

### **Instructions for Filing a Variance Application**

1. Obtain the Variance Application Form from Room 104 of Borough Hall (242 King's Highway East, Haddonfield, New Jersey 08033);
  2. Complete **EVERY** line of **EVERY** page of the Variance Application Form [**NOTE**: Applications with blank lines will be deemed **INCOMPLETE**];
  3. Attach the documents required per Section 1(I) (where applicable), Section 2(H) (where applicable), Section 3(A), Section 3(B), Section 3(D) (where applicable), Section 4 (where applicable) and Section 5 of the Variance Application Form;
  4. Submit twenty (20) copies of the Variance Application Form and twenty (20) copies of the attachments required by Section 1(I) (where applicable), Section 2(H) (where applicable), Section 3(A), Section 3(B), Section 3(D) (where applicable), Section 4 (where applicable) and Section 5 of the Variance Application Form [**NOTE**: Un-collated applications will be deemed **INCOMPLETE**];
  5. Submit the appropriate Application Fee; and,
  6. Submit the Certified Property List Fee, where applicable;
- After your application has been submitted in accordance with rules outlined above, the Zoning Officer will review the application and deem it **COMPLETE** or **INCOMPLETE** within forty-five (45) days thereof.
  - Only applications which have been submitted by the filing deadline and have been deemed **COMPLETE** are eligible to appear on an Agenda of either the Zoning Board of Adjustment or the Planning Board.
  - If a variance application is deemed **INCOMPLETE**, the applicant will receive written notification thereof which will detail the deficiencies in the application. The applicant may then cure the deficiencies in the application and resubmit the application for consideration at a subsequent meeting.
  - All applicants with a **COMPLETE** application pending before either the Zoning Board of Adjustment or the Planning Board will receive a Certified List of Property-Owners within 200 Feet (where a request and payment therefor has been submitted); a Legal Notice (where the applicant is not represented by an attorney); an Affidavit of Service Form; and, Service Instructions approximately one (1) week subsequent to the application being deemed **COMPLETE**.
  - All applicants with a **COMPLETE** application pending before either the Zoning Board of Adjustment or the Planning Board will also receive an Agenda for the applicable board approximately one (1) week prior to the meeting of the applicable board.
  - All Affidavits of Service, including Certified Mail Receipts (where applicable), must be submitted no later than the Monday immediately preceding the meeting of the applicable board.
  - Ensuring publication of all Legal Notices, including publication of the adoption of the Memorializing Resolution, is the responsibility of the Applicant.

## **BURDEN OF PROOF REQUIREMENTS**

### **IMPORTANT: PLEASE READ AND UNDERSTAND**

As the applicant you are required to show your application meets the legal criteria for granting a variance. The Zoning Board **cannot** legally grant a variance if your application does not meet one of the two criteria listed below. It is YOUR obligation to make the case at the Zoning Board Meeting. You must show the board your project can meet either **Condition 1** or **Conditions 2(A)** and **2(B)**

**Condition 1.** If the provisions of the Zoning Ordinance were strictly enforced, something about the **property itself** would result in (a) PECULIAR AND EXCEPTIONAL PRACTICAL DIFFICULTIES, or (b) EXCEPTIONAL AND UNDUE HARDSHIP;

This would mean the **property lot, the land**, is nonconforming by being, too small, too narrow, irregularly shaped, etc or the features of the existing lot are the hardship, such as nonconforming location of existing structures, unusual slopes or grading, etc.

Undue hardship **DOES NOT** include needing more room for a growing family, existing kitchen is too small, house has no family room, this design fits our needs, or other similar issues.

**Condition 2. (A)** The purposes of Zoning Ordinance would be ADVANCED by a deviation from the Ordinance, and (b) the BENEFITS of such a deviation would OUTWEIGH the DETRIMENTS; **AND,**

If presenting a case based on this section you must state the benefits and detriments of the proposed construction. These must be related to the zoning regulations and the impact to the neighborhood. You must explain how the benefits of the project clearly further the purposes of the Zoning Ordinances of the Borough and the specific issues of your neighborhood and how those benefits clearly outweigh the detriments.

Benefits and detriments include factors like; Size, Scale, Location, Distance to other Structures, Green space, Stormwater, Consistency, and other similar issues. The nonconforming nature and issues of the project that require the variances being requested are a detriment.

**Condition 2. (B)** Granting the application will cause NO SUBSTANTIAL IMPAIRMENT OF THE INTENT AND PURPOSE OF THE ZONE PLAN AND ZONING ORDINANCE

You must show how this project is consistent with the local zoning requirements, is consistent with the neighborhood and will not otherwise create a situation that is clearly not the intent of the regulations.

**Board of Commissioners**  
**Letitia G. Colombi**  
Mayor  
Director of Public Works Properties

**Neal P. Rochford**  
Director of Revenue and Finance  
**Edward F. Borden, Jr.**  
Director of Public Safety



**Borough of Haddonfield**  
New Jersey

Application Current As Of 8/25/2004

<b>FOR OFFICE USE ONLY: (DO NOT WRITE IN THIS SPACE)</b>
APPLICATION TO: _____ PLANNING BOARD
_____ ZONING BOARD OF ADJUSTMENT
DATE APPLICATION FILED: _____
DATE DEEMED COMPLETE: _____
TIME PERIOD EXPIRES: _____

**SECTION 1 - GENERAL INFORMATION**

- (A) SUBJECT PROPERTY ADDRESS: \_\_\_\_\_
- (B) OWNER OF SUBJECT PROPERTY: \_\_\_\_\_
- (C) OWNER'S MAILING ADDRESS: \_\_\_\_\_
- (D) OWNER'S TELEPHONE NUMBER: \_\_\_\_\_
- OWNER'S TELEPHONE NUMBER: \_\_\_\_\_ LISTED \_\_\_\_\_ UNLISTED
- (D) OWNER'S FAX NUMBER: \_\_\_\_\_
- OWNER'S FAX NUMBER: \_\_\_\_\_ LISTED \_\_\_\_\_ UNLISTED
- (F) APPLICANT'S FULL LEGAL NAME: \_\_\_\_\_
- (G) APPLICANT'S MAILING ADDRESS: \_\_\_\_\_
- (H) APPLICANT'S TELEPHONE NUMBER: \_\_\_\_\_
- APPLICANT'S TELE. NUMBER: \_\_\_\_\_ LISTED \_\_\_\_\_ UNLISTED
- (I) APPLICANT'S FAX NUMBER: \_\_\_\_\_
- APPLICANT'S FAX NUMBER: \_\_\_\_\_ LISTED \_\_\_\_\_ UNLISTED
- (J) APPLICANT IS:
- CORPORATION: \_\_\_\_\_ PARTNERSHIP: \_\_\_\_\_ INDIVIDUAL: \_\_\_\_\_
- OTHER (Specify): \_\_\_\_\_

**NOTE: IF APPLICANT IS A CORPORATION OR PARTNERSHIP, APPLICANT MUST ATTACH A LIST OF THE NAMES AND ADDRESSES OF ALL PERSONS HAVING A 10% INTEREST OR GREATER IN THE CORPORATION OR PARTNERSHIP**

(K) THE RELATIONSHIP OF APPLICANT TO PROPERTY-OWNER IS: \_\_\_\_\_

**NOTE: IF NECESSARY, PLEASE ATTACH ADDITIONAL SHEETS HERETO.**

(L) THE RELATIONSHIP OF APPLICANT TO THE SUBJECT-PROPERTY IS:

OWNER: \_\_\_\_\_ TENANT OR LESSEE: \_\_\_\_\_ CONTRACT PURCHASER: \_\_\_\_\_

OTHER (Specify): \_\_\_\_\_

**NOTE: IF APPLICANT IS NOT THE OWNER OF THE SUBJECT PROPERTY,**

**APPLICANT MUST OBTAIN AND SUBMIT A COPY OF THIS APPLICATION SIGNED BY THE OWNER IN THE SPACE PROVIDED IN SECTION 7.**

(M) CONTACT'S FULL LEGAL NAME: \_\_\_\_\_

(N) CONTACT'S MAILING ADDRESS: \_\_\_\_\_

(O) CONTACT'S TELEPHONE NUMBER: \_\_\_\_\_

CONTACT'S TELE. NUMBER: \_\_\_\_\_ LISTED \_\_\_\_\_ UNLISTED

CONTACT'S FAX NUMBER: \_\_\_\_\_ LISTED \_\_\_\_\_ UNLISTED

(P) THE RELATIONSHIP OF CONTACT TO PROPERTY-OWNER IS: \_\_\_\_\_

**NOTE: IF NECESSARY, PLEASE ATTACH ADDITIONAL SHEETS HERETO.**

(Q) THE RELATIONSHIP OF CONTACT TO APPLICANT IS: \_\_\_\_\_

**NOTE: IF NECESSARY, PLEASE ATTACH ADDITIONAL SHEETS HERETO.**

**SECTION 2 - SUBJECT PROPERTY INFORMATION**

(A) SUBJECT PROPERTY'S ADDRESS: \_\_\_\_\_

(B) SUBJECT PROPERTY'S BLOCK: \_\_\_\_\_ LOT(S): \_\_\_\_\_

(C) SUBJECT PROPERTY'S ZONE: \_\_\_\_\_

(D) THE SUBJECT PROPERTY IS APPROXIMATELY \_\_\_\_\_ FEET FROM THE INTERSECTION OF \_\_\_\_\_ AND \_\_\_\_\_

(E) DIMENSIONS OF THE SUBJECT PROPERTY: \_\_\_\_\_

(F) AREA (IN SQ. FT.) OF THE SUBJECT PROPERTY IS: \_\_\_\_\_

(G) THE SUBJECT PROPERTY IS LOCATED:

(G)(1) WITHIN 200 HUNDRED FEET OF ANOTHER MUNICIPALITY: \_\_\_\_\_

(G)(2) ADJACENT TO AN EXISTING OR PROPOSED COUNTY ROAD: \_\_\_\_\_

(G)(3) ADJACENT TO OTHER COUNTY LAND: \_\_\_\_\_

(G)(4) ADJACENT TO STATE HIGHWAY: \_\_\_\_\_

(H) HAS THE SUBJECT PROPERTY BEEN THE SUBJECT OF A PLANNING BOARD HEARING, OR ZONING BOARD OF ADJUSTMENT HEARING? YES \_\_\_\_\_ NO \_\_\_\_\_

**NOTE: IF THE ANSWER TO THE PREVIOUS QUESTION IS YES, APPLICANT MUST ATTACH A COPY OF THE WRITTEN DECISION OF THE PLANNING BOARD, ZONING BOARD OF ADJUSTMENT OR HISTORIC PRESERVATION COMMISSION HERETO.**

**SECTION 3 - INFORMATION ABOUT REQUESTED RELIEF FOR A VARIANCE**

(A) **PROPOSAL:** APPLICANT MUST ATTACH A STATEMENT HERETO ENTITLED "**PROPOSAL**" SETTING FORTH THE PROPOSED PHYSICAL CHANGES, IF ANY, TO THE SUBJECT PROPERTY. APPLICANT MUST ALSO SET FORTH THE CURRENT USE AND PROPOSED USE OF THE SUBJECT PROPERTY.

(B) **REASON(S) FOR RELIEF:** APPLICANT MUST ATTACH A STATEMENT HERETO ENTITLED "**REASON(S) FOR RELIEF**" SETTING FORTH THE GROUNDS UPON WHICH RELIEF FROM THE ORDINANCE IN QUESTION IS REQUESTED AND WHICH MUST SHOW COMPLIANCE WITH "**BURDEN OF PROOF**" REQUIREMENT, WHICH IS ATTACHED

(C) NATURE OF APPLICATION - CHECK APPROPRIATE ITEMS:

(1) APPEAL OF ACTION OF ADMINISTRATIVE OFFICER \_\_\_\_\_

(2) INTERPRETATION OF ZONING ORDINANCE OR MAP \_\_\_\_\_

- (3) SPECIAL QUESTION \_\_\_\_\_
- (3) VARIANCE: "C" - VARIANCE \_\_\_\_\_
- "D" - USE VARIANCE \_\_\_\_\_
- "D" - NON-USE VARIANCE \_\_\_\_\_
- (4)(a) SUB DIVISION \_\_\_\_\_
- (4)(b) SUB DIVISION APPLICATION TO FOLLOW \_\_\_\_\_
- (5)(a) SITE PLAN \_\_\_\_\_
- (5)(b) SITE PLAN APPLICATION TO FOLLOW \_\_\_\_\_
- (6) WAIVER OF LOT TO ABUT STREET REQUIREMENTS \_\_\_\_\_
- (7) EXCEPTION TO THE OFFICIAL MAP \_\_\_\_\_
- (8) CERTIFICATE OF NONCONFORMITY \_\_\_\_\_

(D) THE PROPOSED DEVELOPMENT IS CONTRARY TO:

- SECTION: \_\_\_\_\_ SUB-SECTION: \_\_\_\_\_ REQUIRED: \_\_\_\_\_ PROPOSED: \_\_\_\_\_
- SECTION: \_\_\_\_\_ SUB-SECTION: \_\_\_\_\_ REQUIRED: \_\_\_\_\_ PROPOSED: \_\_\_\_\_
- SECTION: \_\_\_\_\_ SUB-SECTION: \_\_\_\_\_ REQUIRED: \_\_\_\_\_ PROPOSED: \_\_\_\_\_
- SECTION: \_\_\_\_\_ SUB-SECTION: \_\_\_\_\_ REQUIRED: \_\_\_\_\_ PROPOSED: \_\_\_\_\_

**NOTE: IF ADDITIONAL SPACE IS REQUIRED, APPLICANT MUST ATTACH A LIST OF THE ADDITIONAL VARIANCES REQUESTED HERETO.**

**SECTION 4 - INFORMATION ABOUT PROFESSIONALS/EXPERTS**

THE FOLLOWING PROFESSIONALS AND/OR EXPERTS WILL ASSIST AND/OR REPRESENT THE APPLICANT IN CONNECTION WITH THIS APPLICATION:

- (A) ATTORNEY: \_\_\_\_\_
- (B) ENGINEER: \_\_\_\_\_
- (C) ARCHITECT: \_\_\_\_\_
- (D) PLANNER: \_\_\_\_\_
- (E) OTHER (Specify): \_\_\_\_\_

**NOTE: ALTHOUGH NOT REQUIRED, THE BOARD RESPECTFULLY REQUESTS THAT THE APPLICANT ATTACH HERETO A LIST OF THE NAMES, ADDRESSES AND PHONE NUMBERS OF ANY PROFESSIONALS AND/OR EXPERTS LISTED ABOVE.**

**SECTION 5 - INFORMATION ABOUT REQUESTED EXHIBITS**

**NOTE: A "COMPLETE APPLICATION" REQUIRES THE FOLLOWING SUBMISSIONS:**

- (A) TWENTY (20) COPIES OF THIS APPLICATION;
  - (B) TWENTY (20) COPIES OF STATEMENT ENTITLED "PROPOSAL";
  - (C) TWENTY (20) COPIES OF STATEMENT ENTITLED "REASON(S) FOR RELIEF";
  - (D) TWENTY (20) SETS OF PLANS:
- PLANS SHALL BE 11X17 MAXIMUM IN SIZE**

- (B)(1) TWENTY (20) SETS OF CURRENT AND PROPOSED SURVEYS;
- (B)(2) TWENTY (20) SETS OF CURRENT AND PROPOSED FLOOR PLANS;
- (B)(3) TWENTY (20) SETS OF CURRENT ELEVATION DRAWINGS OR PHOTOGRAPHS;
- (B)(4) TWENTY (20) SETS OF PROPOSED ELEVATION DRAWINGS.

**NOTE: EVERY PAGE OF EVERY PLAN MUST HAVE THE NAME OF THE APPLICANT AND THE ADDRESS OF THE SUBJECT-PROPERTY NOTED THEREON.**

(E) ONE (1) COPY OF LEGAL NOTICE, IF APPLICANT IS REPRESENTED BY AN ATTORNEY.

**SECTION 6 - 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. I AM AWARE THAT IF ANY OF THE FOREGOING STATEMENTS ARE WILLFULLY FALSE, I AM SUBJECT TO PUNISHMENT.

\_\_\_\_\_  
(APPLICANT'S SIGNATURE)

**SECTION 7 - OWNER'S AUTHORIZATION**

I HEREBY CERTIFY THAT I RESIDE AT \_\_\_\_\_  
IN THE COUNTY OF \_\_\_\_\_ AND THE STATE OF \_\_\_\_\_  
AND THAT I AM THE OWNER OF ALL THAT CERTAIN LOT, PLAT OR PARCEL OF LAND KNOWN  
AS BLOCK(S) \_\_\_\_\_ LOT(S) \_\_\_\_\_ ON THE TAX MAP OF  
THE BOROUGH OF HADDONFIELD WHICH PROPERTY IS THE SUBJECT OF THE ABOVE  
APPLICATION, AND THAT THE SAID APPLICATION IS HEREBY CERTIFIED BY ME.

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(OWNER'S SIGNATURE)

**SECTION 8 - OWNER'S CONSENT TO SITE VISIT**

I HEREBY CONSENT TO A SITE VISIT AT THE PROPERTY WHICH IS THE SUBJECT OF THIS APPLICATION FOR THE LIMITED PURPOSES OF VERIFYING THE ACCURACY OF THE PLANS SUBMITTED AND THE STATEMENTS MADE IN CONNECTION HEREWITH.

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(OWNER'S SIGNATURE)

**SECTION 9 - OWNER'S CERTIFICATION OF ACCURACY OF SURVEY**

I HEREBY CERTIFY THAT THE SURVEY SUBMITTED FOR THIS APPLICATION IS CORRECT AND SHOWS THE CURRENT EXISTING CONDITIONS AND IMPROVEMENTS OF THE PROPERTY INCLUDING ALL, PATIOS, WALKWAYS, DRIVEWAYS AND ANY OTHER IMPROVEMENTS ON THE PROPERTY.

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(OWNER'S SIGNATURE)

**REQUEST FOR CERTIFIED LIST OF PROPERTY OWNERS**

I, \_\_\_\_\_, HEREBY REQUEST A  
CERTIFIED LIST OF ALL OWNERS OF REAL PROPERTY LOCATED WITHIN 200 (TWO HUNDRED)  
FEET OF BLOCK \_\_\_\_\_ AND LOT(S) \_\_\_\_\_.

SINCERELY,

\_\_\_\_\_  
(Signature of Person Requesting List)

\_\_\_\_\_  
(PRINT name of Person Requesting List)