING BOARD OF ADJUSTMENT
CERTIFICATION BY ZONING OFFICER AND/OR CONSTRUCTION OFFICIAL

Applicant / Property Location

Street Address

Lot No..... Block No.....

Applicant Address

I have reviewed the subject property's file.

_____ There were no prior actions concerning the subject property taken by either the Lodi Zoning Board Of Adjustment or Lodi Planning Board.

_____ There were prior actions, concerning the subject property, taken by either the Lodi Zoning Board Of Adjustment or Lodi Planning Board. The following resolutions were passed, and I have verified that all requirements of the resolutions have been complied with. Copies are attached hereto:

	Resolution Number	Date
1.	_____	_____
2.	_____	_____
3.	_____	_____
4.	_____	_____
5.	_____	_____
6.	_____	_____

Nicholas Melfi, Zoning Officer
Dated:

I have verified that all requirements of the resolutions have been complied with.

Joel Lavin, Construction Official
Dated:

(NOTE: The applicant is responsible for the cost of making copies of any resolutions obtained from the Zoning Department.)

LODI ZONING BOARD OF ADJUSTMENT
CERTIFICATION BY TAX COLLECTOR

Applicant / Property Location

Street Address

Block No..... Lot No(s)

ApplicantAddress

OwnerAddress

I hereby certify that the taxes for the above listed property are current through _____

Gary Stramandino
Tax Collector

Dated:

(NOTE: No application will be scheduled or heard unless taxes are paid in full through the date of the hearing.)

LODI ZONING BOARD OF ADJUSTMENT
CERTIFICATION BY TAX ASSESSOR

Applicant / Property Location

Street Address

Block No..... Lot No(s)

ApplicantAddress

OwnerAddress

I hereby certify that the attached listing, consisting of _____ pages, is an accurate and complete list of all property owners within 200 feet of the above listed property. This list has been compiled from the Borough of Lodi's most recent tax roll.

George M. Reggo
Tax Assessor

Dated:

Lodi Zoning Board of Adjustment
NOTICE OF APPEAL

TAKE NOTICE that the undersigned (hereinafter "Appellant") is the _____ of premises in the Borough of Lodi, designated on the Borough's Tax Map as Block _____, Lot(s) _____, with a street address of _____, in said Borough of Lodi. The subject property is located in a(n) _____ zoning district.

Appellant appeals to the Lodi Zoning Board of Adjustment from the order, determination, or decision of _____, an official of the Borough of Lodi, made on the _____ day of _____, 20____. The order being appealed provided that:

(describe nature of order, determination or decision being appealed)

Appellant alleges error in the order, requirement, or decision of said Administrative Officer in that:

(describe nature of error)

Take further notice that you are hereby required to immediately transmit to the Secretary of the Zoning Board of Adjustment all papers constituting the record upon which the action appealed from was taken, in accordance with the Rules of the Zoning Board of Adjustment and the statute in such case made and provided.

Appellant

Dated: _____

(NOTE: This notice of appeal must be served upon the administrative officer from whom the appeal is taken within 20 days of the date of the action which is appealed).

I hereby acknowledge receipt of this notice of appeal on _____, 20____.