

**NOTICE: WAIVER REQUESTS MADE IN CONNECTION WITH THIS APPLICATION FOR DEVELOPMENT MUST BE SO INDICATED AND WRITTEN JUSTIFICATION OF THE REQUEST MUST BE PROVIDED.**

**APPLICATION FORM**

**TYPE OF APPROVAL REQUESTED:**

<input checked="" type="checkbox"/> Site Plan	<input type="checkbox"/> Minor Subdivision	<input type="checkbox"/> Development Permit
<input type="checkbox"/> Waiver	<input type="checkbox"/> Major Subdivision	<input type="checkbox"/> Development Permit Waiver
<input type="checkbox"/> Minor	<input type="checkbox"/> Sketch Plat	<input type="checkbox"/> Conditional Use
<input type="checkbox"/> Preliminary	<input type="checkbox"/> Preliminary	<input type="checkbox"/> Unimproved Road
<input checked="" type="checkbox"/> Final	<input type="checkbox"/> Final	<input type="checkbox"/> Major Site Plan
<input type="checkbox"/> Certificate of Nonconformity		<input type="checkbox"/> Amnesty Program

Variances: Use  Bulk (c)  (a)  (b)   
3 Bedroom Condominium/ Side yard Setback/ Parking

1. Location of proposed development 215 Prospect Avenue  
Block 421 Lot(s) 18 Qual CO101 Zone District R-2  
Proposed use Convert existing ground floor deli to a single (3) bedroom residential unit.  
Lot Area 3,000 sq. ft. Building area (sq. ft total) \_\_\_\_\_  
Number of off-street parking spaces 0  
Area (in feet) of any adjoining property controlled by owner 0

2. Name of Applicant: Michael Alvarez Phone No. \_\_\_\_\_  
Address: 47 Newman Ave., Bayonne E-mail: \_\_\_\_\_  
Name of Owner: same Phone No. \_\_\_\_\_  
Address: same E-mail: \_\_\_\_\_

**3. APPLICANT'S ATTORNEY AND EXPECTED WITNESSES:**

Applicant's Attorney Raff, Masone & Weeks, PA  
Address 1083 Avenue C, Bayonne, New Jersey 07002  
Telephone Number (201) 339-0924  
Fax Number (201) 339-0250

Applicant's Engineer Kawalek & Kawalek  
Address 764 Avenue C, Bayonne, NJ 07002  
Telephone Number (201) 437-0648  
Fax Number (201) 535-8676

Applicant's Planning Consultant \_\_\_\_\_  
Address \_\_\_\_\_  
Telephone Number \_\_\_\_\_  
Fax Number \_\_\_\_\_

Applicant's Traffic Engineer \_\_\_\_\_  
Telephone Number \_\_\_\_\_  
Fax Number \_\_\_\_\_



Is a public water line available? Yes

Is public sanitary sewer available? Yes

Are any off-tract improvements required or proposed? No

Is the subdivision to be filed by Deed or Plat? N/A

What form of security does the applicant propose to provide as performance and maintenance guarantees? \_\_\_\_\_

Other approvals, which may be required and date plans submitted:

	Yes	No	Date Plans Submitted
Passaic Valley Sewage Commissioners	_____	_____	_____
Bayonne Municipal Utilities Authority	_____	_____	_____
_____ Bayonne/Hudson County Health Dept.	_____	_____	_____
_____ Hudson County Planning Board	_____	_____	_____
_____ Hudson County Soil Conservation District	_____	_____	_____
NJ Department of Environmental Protection	_____	_____	_____
Sewer Extension Permit (TWA)	_____	_____	_____
Sanitary Sewer Connection Permit	_____	_____	_____
Stream Encroachment Permit	_____	_____	_____
Waterfront Development Permit	_____	_____	_____
Water Extension Permit	_____	_____	_____
Wetlands Permit	_____	_____	_____
Tidal Wetlands Permit	_____	_____	_____
Other (specify) _____	_____	_____	_____
NJ Department of Transportation	_____	_____	_____
Public Service Electric & Gas Company	_____	_____	_____

**DISCLOSURE STATEMENT**

Pursuant to N.J.S. 40:55D-48.1, the names and addresses of all persons owning 10% of the stock in a corporate applicant or 10% interest in any partnership applicant must be disclosed. In accordance with N.J.S. 40:55D-48.2 that disclosure requirement applies to any corporation or partnership which owns more than 10% interest in the applicant followed up the chain of ownership until the names and addresses of the non-corporate stockholders and partners exceeding the 10% ownership criterion have been disclosed. *[Attach pages as necessary to fully comply.]*

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

Applicant's Signature(s) \_\_\_\_\_

\_\_\_\_\_ Indicate title if corporation or partnership

**VARIANCE RELIEF**

1. Application is hereby made for:

Hardship or practical difficulties (See N.J.S.A. 40:55D-70c)

Use and/or structure (See N.J.S.A. 40:55D-70d)

2. Property Description:

Lot size 30x100 Size of Building: 1800 sq. ft. No. of stories: 3

3. This request for variance relief consists of *(list sections of the Ordinance from which variance is requested)* : R-2

\_\_\_\_\_

\_\_\_\_\_

for the purpose of Ground Floor apartment

4. If this application includes both a use variance and either a site plan, subdivision, flood plain permit or conditional use relief, then indicate which of the following is presently being sought by the applicant:

Applicant is presently only seeking the use variance with the subsequent relief to be considered following the granting of the use variance (bifurcate the application).

Applicant is presently seeking all of the necessary relief.

5. Has there been a previous variance appeal or approval of any development application, i.e., site plan, subdivision or conditional use involving the premises?  Yes  No

If so, attach copies of previous approvals and/or state the date, application number, character of appeal and disposition:

N/A

6. If the application is made for a bulk variance, explain the following:

How will the strict application of the provisions of the ordinance result impractical difficulties or hardship inconsistent with the general purpose or intent of the ordinance?

See attached site plans

What are the exceptional circumstances or conditions applicable to the property involved or to the intended use or development of the property which do not apply generally to other properties in the same zone or neighborhood?

See attached site plans

Explain what efforts have been made by the applicant to acquire adjoining lands so as to reduce the extent of the variance or eliminate the necessity for a variance.

N/A

Explain how the proposed variances can be granted:

a. without substantial detriment to the public good existing commercial being converted to residential

b. without substantially impairing the intent and purpose of the Zoning Ordinance or Zone Plan R-2 zone

7. If the application is made for a use variance, explain the following:

a. how the proposed use can be granted without substantial detriment to the public good.

R-2 zone converting commercial store to residential

b. how the proposed use can be granted without substantially impairing the intent and purpose of the Zone Plan and Zoning Ordinance.

c. List the "special reasons" presented by the application.

d. List here any "hardship" related to the nature of the land and/or the neighborhood and which prevents reasonable utilization of the property for any permitted use.

8. List all witnesses expected to testify:

Stephen Kawalek, R.A., PP

9. Waivers requested of Development Standards, powers or exemptions from N.J. RSIS and/or Submission Requirements: *[attach additional pages as needed]*

**CERTIFICATIONS**

I certify that the foregoing statements and the materials submitted are true. I further certify that I am the individual applicant or that I am an Officer of the corporate applicant and that I am authorized to sign the application for the corporation or that I am a general partner of the partnership applicant.

*[If the owner is a corporation an authorized corporate officer must sign this application. If the owner is a partnership a general partner must sign this application.]*

Sworn and subscribed to  
before me this 27<sup>th</sup> day  
of September, 2021



Signature of Applicant

I certify that I am the Owner of the property which is the subject of this application and 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 in the same manner as if I were the applicant.

*[If the owner is a corporation an authorized corporate officer must sign this application. If the owner is a partnership a general partner must sign this application.]*

Sworn and subscribed to  
before me this 27<sup>th</sup> day  
of September, 2021



Signature of Owner

I understand that I must submit escrow money in an amount to be determined by the Administrative Officer or his/her designee in accordance with §32-9.2 of the City of Bayonne Land Subdivision and Site Plan Ordinance, which amount will be deposited into an escrow account. I further understand that the escrow account is established to cover the cost of professional services including engineering, planning, legal and other expenses associated with the review of submitted materials and the publication of the decision by the Board. Sums not utilized in the review process shall be returned. If additional sums are deemed necessary, I understand that I will be notified of the required additional amount and shall add that sum to the escrow account within fifteen (15) days.

Date: \_\_\_\_\_

Signature of Applicant