

ZONING BOARD OF ADJUSTMENT
BOROUGH OF MOUNTAIN LAKES, NEW JERSEY

CHECKLIST

1. Application Form - Original and 12 copies (form pages 1 - 6)
2. Fee required by Land Use Ordinances (see page 2 of instructions)
3. If appeal, copy of Construction Official or Zoning Officer's decision from which this appeal is being taken.
4. Certification of Tax Collector that taxes have been paid. (Certification will be requested from Collector by Administrative Officer.)
5. Original and eleven copies of current plot plan or survey, and area map. (See page 3 of instructions.) Original survey should be brought to the hearing.
6. One copy of Notice Served (page 7), Affidavit of Service (page 8) and List of Property Owners served, together with Post Office receipts, if applicable. Send or deliver to Administrative Officer one week prior to the hearing.

ZONING BOARD OF ADJUSTMENT
BOROUGH OF MOUNTAIN LAKES, NEW JERSEY

INSTRUCTIONS TO APPLICANT

The following are to be filed with the Administrative Officer no later than 9:00 a.m. twenty-one days prior to the date of the meeting at which the Board of Adjustment is to take action on the application.

1. APPLICATION FORM

Please complete in full to avoid delay in processing your application. When necessary, supplement with additional information in order to make it clear to the Board what relief is being sought.

If the applicant is not the owner, the owner must complete the affidavit of ownership. If this is an appeal, it must be filed with the Zoning Officer within 20 days, stating the reason for the appeal. The officer will transmit all papers filed with him on application to the Administrative Officer of the Board of Adjustment.

This application and eleven copies should be submitted with the appropriate fee as noted below, together with a like number of supporting documents submitted with the application.

Fees:

- | | |
|---|----------|
| a. Appeals from decision of Construction Official or Zoning Officer.
Section 12-3.7a | \$100.00 |
| b. 'C' variances pursuant to Section 12-3.7c from lot area, coverage, lot dimensional, setback and yard requirements | \$150.00 |
| c. Compiled and certified list of property owners in borough to whom applicant for variance is required to give notice. | \$10.00 |
| d. Escrow fees: | |
| Use Variance | \$500.00 |
| Residential subdivision or site plan (per unit) | 50.00 |
| Minimum fee | 500.00 |
| Nonresidential subdivision or site plan,
per 1000 sq. ft. or new floor space | 200.00 |
| Minimum fee | 2000.00 |
| e. Floor Area Ratio - 'D' variance | \$150.00 |
| f. Interpretation of Zoning Map or zoning regulations or for decisions on other special questions pursuant to Section 12-3.7b | \$100.00 |

- g. Issuance of permit (NJSA 40:55D-34) \$100.00
- h. Subdivision, site plan or conditional use approval pursuant to paragraph 12-3.7g. Same as planning Board fees, Subsection 16-3.7.
- i. Variance from use regulations (Section 12.3.7d) \$500.00
- j. When the applicant requests that an application be carried to another meeting, there shall be an additional charge of ten percent of the particular fee paid.

Fees are subject to change and are as shown in section 16-3 of the Revised General Ordinances of the Borough of Mountain Lakes.

2. PLOT PLAN AND AREA MAP

You will need a copy of the current survey and a plot plan drawn to scale. If this is prepared by someone other than a surveyor, engineer, or architect, it must be accompanied by an affidavit by the owner certifying that all of the information on the plan is correct.

The plan shall include:

- Lot lines, with dimensions
- Tax block and lot numbers
- Zoning district
- Name of roads on which the property fronts
- Easements, right-of-way, if any, and zone boundaries
- Location of all existing buildings, if any, and of proposed structures or changes, showing front, rear, and side yard dimensions, and distance from buildings to property lines.
- Structural height of proposed addition, if applicable
- Building area allowed; draw lines showing required front, rear and side yard setbacks (Example of Plot Plan provided in Appendix B)
- Location of all buildings on adjoining properties including set backs (Example shown in Appendix B)

3. AFFIDAVIT OF SERVICE - NOTICE TO PROPERTY OWNERS

A form is provided on page 8. Notice must be given to all owners of real property as shown on current tax duplicate, located within 200 feet in all directions of the property, whether within or outside the Borough of Mountain Lakes, which is the subject of the hearing. Various other notices may be required if this involves other municipalities, county or state roads, unapproved roads, etc. (See Land Use Ordinances)

This notice must:

- State hearing date, time and place
- State the nature of the application
- Show the location and times at which supporting documents may be available for inspection
- Be given at least 10 days prior to hearing date (the hearing date may not be counted)

Delivery of notice may be made:

- In person, or
- By Certified Mail to their latest post office address as shown on the tax list.

If service is in person, please have the list of property owners signed and dated by the person accepting the notice.

When all property owners have been notified, you must file a notarized Affidavit of Service with the Administrative Officer by noon on the Monday prior to the day of the meeting.

4. LIST OF PROPERTY OWNERS WITHIN 200 FEET

May be obtained from the Tax Assessor upon payment of \$10.00 fee. The Tax Assessor is in the office to process these requests on Monday evenings. Request for this list may be made with the Administrative Officer or any office employee.

The Board of Adjustment meets on the first Thursday evening of each month, at 7:30 p.m. in the Council Chambers.

The Administrative Officer is in the office Monday, 12:00 - 4:30 and Thursday, 8:30 - 1:00. Phone 334-3131.

Please note: If the applicant is a partnership or corporation, the applicant must be represented by counsel at the meeting.

If the applicant cannot be present at the meeting, he/she must be represented by counsel.

APPLICATION FORM
ZONING BOARD OF ADJUSTMENT
BOROUGH OF MOUNTAIN LAKES, NEW JERSEY

Application Number _____
Date Filed _____
Fee Paid _____
Taxes Paid _____
Construction Official's Notice _____

SECTION 1. INFORMATION REGARDING THE APPLICANT:

- A) Applicant's Name _____
Address _____ Telephone _____
- B) Owner's Name _____
Address _____ Telephone _____
(If the applicant is not the owner of the property, please complete the owner's authorization at the end of this application.)
- C) The applicant is an: Individual(s) _____ Corporation _____ Partnership _____
Other (please specify) _____
If the applicant is a corporation or a partnership, please attach a list of the names and addresses of persons having 10% interest or more in the corporation or partnership.
- D) The relationship of the applicant to the property is:
Owner _____ Purchaser under Contract _____ Tenant or Lessee _____
Other (please specify) _____

SECTION 2. INFORMATION REGARDING THE PROPERTY

- A) The street address of the Property is _____
- B) The location of the Property is approximately _____ feet from the intersection of _____ and _____.
- C) The tax map Block number(s) is _____ the Lot number(s) is _____.
(See tax bill or deed for this information.)
- D) The zone in which the Property is located is _____*
- E) The dimensions of the Property are _____
- F) The size of the property is _____ square feet.

G) Notice is required in all cases. Additional notice is required if the property is located: (please check if applicable)

- 1. within 200 feet of another municipality ()
- 2. adjacent to an existing or proposed county road. ()
- 3. adjacent to other county land ()
- 4. adjacent to a state highway ()

H) Have there been any previous Board of Adjustment or Planning Board hearings involving this property? YES _____ NO _____. If the answer to (H) is YES, attach a copy of the written decision(s)* adopted by the applicable Board.

* Administrative Officer can assist applicant with this information.

(I) Describe any deed restrictions, easements or other matters affecting this property.

SECTION 3. INFORMATION ABOUT REQUESTED RELIEF: (see 13-5.1)

A) Provide information appropriate to your application and check those areas requiring variance relief:

	<u>Existing</u>	<u>Proposed</u>	<u>Allowed/Required</u>
___ Floor Area Ratio (%)	_____	_____	_____
___ Improved Lot Coverage (%)	_____	_____	_____
___ Setbacks: Front	_____	_____	_____
___ Side	_____	_____	_____
___ Side	_____	_____	_____
___ Rear	_____	_____	_____
___ Shoreline	_____	_____	_____
___ Use	_____	_____	_____

___ Other (describe) _____

B) Indicate the Sub-Section of the Borough of Mountain Lakes Land Use Ordinances Section 12-3.7 under which this application is submitted:

- ___ Appeal of action of administrative officer
- ___ Interpretation of zoning ordinance or map
- ___ "C-1" (12-3.7c) hardship
- ___ "C-2" (12-3.7c) "benefits ... would substantially outweigh any detriment"
- ___ "D" use, Floor Area Ratio or density variance
- ___ Other _____

C) PROPOSAL -- Provide a description of the proposed physical changes to the property/ or the proposed use of the property.

D) REASONS FOR RELIEF: Supply a statement of facts showing why the requested relief can be granted without substantial detriment to the public good and will not substantially impair the intent and purpose of the Zoning Plan and land use ordinances.

This worksheet must be completed, sealed and certified by a licensed architect or engineer.

IMPROVED LOT COVERAGE CALCULATION (Proposed)

-See Appendix A

Owner _____
 Address _____
 Block Number _____ Lot(s) _____
 Zone _____ Permissible Coverage, % _____

	Area (sq. ft.)	Remarks
Area of Basic House Footprint		
Additions		
Attached Garage		
Detached Garage		
Entries & Steps		
Porches, Breezeways & Roofed Decks		
Patios & Terraces		
Driveways & Parking Lots (paved or otherwise)		
Sidewalks & Walkways		
Tool Sheds		
Swimming Pools		
Other		
Other		
TOTAL IMPROVED AREA		

Divide the Total Improved Area by the Site Area to get the Actual Coverage in percent.

Total Improved Area (sq. ft.) _____

Seal:

Site Area (sq. ft.) _____

Actual Coverage, % _____

Certified by: _____ Print Name _____

License #: _____ Date: _____

This worksheet must be completed, sealed and certified by a licensed architect or engineer.

FLOOR AREA RATIO CALCULATION (Proposed)

-See Appendix A

FOR A NEW HOUSE OR AN ADDITION

Owner _____
 Address _____
 Block Number _____ Lot(s) _____
 Zone _____ Permissible FAR, % _____

For Proposed House or Addition:

	Areas (sq. ft.)		
	1st floor	2nd floor	*Upper Story
Area of Basic House Footprint			
Additional Factored Area for Cathedral Ceiling			
Additions			
Over Attached Garage			
Bay Window			
Heated Porches, Entries and Breezeways			
Garage Space Greater than 500 square feet			
Other			
Deductions			
SUB-TOTALS			
TOTAL FLOOR AREA (sq. ft.)			

* The gross area of the full floor of any story containing a half-story, as defined.
 Divide the Total Floor Area by the Site Area to get the Actual FAR in percent.

Seal:

Total Floor Area (sq. ft.) _____
 Site Area (sq. ft.) _____
 Actual FAR, % _____

Certified by: _____ Print Name: _____

License #: _____ Date: _____

SECTION 4. VERIFICATION AND AUTHORIZATION:

A) APPLICANT'S VERIFICATION

I hereby certify that the above statements made by me and the statements and information contained in the papers submitted in connection with this application are true.

Applicant's Signature

B) OWNER'S AUTHORIZATION

I hereby certify that I reside
at _____ in the County of
_____ and State of _____;
and that I am the owner of all that certain lot, piece or parcel of land known as
Block(s) _____
Lot(s) _____ on the Tax Map of _____ which
property is the subject of the above application, and that said application is hereby
authorized by me.

Owner's Signature

BOROUGH OF MOUNTAIN LAKES
MOUNTAIN LAKES, NEW JERSEY

BOARD OF ADJUSTMENT

NOTICE OF HEARING TO PROPERTY OWNERS
Situated within 200 feet of property to be affected.

TO: _____

OWNER OF PREMISES: _____

In compliance with Section 12-4.6 of the Zoning Ordinance of the Borough of Mountain Lakes, New Jersey, notice is hereby served upon you to the effect that (I) (we)

do hereby propose to (give detailed information) _____

on the premises at _____

which is located within 200 feet of property owned by you.

The Construction Official/Zoning Officer refused this request by reason of it being in violation of Section _____ of the Zoning Ordinance, from which decision (I) (we) hereby appeal.

(I) (we) have applied to the Board of Adjustment for a relief under section 12-3.7 of the Land Use Ordinance for the following variances:

Any person or persons affected by this (appeal) (application) may have an opportunity to be heard at the meeting to be held _____, 20____, at 7:30 p.m. in the Council Chambers of the Borough of Mountain Lakes, 400 Boulevard, Mountain Lakes, NJ.

All documents relating to this application may be inspected by the public on weekdays between the hours of 8:45 a.m. and 4:00 p.m. in the office of the Borough Hall.

Applicant

Application # _____

Appendix A

FLOOR AREA & IMPROVED LOT COVERAGE RATIOS

Ordinances 16-87, 7-88, 3-92 deal with limiting the size of proposed buildings, the amount of ground coverage and the relationship of the size of the building to the size of the lot. Floor area ratios may not be exceeded on any given lot, nor may any lot be subdivided in such a manner as to leave any existing house on a lot where the permissible floor area ratio would be exceeded.

12-1.3 Definitions:

Attic: A space under a sloping roof in which the possible floor area with headroom of five feet or more occupies less than 40 percent of the total floor area of the story directly beneath.

Floor Area: The sum of the gross horizontal areas of the several floors of a building, including any solar-heated room suitable for occupancy on a year-round basis, and any half-story. Such areas shall be measured from the outside surface of the exterior walls of the building. In a residential zone, "floor area" shall not include basements, cellars, garages under 500 sq. feet, attics, or unheated porches or breezeways. See "Basement", "Attic", and "Story, Half".

Story, Half: A partial story under a roof which has the line of intersection of the roof and the wall face not more than three feet above the floor level, and in which space the floor area with headroom of five feet or more occupies no less than 40 percent and no more than 80 percent of the area of the story directly beneath. Where such floor area occupies less than 40 percent, it shall be considered an attic; where it occupies more than 80 percent it shall be considered a story. Dormers are included in determining the story status. See also "Story".

Floor Area Ratio (FAR): The sum of the floor areas of all buildings or structures expressed as a percentage of the total area of the site, except that, in calculating the FAR involving a room with a cathedral ceiling or similar architectural treatment to create volume spaces within the room, each square foot of floor area in such a room shall be counted as 1.5 square feet of floor area. Where there are vertical walls creating spaces two stories in height, the area of the floor of the room so treated shall be multiplied by a factor of 2.0; if such spaces are greater than two stories in height, the factor shall be 2.5.

Improved Lot Coverage: That portion of a lot which is improved or is proposed to be improved with principal and accessory buildings or structures or driveways, paved or otherwise, roofed decks, porches, pools, patios, parking lots, pedestrian walkways, signs or other manmade improvements on the ground surface, excluding lawns or other landscaping improvements. See also "Building Coverage".

Building Coverage: That area of a lot which is directly occupied by a building or structure, but not including uncovered walkways, steps, patios, a parking lot or any similar improvements thereto.

Chapter 13, Schedule I. Bulk Requirements

	MAXIMUM COVERAGE (percent)	
	<u>FAR</u>	<u>Improved</u>
R-AA, RC-1 Conventional	13	20
R-A, RC-2 and 3, Conventional	17	25
R-1 (Arrowhead)	20	25
R-2 (The Village)	20	25

Appendix A