

**PRINCETON  
ZONING APPEAL/DEVELOPMENT APPLICATION**

FOR DEPARTMENT USE ONLY

CASE NO. \_\_\_\_\_ FILED \_\_\_\_\_ FEE \$ \_\_\_\_\_ PAID \_\_\_\_\_

APPEAL TO \_\_\_\_\_ HEARING DATE \_\_\_\_\_

Note: This application must be typewritten or legibly printed

LOCATION: Street Address \_\_\_\_\_

Block \_\_\_\_\_ Lot(s) \_\_\_\_\_ Zone District(s) \_\_\_\_\_

OWNER: Name \_\_\_\_\_

Address \_\_\_\_\_

Telephone \_\_\_\_\_ Date Title Acquired \_\_\_\_\_

APPLICANT: Name \_\_\_\_\_

Address \_\_\_\_\_

Telephone \_\_\_\_\_ Interest in Property \_\_\_\_\_

Fax /email \_\_\_\_\_

PRESENTATION: Name of Law Firm \_\_\_\_\_

Address/Telephone \_\_\_\_\_

Fax / email \_\_\_\_\_

**TYPE OF APPLICATION** (check applicable section (s)):

\_\_\_\_(1) Appeal from Zoning Officer's interpretation of the Zoning Ordinance

\_\_\_\_(2) District Map Interpretation

\_\_\_\_(3) Conditional Use Authorization

\_\_\_\_(4) Minor Adjustment, Special Question

\_\_\_\_(5) Hardship Variance (c) 1 (Please submit an original and 1 copy for the initial submission)

\_\_\_\_(5A) Hardship Variance (c) 2

\_\_\_\_(6) D Variance (d) (Please submit an original and 5 copies for the initial submission)

\_\_\_\_(7) Other-Explain \_\_\_\_\_

**CHECK LIST REQUIREMENTS** - For an application for development which requests a hardship variance, a use variance, a special permit or a decision on a special question, and which is not accompanied by a site plan, the following information in sketch platform:

- (a) \_\_\_ The size, shape and location of buildings, and their relationship to surrounding properties and buildings thereon and on both sides of adjacent streets;
- (b) \_\_\_ The location, layout and dimensions of parking and loading areas, with an indication of areas to be paved;
- (c) \_\_\_ All parking spaces, driveways and access points to public streets;
- (d) \_\_\_ All required setback lines;
- (e) \_\_\_ Rights of way and easements;
- (f) \_\_\_ Location and height of fences, retaining walls and railings;
- (g) \_\_\_ Key map showing entire project in its relationship to surrounding areas, roads and watercourses;
- (h) \_\_\_ Zone districts of subject property and adjacent properties;
- (i) \_\_\_ Legend comparing proposed site conditions with zoning requirements applicable to the property;
- (j) \_\_\_ Floor plans showing existing conditions and proposed alterations;
- (k) \_\_\_ For applications involving properties located in the affordable housing overlay zone or applications for nonresidential development properties which generate the construction of net new floor area, please contact the Land Development Officer;
- (l) \_\_\_ Pursuant to NJSA 40:55D-65(h), all local tax payments on the subject property must be current prior to the hearing (applicable to all matters).

**DESCRIBE NATURE OF REQUEST AND REASON FOR SAME (be specific):**

**DESCRIPTION OF USE EXISTING/PROPOSED (be specific):**

EXISTING USE \_\_\_\_\_  
\_\_\_\_\_

PROPOSED USE \_\_\_\_\_  
\_\_\_\_\_

**PLEASE COMPLETE IF THE SUBJECT PROPERTY IS LOCATED IN WHAT WAS  
FORMERLY KNOWN AS PRINCETON TOWNSHIP**

	Zoning Required	Existing	Proposed	Variance Requested
Lot Area (square feet) (LA)				
Lot width at bldg. line (ft.)				
Lot depth (ft.)				
Lot frontage (ft.)				
Building setback: Front				
Rear				
Combined front & rear				
Right side				
Left side				
Combined side				
Building height (Max Ft)				
Bldg. setback-height ratio Front				
Rear				
Left Side				
Right Side				
Floor area ratio (Max %) Gross Floor Area/Lot Area				
Parking setbacks: Front				
Side				
Rear				
Impervious Coverage. 10B-246.1	%			

**PLEASE COMPLETE IF THE PROPERTY IS LOCATED IN WHAT WAS  
FORMERLY KNOWN AS PRINCETON BOROUGH**

**DESCRIPTION OF PREMISES:**

SIZE OF LOT: Width \_\_\_\_\_ ft.  
Depth \_\_\_\_\_ ft.  
Area \_\_\_\_\_ sf.

COVERAGE (portion of Lot occupied by all structures):

Maximum allowable \_\_\_\_\_ sf. \_\_\_\_\_ percent  
Existing \_\_\_\_\_ sf. \_\_\_\_\_ percent  
Proposed \_\_\_\_\_ sf. \_\_\_\_\_ percent

PRINCIPAL OR MAIN BUILDING:

HEIGHT: Maximum allowable \_\_\_\_\_ sf. \_\_\_\_\_ stories  
Existing \_\_\_\_\_ sf. \_\_\_\_\_ stories  
Proposed \_\_\_\_\_ sf. \_\_\_\_\_ stories

BUILDING HEIGHT TO SETBACK RATIO:

Required \_\_\_\_\_ Existing \_\_\_\_\_ Proposed \_\_\_\_\_

FLOOR AREA:

Maximum Permitted \_\_\_\_\_ sf. Existing \_\_\_\_\_ sf. Proposed \_\_\_\_\_ sf.

FRONT YARD DEPTH:

Minimum Required \_\_\_\_\_ ft. Existing \_\_\_\_\_ ft. Proposed \_\_\_\_\_ ft.

SIDE YARDS (COMBINED WIDTH :)

Minimum Required \_\_\_\_\_ ft. Existing \_\_\_\_\_ ft. Proposed \_\_\_\_\_ ft.

SMALLER YARD WIDTH:

Minimum Required \_\_\_\_\_ ft. Existing \_\_\_\_\_ ft. Proposed \_\_\_\_\_ ft.

LARGER YARD WIDTH:

Minimum Required \_\_\_\_\_ ft. Existing \_\_\_\_\_ ft. Proposed \_\_\_\_\_ ft.

REAR YARD DEPTH:

Minimum Required \_\_\_\_\_ ft. Existing \_\_\_\_\_ ft. Proposed \_\_\_\_\_ ft.

ACCESSORY STRUCTURE:

Location: Front Yard \_\_\_\_\_ Side Yard \_\_\_\_\_ Rear Yard \_\_\_\_\_  
Height: Existing \_\_\_\_\_ stories \_\_\_\_\_ ft.  
Proposed \_\_\_\_\_ stories \_\_\_\_\_ ft.

DISTANCE FROM:

Front Lot Line:	Existing_____ft.	Proposed_____ft.
Side Lot Line:	Existing_____ft.	Proposed_____ft.
Rear Lot Line:	Existing_____ft.	Proposed_____ft.
Main Building:	Existing_____ft.	Proposed_____ft.
Other Accessory Structures	Existing_____ft.	Proposed_____ft.

**ATTACHED, MULTIPLE AND JOINT OCCUPANCY BUILDINGS ONLY**

USABLE OPEN SPACE

Required:	Width_____ft.	Depth_____ft.	Area_____sf.
Existing:	Width_____ft.	Depth_____ft.	Area_____sf.
Proposed:	Width_____ft.	Depth_____ft.	Area_____sf.

Number of habitable rooms in each dwelling unit (list each unit separately):

**JOINT OCCUPANCY BUILDINGS ONLY:**

BUSINESS OCCUPANCY

Existing: Location within Building\_\_\_\_\_Floor\_\_\_\_\_

Size of Area: Width\_\_\_\_\_ft. Depth\_\_\_\_\_ft.\_\_\_\_\_sf.

Percent of floor area of entire building: \_\_\_\_\_

RESIDENTIAL

Proposed: Location within Building\_\_\_\_\_Floor\_\_\_\_\_

Size of Area: Width\_\_\_\_\_ft. Depth\_\_\_\_\_ft.\_\_\_\_\_sf.

Percent of floor area of entire building: \_\_\_\_\_

Number of habitable rooms \_\_\_\_\_

OFF STREET PARKING SPACES: Number Existing\_\_\_\_\_Proposed\_\_\_\_\_

Location Existing \_\_\_\_\_

Location Proposed \_\_\_\_\_

LOADING BERTHS: Number Existing\_\_\_\_\_Proposed\_\_\_\_\_ Location(s)\_\_\_\_\_

**SIGNS:** (list each sign separately indicating type, size and location)  
Existing:

Proposed:

**AFFORDABLE HOUSING**— If the application involves affordable housing, provide information (in a separate attachment to this application) demonstrating that the proposed rents or sales prices of the unit(s) proposed will be affordable to low and/or moderate income households, in compliance with Code requirements. Information to be submitted shall include, but need not be limited to: the number of low and/or moderate income units proposed or required, the number of bedrooms in each category, and proposed rents and or sales prices by bedroom type. Copies of the form of deed restriction to ensure continued affordability must be submitted with each application (see instructions).

**IF APPLICATION IS MADE FOR APPEAL FROM THE ZONING OFFICER’S DETERMINATION, STATE ALLEGED ERROR BY ZONING OFFICER AND BASIS OF ALLEGATION:**

**IF APPLICATION IS MADE FOR RELIEF BY SPECIAL EXCEPTION, STATE REASONS FOR SPECIAL EXCEPTION IN CONNECTION WITH REQUEST FOR CONDITIONAL USE, MINOR ADJUSTMENT OR OTHER APPLICABLE ACTION BY BOARD.**

## APPLICATION INSTRUCTIONS FOR “C” VARIANCE

Refer to N.J.S.A. 40:55D-70c for primary legal requirements and procedures.

Applications require filing with the Zoning Office the Application for “C” Variance, and including all required supplementary information and forms.

Application must be accompanied by the required fees. Additional fees may be charged as provided by State Statutes, Local Ordinances, and/or Zoning Board rules.

Application must include the owner’s affidavit of ownership, and, if made by a person other than the owner of the subject property, the power of attorney.

The application requires a written statement which must include the following:

**C (1) variance:**

Pertinent information....

- a. Exceptional narrowness, shallowness, or shape of the property, and/or
- b. Exceptional topographical conditions, and/or
- c. Other exceptional situations affecting the proposed development, resulting in practical difficulties, or hardship, for the applicant.

“Positive reasons” to be proven at the public hearing, including....

- The conditions causing hardship are peculiar to the subject property, and do not apply generally to other properties in the same district.
- Other means to cure the deficiency (such as purchase or sale of property) do not exist.
- The variance requested is the reasonable minimum needed.

**C (2) variance:** “Positive reasons” to be proven, including....

- The benefits of the proposed deviation outweigh its detriments.
- The proposal is better for the community than the zoning requirement.

**C (1) & (2) variance:** “Negative reasons” to be proven....

- Proposal would not cause substantial detriment to the public good, nor substantially impair the intent and purpose of the zoning plan (Master Plan & Zoning Ordinance).

If application is made for “C” variance (C1/C2) explain or answer the following:

1. The strict application of the provisions of the Ordinance will result in practical difficulties or unnecessary hardship inconsistent with the general purpose and intent of the Ordinance.
  
2. There are exceptional circumstances or conditions applicable to the property involved or to the intended use or development of the property that do not apply generally to other properties in the same zone or neighborhood.
  
3. With reference to the specific piece of property in question, will the purposes in the Municipal Lane Use Law (N.J.S.A. 40:55D-1 et. seq.) be advanced by deviation from the Zoning Ordinance requirements, and will the benefits of that deviation substantially outweigh any detriment?

## APPLICATION INSTRUCTIONS FOR “D” VARIANCE

Refer to N.J.S.A. 40:55D-70b for primary legal requirements and procedures.

Applications require filing with the Zoning Office the Application for “D” Variance, and including all required supplementary information and forms.

Application must be accompanied by the required fees. Additional fees may be charged as provided by State Statutes, Local Ordinances, and/or Zoning Board rules.

Application must include the owner’s affidavit of ownership, and, if made by a person other than the owner of the subject property, the power of attorney.

The application requires a written statement which must include the following:

- a. “Special reasons” to justify granting the relief requested, as required by statute. These special reasons must be shown to be unique or peculiar to the property for which variance is requested, and not generally applicable to neighboring properties.
- b. Reasons why strict application of the zoning prohibition of the requested use or development would deprive the applicant of reasonable use of the land or buildings involved.
- c. Evidence that the requested relief may be granted without detriment to the public good or impairment of the intent of the zoning plan (Master Plan & Zoning Ordinance). (“Negative Criteria”)

This statement should also describe the facts and contentions to be proven at the public hearing; how the proposal relates to the Master Plan; the proposal’s impact; the community’s needs; and set forth the legal argument for the proposal, as well as all other pertinent information.

A “D” Variance application which includes a proposed Site Plan or Subdivision may be submitted at one time, or may be bifurcated, with the “D” Variance to be decided first, and, if approved, the Site Plan/Subdivision to follow for subsequent hearing. If the application includes a proposed site plan (involving county roads or facilities) or subdivision, it must be filed as well with the Mercer County Planning Board.

If application is made for Use Variance, explain the special reasons:

**AFFIDAVIT OF OWNERSHIP**

STATE OF NEW JERSEY)

) ss.

COUNTY OF MERCER )

\_\_\_\_\_ of full age, being duly sworn according to law on oath deposes and says that the deponent resides at \_\_\_\_\_ in the \_\_\_\_\_ of \_\_\_\_\_ in the County of \_\_\_\_\_ and the State of \_\_\_\_\_ that \_\_\_\_\_ is the owner in fee of all that certain lot, piece or parcel of land situated, lying and being in Princeton, New Jersey, and known and designated as Block \_\_\_\_\_ Lot \_\_\_\_\_.

Sworn and subscribed

before me this \_\_\_\_\_ day

of \_\_\_\_\_ 20 \_\_\_\_\_

\_\_\_\_\_

Owner's Signature

**AUTHORIZATION**

(If anyone other than the Owner is making this application, the following Authorization must be executed).

\_\_\_\_\_ is hereby authorized to make the within application on my behalf. Such authority includes the full power to act with respect to the application including appearing and providing testimony on my behalf at the hearing and to perform such acts as I could do or perform with respect to the application.

Dated \_\_\_\_\_ 20 \_\_\_\_\_

Owner's Signature

By signing above, the owner also assures Zoning Officers, other pertinent municipal officers, and members of the Zoning Board, have the right to inspect the property under consideration, at reasonable times.

**LAND DEVELOPMENT ESCROW AGREEMENT**  
***PRINCETON***  
***COUNTY OF MERCER***  
***STATE OF NEW JERSEY***

Land Development Application Number: \_\_\_\_\_ (by Zoning Office)

Lot(s): \_\_\_\_\_

Block: \_\_\_\_\_

Name and Address of Developer (Applicant):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Pursuant to the Land Use Code, the undersigned hereby agrees to pay for the cost of professional services, including engineering, professional planning, and legal services necessary to review the developer's application as captioned above.

\_\_\_\_\_  
Developer (Applicant)

\_\_\_\_\_  
Title

\_\_\_\_\_  
Date:



**FILING FEES**

<b>“C” VARIANCE APPLICATION:</b>	<b>APPLICATION FEE</b>	<b>ESCROW</b>
Section 10B-20 (c) zoning relief	\$150.00	\$750.00
Educational Training Fee	\$ 30.00	
Decision publication	\$ 35.00	
List of property owners, utilities,	\$ 10.00 or \$.25/name, whichever is greater	
Total:	\$225.00	\$750.00

<b>“D” VARIANCE APPLICATION:</b>	<b>APPLICATION FEE</b>	<b>ESCROW</b>
Section 10B-20 (d) zoning relief	\$500.00	\$1500.00
Educational Training Fee	\$ 30.00	
Decision publication	\$ 35.00	
List of property owners, utilities,	\$ 10.00 or \$.25/name, whichever is greater	
Total:	\$575.00	\$1,500.00

Conditional Use	\$ _____	\$ _____
Subdivision	\$ _____	\$ _____
Site Plan	\$ _____	\$ _____
Total:	\$ _____	\$ _____

Please submit two separate checks; one for application fee, educational training fee, decision publication fee and owners’ list fee; the other for the escrow amount. Both checks must be made payable to Princeton.