

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-1 updated

APPLICATION FORM

TYPE OF APPROVAL REQUESTED:

X <input 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
X <input type="checkbox"/>	Preliminary	<input type="checkbox"/>	Preliminary	<input type="checkbox"/>	Unimproved Road
X <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 64 W. 31st Street, Bayonne, NJ
Block 157 Lot(s) 22 Zone District R-2
Proposed use Proposed 2 Family residence

Lot Area 2,150 sq. ft Building area (sq. ft total) 3,437 sq. ft. (Living Area)
Number of off-street parking spaces 2
Area (*in feet*) of any adjoining property controlled by owner none

2. Name of Applicant: Kamal Ghobryal Phone No. 201-443-7585
Address: 20 Willowdale Ave., Montclair, NJ 07042 E-mail: Kamalghobryal@yahoo.com
Name of Owner: A & K Jersey Construction of NJ Phone No. _____
Address: 20 Willowdale Ave., Montclair, NJ 07042 E-mail: _____

3. APPLICANT'S ATTORNEY AND EXPECTED WITNESSES:

Applicant's Attorney John A. Zucker, Esq., Rose & Zucker, LLC
Address PO Box 95, 613 Broadway
Telephone Number (201) 436-6161 Fax Number (201) 436-355
E-mail Address jzucker@rosezuckerlaw.com

Applicant's Architect Andrew L. Ciok, R.A., LLC
Address 1807 N. Bayview Ave.
Telephone Number 201-424-8702 Fax Number 732-250-2457
E-mail Address aciokra@gmail.com

Applicant's Planning Consultant Michael J. Pessolano, PP/AICP
Address MJP Land Use Planning LLC, 140 Elmwood Ave., Flr 2, Bogota, NJ 07603
Telephone Number 201-290-9460 Fax Number _____
E-mail Address pazz@meganet.net

Applicant's Traffic Engineer n/a

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. SEE ATTACHED

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: None

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: Existing 1 Family with 7 Bedrooms, no off-street parking

Proposed use: Proposed 2 Family with 2 Off-street parking spaces; Unit 1: 2 Bedrooms;
Unit 2: 1 Bedroom

Number of Employees 0 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.

Present use of the premises: Vacant

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? _____

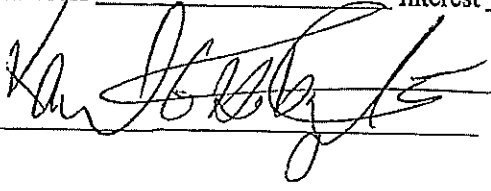
Other approvals, which may be required and date plans submitted:

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

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: Haidy Wasef Address 20 Willowdale Ave., Montclair, NJ 07042 Interest 95%
Name Kamal Ghobryal Address 20 Willowdale Ave., Montclair, NJ 07042 Interest 5%
Name _____ Address _____ Interest _____

Applicant's Signature(s) 

Managing Member

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 40' x 53.75' ___ Size of Building: 3,981 sq. ft No. of stories: 2 ½ stories

3. This request for variance relief consists of *(list sections of the Ordinance from which variance is requested)*: conversion to a 2-family residence; bulk variance for lot area 35-5.3(e)(1); front yard setback 35-5.3(e)(3); side yard setback 35-5.3(e)(5); rear setback, 35-5.10(e)(4); building height 35-5.3(e)(6); off-street parking (35-17.6.b) and parking stall size 35-17.5(a)

for the purpose of converting to a 2-family residence

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?

Applicant seeks additional square footage to be added to the 1ST floor, but such additional space requested does not encroach any further into the existing front yard setback

The pre-existing bulk deficiencies regarding the structure cannot be improved without creating an undue hardship on the owner.

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 existing property dimensions are below standard lot sizes in the neighborhood, but the structure is comparable to other houses in the area

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.

None available

Explain how the proposed variances can be granted:

7. without substantial detriment to the public good. This plan provides for an updated 2-family residence consistent with the intent of the master plan and zoning and with minimal disturbance to the neighborhood as the existing structure will remain.

8. without substantially impairing the intent and purpose of the Zoning Ordinance or Zone Plan: The plan introduces a permitted use and the bulk variances are for pre-existing conditions. The plan provides for an increase in off-street parking, furthering the purposes of zoning and the master plan.

9. 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?

N/A

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

c. 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.

10. List all witnesses expected to testify:

Andy Ciok, Architect

Michael J. Pessolano, PP/AICP

MJP Land Use Planning LLC

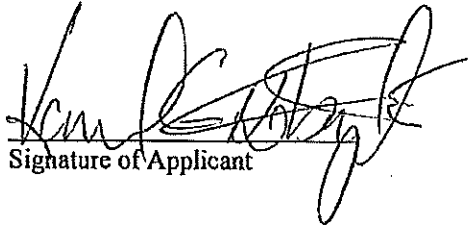
11. Waivers requested of Development Standards, powers or exemptions from N.J. RSIS and/or Submission Requirements: *[attach additional pages as needed]* _____

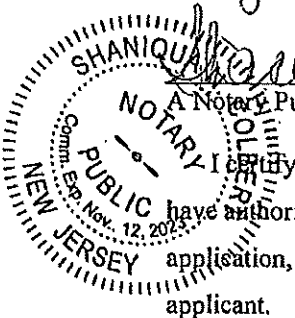
CERTIFICATIONS

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 16th day of August, 2022


Signature of Applicant

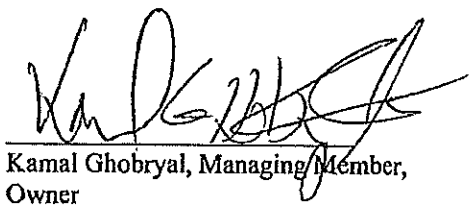


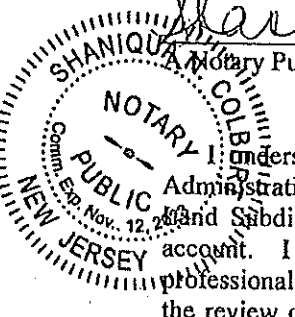
Shaniqua K. Colbert
A Notary Public of New Jersey

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 18th day of AUGUST, 2022


Kamal Ghobryal, Managing Member,
Owner



Shaniqua K. Colbert
A Notary Public of New Jersey

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 and 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: 8-18-2022


Signature of Applicant

A-4

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 checked="" 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 | | |

Variances: Use Bulk (c) (a) (b)

1. Location of proposed development 64 W. 31st Street, Bayonne, NJ
 Block 157 Lot(s) 22 Zone District R-2
 Proposed use Proposed 2 Family residence

Lot Area 2,150 sq. ft Building area (sq. ft total) 3,437 sq. ft. (Living Area)
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 Area (in feet) of any adjoining property controlled by owner none

2. Name of Applicant: Kamal Ghobryal Phone No. 201-443-7585
 Address: 20 Willowdale Ave., Montclair, NJ 07042 E-mail: Kamalghobryal@yahoo.com
 Name of Owner: A & K Jersey Construction of NJ Phone No. _____
 Address: 20 Willowdale Ave., Montclair, NJ 07042 E-mail: _____

3. APPLICANT'S ATTORNEY AND EXPECTED WITNESSES:

Applicant's Attorney John A. Zucker, Esq., Rose & Zucker, LLC
 Address PO Box 95, 613 Broadway
 Telephone Number (201) 436-6161 Fax Number (201) 436-355
 E-mail Address jzucker@rosezuckerlaw.com

Applicant's Architect Andrew L. Ciok, R.A., LLC
 Address 1807 N. Bayview Ave.
 Telephone Number 201-424-8702 Fax Number 732-250-2457
 E-mail Address aciokra@gmail.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. SEE ATTACHED

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.

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7. Dates and types of prior development applications for this property: None

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: Existing 1 Family with 7 Bedrooms, no off-street parking

Proposed use: Proposed 2 Family with 2 Off-street parking spaces; Unit 1: 2 Bedrooms;

Unit 2: 1 Bedroom

Number of Employees 0 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.

Present use of the premises: Vacant

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:

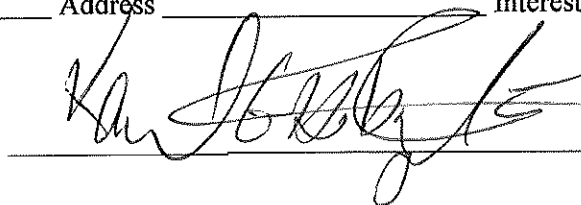
	Yes	No	Date Plans Submitted
Passaic Valley Sewage Commissioners	_____	<u>x</u>	_____
Bayonne Municipal Utilities Authority	_____	<u>x</u>	_____
_____ Bayonne/Hudson County Health Dept.	_____	<u>x</u>	_____
_____ Hudson County Planning Board	_____	<u>x</u>	_____
_____ Hudson County Soil Conservation District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

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: Haidy Wasef	Address <u>20 Willowdale Ave., Montclair, NJ 07042</u>	Interest <u>95%</u>
Name <u>Kamal Ghobryal</u>	Address <u>20 Willowdale Ave., Montclair, NJ 07042</u>	Interest <u>5%</u>
Name _____	Address _____	Interest _____

Applicant's Signature(s)



Managing Member

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 40' x 53.75' ___ Size of Building: 3,981 sq. ft No. of stories: 2 1/2 stories

3. This request for variance relief consists of *(list sections of the Ordinance from which variance is requested)*: conversion to a 2-family residence; bulk variance for lot area 35-5.3(e)(1); front yard setback 35-5.3(e)(3); side yard setback 35-5.3(e)(5); rear setback, 35-5.10(e)(4); building height 35-5.3(e)(6); off-street parking (35-17.6.b) and parking stall size 35-17.5(a)

for the purpose of converting to a 2-family residence

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).

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?

Applicant seeks additional square footage to be added to the 1ST floor, but such additional space requested does not encroach any further into the existing front yard setback

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 existing property dimensions are below standard lot sizes in the neighborhood, but the structure is comparable to other houses in the area

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.

None available

Explain how the proposed variances can be granted:

7. without substantial detriment to the public good. This plan provides for an updated 2-family residence consistent with the intent of the master plan and zoning and with minimal disturbance to the neighborhood as the existing structure will remain.

8. without substantially impairing the intent and purpose of the Zoning Ordinance or Zone Plan: The plan introduces a permitted use and the bulk variances are for pre-existing conditions. The plan provides for an increase in off-street parking, furthering the purposes of zoning and the master plan.

9. 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 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 testimony

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

To be provided by 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.

10. List all witnesses expected to testify:

Andy Ciok, Architect

11. 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 18th day of August, 2022


Signature of Applicant

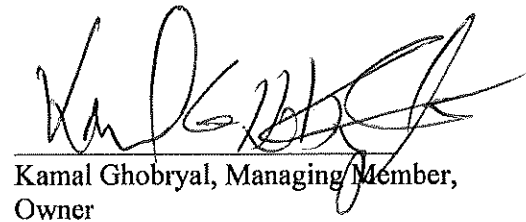


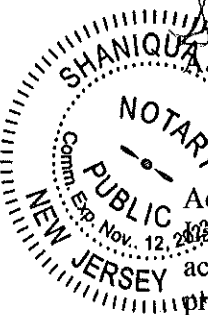
Shaniqua D. Colbert
A Notary Public of New Jersey

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 18th day of August, 2022


Kamal Ghobryal, Managing Member,
Owner



Shaniqua D. Colbert
A Notary Public of New Jersey

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: 8-18-2022


Signature of Applicant