

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:

_____ Site Plan	_____ Minor Subdivision	_____ Development Permit
_____ Waiver	_____ Major Subdivision	_____ Development Permit Waiver
_____ Minor	_____ Sketch Plat	_____ Conditional Use
_____ Preliminary	_____ Preliminary	_____ Unimproved Road
_____ Final	_____ Final	_____ Major Site Plan
_____ Certificate of Nonconformity		

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

1. Location of proposed development 112 Kennedy Blvd.
Block 335 Lot(s) 16 Zone District _____

Lot Area 2,079 Building area (sq. ft total) 483.36 ft sq (garage)
Number of off-street parking spaces 0
Area (in feet) of any adjoining property controlled by owner none

2. Name of Applicant: YAKOV BURAKOVSKY Phone No. (973) 868-2288

Address: 540 Broadway, Bayonne, NJ 07002 E-mail: mitchell.burakovsky@gmail.com
Name of Owner: YAKOV BURAKOVSKY Phone No. (973) 868-2288

Address: 540 Broadway, Bayonne, NJ 07002 E-mail: mitchell.burakovsky@gmail.com

3. APPLICANT'S ATTORNEY AND EXPECTED WITNESSES:

Applicant's Attorney John A. Zucker, Esq.
Address 613 Broadway – PO Box 95, Bayonne, NJ 07002
Telephone Number 201-436-6161 Fax Number 201-436-3355
E-mail Address jzucker@rosezuckerlaw.com

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

Applicant's Planning Consultant Al Sambade- DAL Design Group
Address 11 West 8th Street, Bayonne, NJ 07002
Telephone Number 201-823-0779 Fax Number 201-823-4680
E-mail Address asambade@aol.com

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

VARIANCE RELIEF

1. Application is hereby made for:

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

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

2. Property Description:

Lot size 2,079 ft. Size of Building: 483 ft sq. No. of stories: 1

3. This request for variance relief consists of *(list sections of the Ordinance from which variance is requested)*: 35-16.2.d No nonconforming use shall be substituted with another nonconforming use.

for the purpose of approving residential use in the rear structure on the property.

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).

X_____ 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 X 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?

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?

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.

Explain how the proposed variances can be granted:

a. without substantial detriment to the public good _____

b. without substantially impairing the intent and purpose of the Zoning Ordinance or Zone Plan _____

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.

To be provided by expert testimony _____

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

To be provided by expert testimony _____

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

Please see attached correspondence. To be further provided by expert testimony _____

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.

To be provided by expert testimony. _____

8. List all witnesses expected to testify:

Al Sambade, DAL Design Group _____

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

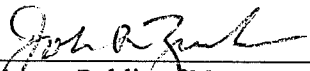
CERTIFICATIONS

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 17th day

of December, 2021


A Notary Public of New Jersey

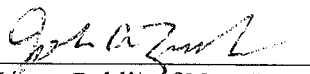
John A. Zucker
Attorney at Law of New Jersey authorized to
administer this oath pursuant to N.J.S.A. 41:2-1


Signature of Applicant
Yakov Burakovsky


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 17th day
of December, 2021

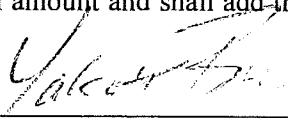

A Notary Public of New Jersey

John A. Zucker
Attorney at Law of New Jersey authorized to
administer this oath pursuant to N.J.S.A. 41:2-1


Signature of Owner
Yakov Burakovsky

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: 12/17/2021


Signature of Applicant
Yakov Burakovsky