

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

A-4

APPLICATION FORM

TYPE OF APPROVAL REQUESTED:

<input type="checkbox"/> Site Plan	<input checked="" 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 type="checkbox"/> Final	<input type="checkbox"/> Final	<input type="checkbox"/> Major Site Plan
<input type="checkbox"/> Certificate of Nonconformity		

Variances: Use [] Bulk (c) [x] (a) [] (b) []

1. Location of proposed development 90-92 W 45th Street
Block 84 Lot(s) 41 Zone District R2
Proposed use 2-family

Lot Area 5000 Building area (sq. ft total) _____
Number of off-street parking spaces 3 per lot
Area (in feet) of any adjoining property controlled by owner _____

2. Name of Applicant: John & Maryan LLC Phone No. 201-413-9000
Address: 140 Bleecker Street, Jersey City, NJ 07307 E-mail: _____
Name of Owner: SAME Phone No. _____
Address: _____ E-mail: _____

3. APPLICANT'S ATTORNEY AND EXPECTED WITNESSES:

Applicant's Attorney The Cherami Law Firm C/O Stephen Joseph, Esq.
Address 236A Newark Avenue, Jersey City, NJ 07302
Telephone Number 201-413-9000 Fax Number _____
E-mail Address SJoseph@CheramiLaw.com

Applicant's Architect RA Design & Consultants LLP
Address 35 Journal Square Suite 402 Jersey City, NJ 07306
Telephone Number 201-680-7132 Fax Number _____
E-mail Address Raul@Radcllp.com

Applicant's Planning Consultant _____
Address _____
Telephone Number _____ Fax Number _____
E-mail Address _____

Applicant's Traffic Engineer _____
Address _____
Telephone Number _____ Fax Number _____
E-mail Address _____

4. List any other expert who will submit a report or who will testify for the Applicant: *[Attach additional sheets as may be necessary]*

Name _____
Field of Expertise _____
Address _____
Telephone Number _____ Fax Number: _____
E-mail Address: _____

All reports prepared in support of testimony should be submitted ten (10) days in advance of the public hearing.

5. Attach a detailed explanation (*Statement of the Applicant*) of the exact nature of the application and the changes to be made at the premises, including the proposed use of the premises.

6. Attach a copy of the proposed Notice to appear in the Jersey Journal / Star Ledger and to be mailed to the owners of all real property as shown on the property list obtained from the Tax Assessor, of the homeowners within 200 feet in all directions of the property which is the subject of this application. The Notice must specify the sections of the Ordinance from which relief is sought, if applicable.

The publication and the service on the affected owners must be accomplished at least 10 days prior to the date scheduled by the Board Secretary for the hearing.

An affidavit of service on all property owners and a proof of publication must be filed before the application will be complete and the hearing can proceed.

7. Dates and types of prior development applications for this property: _____

Type of Use Proposed: _____ Change in occupancy utilizing existing facilities
_____ Addition(s) or expansion of existing facilities
 All new construction
_____ Site work only
_____ Other

Present (or previous) use: Residential

Proposed use: Subdivision and new 2-family

Number of Employees _____ Business hours _____

PROPERTY INFORMATION:

Restrictions, covenants, easements, association by-laws, existing or proposed on the property:
Yes [attach copies] _____ No Proposed _____

Note: All deed restrictions, covenants, easements, association by-laws, existing and proposed must be submitted for review and must be written in easily understandable English in order to be approved.

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? Deed

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
<u>Angelo Beskaly</u>	<u>140 Bleeker St Jersey City NJ</u>	<u>100%</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Applicant's Signature(s) John and Mary Ann LLC

Sole member
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 5000SF Size of Building: 34.58 No. of stories: 2.5

3. This request for variance relief consists of *(list sections of the Ordinance from which variance is requested)*: Minimum Lot Area: 3000SF required and 2500SF proposed
Minimum Lot Frontage: 30 feet required, and 25 feet proposed

for the purpose of Subdivision of oversized 50x100 lot into two undersized 25 x 100 lots with a 2 family home on each lot.

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:

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?

The Applicant is proposing a use consistent with the ordinance and meets the general requirements of the ordinance.

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?

The Lot is currently oversized at 50 x 100. The ordinance permits a 2 family home on this lot which underutilizes the lot. The Applicant is requesting a subdivision to permit two 25 x 00 lots which can adequately support two 2-family homes with only a variance for side yard setback.

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 _____

The granting of the requested deviations will be a municipal action which will guide the appropriate use and development of this site in a manner which will promote the public health, safety, morals and general welfare by continuing the two-family use in a R-1 district, and is therefore also consistent with N.J.S.A. 40:55D-2.a.

b. without substantially impairing the intent and purpose of the Zoning Ordinance or Zone Plan The granting of the requested deviations will promote the establishment of an appropriate population density as a two-family home in a 1 & 2 family district. The project will therefore contribute to the wellbeing of persons, the neighborhood and community consistent with N.J.S.A. 40:55D-2.e.

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.

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:

Raul Cabato – Licensed Architect

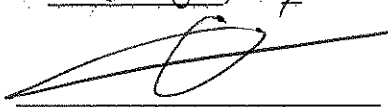
9. Waivers requested of Development Standards, powers or exemptions from N.J. RSIS and/or Submission Requirements: *[attach additional pages as needed]* _____

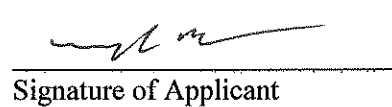
CERTIFICATIONS

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 10 day
of June, 2014




Signature of Applicant

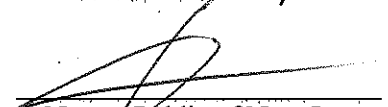
A Notary Public of New Jersey

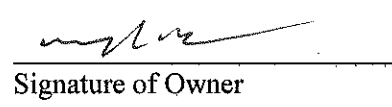
Stephen Joseph, Esq - Attorney Licensed in NJ

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 10 day
of June, 2014




Signature of Owner

A Notary Public of New Jersey

Stephen Joseph, Esq - Attorney Licensed in NJ

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: 6-10-14


Signature of Applicant