

STEPS TO FOLLOW FOR VARIANCE

No appeal for a Variation of the provisions of the Zoning Ordinance of the Borough of Bergenfield shall be received by the Board of Adjustment except in a specific case and after a decision has been rendered by the Zoning Officer.

1. Once a denial letter and variance application are received from the Zoning Officer, a PDF copy of the Variance application, architectural and/or engineering plan, and the denial letter has to be emailed to the Board Clerk, Hilda Tavitian at htavitian@bergenfieldnj.gov for a completeness review to be done by the Board Engineer.

PLEASE NOTE- ALL INFORMATION LISTED IN ORDINANCE SECTION 186-106B NEEDS TO BE SUBMITTED AND COMPLETED PRIOR TO ANY COMPLETENESS REVIEW (SEE ATTACHED CHECKLIST).

THE ARCHITECT, ENGINEER, OR SURVEYOR PROVIDING THE SITE PLAN/DRAWING FOR YOUR APPLICATION SHOULD REVIEW THE REQUIRED ITEMS IN THE CHECKLIST AND ASSIST WITH ADDITIONAL DOCUMENTS REQUIRED TO BE INCLUDED WITH THE APPLICATION.

IF AN APPLICATION IS DEEMED INCOMPLETE BY THE ZONING BOARD ENGINEER DUE TO MISSING ITEMS, ADDITIONAL FEES WILL BE INCURRED FOR ANY ADDITIONAL COMPLETENESS REVIEWS REQUIRED.

ONCE AN APPLICATION IS DEEMED COMPLETE, A HEARING DATE WILL BE GIVEN.

2. The application fee, 200 ft list, and the escrow account fee will need to be paid while the application is being reviewed for completeness. The application fee for a variance is \$50. A request for a list of all neighboring properties within 200 ft of your property from the Building Department must be in writing. The request must include your address, block & lot, and telephone number. The fee for the 200 ft list is \$10. Payment of the application fee and 200 ft list must be given to Tracey Zysman, Zoning Asst, in the Building Department.
3. The minimum escrow deposit for a residential variance application is \$3,000. A commercial application is \$5,000, or the amount designated by the Zoning Board of Adjustment. All escrow payments must include a completed Escrow Worksheet, W-9 form, and deposit slip to set up your escrow account. The escrow is used for Professional fees related to the variance. Please be advised, escrow amounts are only estimates. Professional fees may exceed the original deposit. The escrow deposit and all required paperwork must be given to Tracey Zysman, Zoning Asst, in the Building Department at same time when application fee and 200 ft list fee are paid.

4. Once the application is deemed complete and a hearing date is scheduled, 18 copies of the application must be submitted to the Zoning Board of Adjustment Clerk. Applicant shall also submit eighteen maps or diagrams, showing the actual dimensions of the plot of land upon which the proposed building is to be erected, and the exact location of any building to be erected thereon, with the distance from any abutting street and side line of abutting property. Wherever the appeal involves a major change, or a large building project, the plot plans filed therewith shall include an engineer's survey or a certified copy thereof. All existing or new buildings shall be accurately located on the plot plan and it shall show all setbacks, side and rear yard spaces. Building plans and specifications shall be in sufficient detail to show clearly all proposed construction and shall consist of not less than two elevations and typical floor plans. The denial letter also needs to be included with the application and all other documents being submitted. The 18 copies must be received by Hilda Tavitian, Borough of Bergenfield, 198 N. Washington Avenue, 2nd Floor, Room 21..

The applicant must state in writing whether there are any restrictions in his or prior deeds to his property upon which the building is to be erected, and, if so, must set forth the restrictions.

The applicant must set forth the intended use of the premises and the building to be constructed thereon.

The applicant is cautioned that the board requires information to appear on plans and upon the application form indicating the distances between any proposed structure or addition and the center line of any abutting or nearby brook. This information is necessary in order for a determination to be made as to whether the proposed construction will in any way violate State Water Policy Commission brook encroachment regulations.

5. A notice must be published in the Bergen Record at least 10 days prior to the hearing. The letter must state the reason you are requesting a variance, your address, the variance(s) requested, the location, date, and time of the hearing. The affidavit of publication received from the Bergen Record needs to be provided to the Zoning Board Clerk at least three (3) business days prior to the hearing.

6. Neighbors within 200 feet must be notified by sending them a certified letter stating the reason why you are requesting a variance. Your letter must include variance(s) requested, the location, date and time of the hearing. The certified letter must be received by the neighboring properties at least 10 days prior to the hearing. Proof of service of the notice upon property owners must be received by the Clerk of the Board of Adjustment by email (htavitian@bergenfieldnj.gov) no later than 4:00 p.m. three (3) business days prior to the scheduled hearing. Proof or service shall be in the form of an Affidavit of Service of Notice, and attached to said Affidavit of Service shall be return receipts from the certified mailing.

In appropriate cases notice must also be given to the County Planning Board and the clerks of neighboring municipalities, by certified mail return receipt requested.

If the owner is a partnership, service upon any partner in the manner above set forth shall be sufficient. If the owner is a corporation, service upon any officer of the corporation in the manner above set forth shall be sufficient.

Any applicant may appear before the Board of Adjustment in person or by attorney. Pursuant to the rules of the Supreme Court of the State of New Jersey, if a person, firm or corporation is to be represented legally before the Board of Adjustment; such representation must be by an attorney-at-law of the State of New Jersey.

Meetings of the Board will be held at the Municipal Building, Bergenfield, New Jersey.

Meetings of the Board shall be called by the Chairman, or by the Vice Chairman, during the absence or disability of the Chairman. An adjournment may be taken at any meeting by a majority vote of the members present, without further public notice. Three members of the Board shall constitute a quorum for the hearing of appeals. Whenever the Board of Adjustment shall deem it advisable, said Board or any member thereof, may make an official inspection of any buildings or property which is the subject of an appeal before the Board. In all cases before the Board of Adjustment no decision shall be announced until the next regular meeting following the date that the hearing on any application has been completed. All action upon applications shall be by formal resolution adopted at a regular or special meeting of the Board. This rule shall not be waived other than in rare occasions of extreme hardship. Hardship must be demonstrated conclusively to the Board of Adjustment.

PLEASE NOTE:

If the meeting is cancelled, all applications will carry over to the next meeting without any further notice. Any cancellations and/or continuations will be posted on the Borough's website (www.bergenfieldborough.com).

BOARD OF ADJUSTMENT
MUNICIPAL BUILDING, BERGENFIELD, N.J.

APPLICATION FOR VARIATION/APEAL OF REQUIREMENTS OF ZONING
ORDINANCE 1123

APPLICANT'S NAME _____

ADDRESS _____

OWNER'S NAME _____

OWNER'S ADDRESS _____ PHONE # _____

FED I.D. # or S.S. # _____

Applicant will be represented at public hearing by _____

TO THE BOARD OF ADJUSTMENT:

Application is hereby made for a variation/appeal from the requirements of Section (s) and [or _____] from the requirements of the Scheduled Limiting Bulk of Buildings of the Zoning Ordinance in accordance with plans and specifications attached hereto and/or decision of Zoning Officer. The location of this property is at

NUMBER: _____

DESIGNATED AS Block _____ and lot(s) _____

On the Assessment Map of the Borough of Bergenfield.

ZONING DISTRICT _____

VARIANCES REQUIRED: LOT AREA _____ LOT FRONTAGE _____

LOT COVERAGE _____ FRONT YARD _____ REAR YARD _____ SIDE YARD _____

TOTAL SIDE YARD _____ OTHER (specify) _____

THE REASON FOR DESIRED VARIANCE/APEAL _____

DESCRIPTION OF PROPERTY

1. SIZE OF LOT _____ X _____ 2. SQUARE FEET IN LOT _____

3. PRESENT BUILDING _____ X _____ 4. STORIES _____

5. TOTAL AREA SQ. FT. _____ 6. NUMBER OF ROOMS _____

7. PERCENTAGE OF PROPERTY NOW OCCUPIED BY ALL BUILDINGS _____%

8. PRESENT OCCUPANCY OF BUILDING OR PROPERTY _____

9. ARE THERE ANY DEED RESTRICTIONS ON THE PROPERTY? YES NO (If yes, provide a copy of same)

10. CHARACTER OF BUILDINGS WITHIN 200 FT. OF PROPERTY _____

11. HAS THERE BEEN ANY PREVIOUS APPEAL INVOLVNG THESE PREMISES?

YES _____ NO _____ IF SO, DATE FILED _____

DISPOSITION _____

12. ARE THERE ANY EXISTING VIOLATIONS OF THE ZONING ORDINANCE?

YES _____ NO _____ IF SO, EXPLAIN _____

13. IS THIS, OR ANY PART OF THIS PROPERTY IN THE FLOOD ZONE?

YES _____ NO _____

14. DOES THIS PROPERTY BORDER ON ANY COUNTY ROAD?

YES _____ NO _____

15. DOES THIS PROPERTY BORDER WITHIN 200 FT. OF ANY OTHER MUNICIPALITY?

YES _____ NO _____

DESCRIPTION OF PROPOSED CHANGES

16. ARE ANY BUILDINGS TO BE DEMOLISHED? YES _____ NO _____

17. SIZE OF NEW ADDITION _____x_____ SQ. FT.

AREA _____ HEIGHT _____

18. SIZE OF NEW BUILDINGS _____x_____ SQ. FT.

AREA _____ HEIGHT _____

19. PERCENTAGE OF PROPERTY TO BE OCCUPIED BY ALL BUILDINGS

20. NUMBER OF FAMILIES/PERSONS TO BE PROVIDED FOR

PLEASE NOTE: ALL APPLICATIONS MUST INCLUDE:

1. Completed Application Form with Two Notarized Affidavits, and Tax Collector's Certification.
2. An accurate Location Survey listing location of all structures with dimension to property lines with proposal sketched onto survey or submitted separately.
3. Copy of letter of denial by Construction Code Official or Zoning Officer.

ALL INFORMATION LISTED IN ORDINANCE SECTION 186-106B NEEDS TO BE SUBMITTED AND COMPLETED PRIOR TO ANY COMPLETENESS REVIEW (SEE ATTACHED CHECKLIST).

THE ARCHITECT, ENGINEER, OR SURVEYOR PROVIDING THE SITE PLAN/DRAWING FOR YOUR APPLICATION SHOULD REVIEW THE REQUIRED ITEMS IN THE CHECKLIST AND ASSIST WITH ADDITIONAL DOCUMENTS REQUIRED TO BE INCLUDED WITH THE APPLICATION.

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BOROUGH OF BERGENFIELD
NOTICE TO PROPERTY OWNERS

Notice is hereby given that the ZONING BOARD OF ADJUSTMENT of the Borough of Bergenfield will hold a public hearing at the Municipal Building, 198 North Washington Avenue, Bergenfield, N.J. .

_____ on _____ evening (date),
_____ at 8:00 p.m. or as soon thereafter as the applicant may
be heard, to hear and consider the application/appeal of

for _____

The said premises are designated as Lot(s): _____
_____, Block: _____

on the current Tax Assessment Map of the Borough of Bergenfield, and are
commonly _____ known _____ by _____ Street _____ address _____ as:
_____ These premises are bounded by

Any maps and documents for which approval is sought by the applicant are available for public inspection between the hours of 9:00 a.m. and 4:00 p.m., Monday through Friday, at the Construction Code Office, located in the Municipal building, 198 North Washington Avenue, Bergenfield. All persons or property owners interested in this appeal may be heard either in favor of, or opposed to the application before the Board at the aforesaid time and place.

By order of the Board of Adjustment of Bergenfield

AFFIDAVIT BOARD OF ADJUSTMENT
OF THE
BOROUGH OF BERGENFIELD

STATE OF NEW JERSEY
COUNTY OF BERGEN

BOROUGH OF BERGENFIELD

Name of Applicant

_____ being dully sworn deposes

and says; that he resides at number _____ in the state of

_____ and says that he is the appellant making appeal for a variation/appeal of the provisions of the Provisions of the Zoning Ordinance of the of the Borough of Bergenfield in connection with the property which is the subject matter of this appeal and known as number _____ designated as Block _____ and Lot _____ on the Assessment Map of the Borough of Bergenfield. That all statements made in this application, and statements made in the plans submitted herewith are true. The applicant further states that he is ready and able to proceed with the construction if and when the application is granted.

Sworn to me this-_____

day of _____ 20 _____

Notary Public

Applicant

Note: All partnerships and corporations must supply a list of stockholders with a 10% or greater share, they must also be represented by an Attorney at the hearing.

AFFIDAVIT OF OWNERSHIP

STATE OF NEW JERSEY,
COUNTY OF BERGEN

_____ of full age, dully sworn according
to the law, deposes and says that he resides at _____ in the
Borough of _____ in the country of _____ in
the State of _____ that he is the owner in fee of real property
lying in the Borough of Bergenfield, known and designated as number
_____ and the he hereby authorizes _____ to
make the within application in his behalf and that the statements in the said
application are true.

Sworn to before me this _____

Day of _____ 20 ____.

Owner

Public Notary

Note: all partnership and corporations must supply a list of stockholders with a 10% or greater share, that they must also be represented by an Attorney at the hearing.



TAX COLLECTOR'S CERTIFICATION.
PAYMENT OF PROPERTY TAXES

Date _____

Block _____ Lot _____ Address _____

Owners Name _____

Owner's Address _____

Phone Number _____ Cell Number _____

Application for: _____ Board of Adjustment _____ Planning Board

_____ Building Department Permit

Description of Work to be performed:

All applications for the above are required to obtain a certification from the Tax Collector's Office prior to receiving placement on the agenda of any board and / or receiving a permit From the building department for construction or certificate of occupancy. "No Exceptions"

Tax Office Use Only:

Tax Current Yes _____ No _____ Last Quarter Paid On: _____

(Printout Attached)

Tax Collector/Deputy Tax Collector Certification: _____

Date:

Certification Number _____

Checklist for Engineering Completeness Review

The following checklist is to assist applicants in preparing the plan(s) and application for the engineering completeness review. Check off each item to ensure it is included on the submittal paperwork.

THE ARCHITECT, ENGINEER, OR SURVEYOR PROVIDING THE SITE PLAN/DRAWING FOR YOUR APPLICATION SHOULD REVIEW THE REQUIRED ITEMS IN THE CHECKLIST BELOW AND ASSIST WITH ADDITIONAL DOCUMENTS REQUIRED TO BE INCLUDED WITH THE APPLICATION.

Information Required (If applicable):

	Included	Not Included	*Request Waiver	Description of Information to be Included (if applicable):
1.				Name and address of lot owner, the lot and block numbers on the assessment map, and the names of owners of record of all adjacent property from current tax assessment rolls.
2.				Existing zoning keyed to the Zoning Map.
3.				Boundaries of the property, building or setback lines, location of any Existing buildings and kinds and location of any easements on an existing condition map signed and sealed by a licensed land surveyor.
4.				A copy of any covenants or deed restrictions that cover or are intended to cover the tract or any part thereof.
5.				Existing contours with intervals of two feet or less, location of existing watercourses, rock outcrops, wooded areas, single trees with a diameter of eight inches or more as measured three feet above the base of the trunk and any other significant existing features.
6.				Name of development, date, North point, scale, name and address of record owner, engineer or architect, responsible for the preparation of the site plan.
7.				The proposed use or uses of land and building and proposed location of buildings and accessory structures, including dimensions of buildings showing location of all entrances, proposed finished grades of all open spaces and drainage swales and proposed grades of interior walks, driveways, and parking and other paved areas. Building outlines shall indicate type of construction, aggregate floor area and height.
8.				All means of vehicular area access and egress to and from the site onto public streets.
9.				The location and layout of off-street loading areas and parking areas, showing the number of spaces required for the proposed building and number of spaces to be required. Aisles, fire lanes, spaces and driveways shall be clearly dimensioned, as well as designated snow removal equipment storage areas.
10.				The proposed location, direction, type of fixture, power and time of proposed outdoor lighting, including façade lighting and lighted signs.
11.				The proposed location and dimensioned elevation drawings of all signs.
12.				Proposed screening including the use of walls or fencing, proposed materials and type of construction to be used. Where necessary, elevations and cross sections shall be submitted to indicate clearly architectural features of proposed walls, or fences. Locations of solid waste storage facilities shall be

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The following checklist is to assist applicants in preparing the plan(s) and application for the engineering completeness review. Check off each item to ensure it is included on the submittal paperwork.

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Information Required (If applicable):

				shown.
13.				Planting schedule giving the name, number, size, and height and specific location of plants, trees, and shrubs to be installed.
14.				The location of any existing or proposed utilities.
15.				The location and size of any existing or proposed drainage and sanitary sewer lines, including drainage calculations.

*If a waiver for any of the items is being requested, you must provide a detailed explanation why it is being requested.
