BOROUGH OF RINGWOOD

PLANNING OFFICE
Phone: 973-475-7131
e-mail: hforsa@ringwoodnj.net

RINGWOOD ZONING BOARD OF ADJUSTMENT
VARIANCE APPLICATION INSTRUCTIONS

The following items are required to be submitted by the Board:

1. Application for variance from the requirements of the Zoning Ordinance of the Borough of Ringwood, New Jersey.

2. 15 copies of the survey with the proposed improvement shown together with dimensions.

3. 15 copies of drawings of the proposed improvement.

4. A copy of the deed to the property in question.

5. A check in the amount of $260.00 made payable to the Borough of Ringwood which covers the application fee and the fee for the certified list of property owners.

6. A checklist indicating documents that must be completed and submitted to the Office of the Land Use Administrator by mail or in person when the application is made.

7. A variance graph on which you should indicate what variance is required.

8. Application for Certified List of Property Owners.

9. Letter to Tax Collector which should contain block and lot numbers filled in and be returned to the Land Use Administrator.

10. Notice explaining Proof of Service requirements.

11. Notice to be served on adjacent property owners.

12. Affidavit and proof of Service forms.

13. Copy of Fee Ordinance.

No application will be heard unless the Board has received a complete application.

If you require any assistance in completing this application, please contact Helen Forsa, Land Use Administrator at 973-475-7131.

After you have completed the application and have submitted the documents to the Land Use Administrator at 60 Margaret King Avenue, Ringwood, the following sequence of activity will follow:

1. The Land Use Administrator will review your application and notify you that the application is in order or advise you of any deficiencies.

2. The Tax Assessor's Office will send you:

   (A) A Certified List of property Owners.
   (B) A copy of Notification.
   (C) Instructions for Service Notification.

   Notice of application is required to be provided to all property owners within 200 feet of the property in question **at least ten (10) days prior to the hearing date,** but not more than sixty (60) days prior to the hearing date.

   The applicant is required to advertise the public hearing date in the official newspaper of the municipality and to notify adjacent property owners. **The advertisement must appear at least ten (10) days prior to the meeting date and notices must be sent at least ten (10) days prior to the meeting date.** Proof of advertisement and notification to adjacent property owners must be provided to the Land Use Administrator prior to the meeting date.

3. The Land Use Administrator will notify you of the hearing date scheduled for your application.

4. The Board requires that you present a copy of your deed or a copy of the purchase contract to the Land Use Administrator for verification.

5. At the hearing, you must present the Board with proof, in writing, that you have made an effort to purchase adjoining property where such purchase would bring the application into conformity with the existing ordinances. This requirement applies only where the adjoining property would remain in compliance with the Zoning ordinance after selling off part of its land to you. In the case where you are seeking a variance because your lot is undersized, in addition to acquiring land from your adjoining neighbors, you must also produce proof to the Board that you have attempted to sell your lot to the adjoining neighbors. Consult your attorney as to the exact legal requirements.

NOTES:

1. Prior to the issuance of a building permit, the applicant must receive Health Department approval. It is recommended that every applicant confer with the Health Department to ensure that they meet Board of Health requirements prior to making an application to the Board of Adjustment.

2. Any variance that is granted is good for two (2) years. Ordinance 21-2.8 provides that the variance expires after two (2) years unless certain conditions are met.

Date_____ Docket No._____

BOARD OF ADJUSTMENT

APPLICATION FOR VARIANCE FROM THE REQUIREMENTS OF THE ZONING ORDINANCE OF THE BOROUGH OF RINGWOOD

Application is hereby made for variance from the requirements of the Zoning Ordinance of the Borough of Ringwood to:

Erect }
Alter }
Extend } a_____
Use }

in accordance with plans or survey filed herewith.

Applicant_____Address_____Tele._____

Owner_____Address_____

Subject Property Address_____

Block_____ **Lot**_____ **Zone**_____

If you are having an attorney represent you, please identify the attorney:

Name_____Address_____

Telephone_____Fax_____

Are there any covenants or deed restrictions applicable to the property? ( ) Yes ( ) No
If yes, state nature of same:

_____

Have there been any previous applications(s) involving these premises:

( ) Yes ( ) No ( ) Unknown

Please state the type of variance desired, the amount of the variance requested and the reason for same:

_____

_____

_____

_____

_____

I hereby swear and affirm that all of the above statements and any statements or declarations contained within the papers submitted in support of this application are true.

_____
Applicant's Signature

AFFIDAVIT OF OWNERSHIP
(TO BE COMPLETED IF APPLICANT IS NOT PROPERTY OWNER)

I_____hereby declare that I am the legal owner of said property and hereby grant permission for the applicant to apply for a variance for said property.

_____
Owner's Signature

Sworn to before me this_____
day of_____, 201 .

_____
Notary Public

VARIANCE GRAPH

APPLICANT_____ DOCKET NO._____ BLOCK____ LOT_____ ZONE_____

	Lot Area Sq. Feet	Lot Width (Ft)	Lot Depth (Ft)	Max. Dist. Area	Imp. Lot Coverage	Lot Coverage	Building Height (Ft./Stories)	Front Yard (Ft)	Side Yard (Ft)	Rear Yard (Ft)	Acc. Structure
R-20	20,000	100 Feet	175 Feet	50%	35%	25%	35/2.5	35 Feet	15 Feet	35 Feet	20 Ft./Rear
R-40	40,000	150 Feet	200 Feet	30%	25%	20%	35/2.5	35 Feet	30 Feet	50 Feet	35 Ft./Rear
R-40V	40,000	150 Feet	200 Feet		25%	20%	35/40/2.5	35 Feet	30 Feet	50 Feet	35 Ft./Rear
RT-40	40,000	150 Feet	200 Feet	40%	35%	25%	35/2.5	35 Feet	30 Feet	50 Feet	35 Ft./Rear
CS-40	40,000	200 Feet	150 Feet		75%	25%	35/2.5	55 Feet	35 Feet	40 Feet	
CC-80	80,000	200 Feet	200 Feet		60%	25%	35/2.5	55 Feet	35 Feet	40 Feet	
C-200	200,000	200 Feet	500 Feet	10%	8%	5%	35/2.5	100 Feet	75 Feet	150 Feet	
CR-800	800,000	750 Feet	750 Feet		50%	10%	35/2.5	200 Feet	200 Feet	200 Feet	
GB-80	80,000	175 Feet	200 Feet		60%	35%	35/2.5	40 Feet	35 Feet	40 Feet	
NC-15	15,000	100 Feet	100 Feet		75%	25%	35/2.5	35 Feet	15 Feet	20 Feet	
NB-15	15,000	100 Feet	100 Feet		75%	25%	35/2.5	35 Feet	15 Feet	20 Feet	
I-60	60,000	200 Feet	300 Feet	80%	60%	35%	40/3	75 Feet	25 Feet	75 Feet	
Provided											
Variance Required											

APPLICATION CHECKLIST

( ) Completed application form signed by both property owner and applicant. If you are not the property owner, the owner's signature must be notarized
( ) Variance Graph
( ) Letter to Tax Collector
( ) Copy of Deed
( ) Application for Certified List of Property Owners
( ) Required Fees
( ) Fifteen (15) copies of drawing or sketch of the proposed improvement with dimensions.
( ) Fifteen (15) copies of a recent plot plan or a survey of the applicant's property prepared by a licensed surveyor or engineer showing the following:

Applicant's Property:

( ) Block and Lot Numbers
( ) Street Address
( ) Lot Dimensions
( ) Exact Dimensions of Present and/or Proposed Structures
( ) Dimensional Location of all Structures in relation to all other Structures and to Property lines
( ) Location and Dimensions of any Easement and Purpose Thereof
( ) Water Courses, Drainage Ditches

Adjoining Properties:

This information should be supplied by Applicant and may be handwritten.

( ) Ownership
( ) Street Address
( ) Lot Dimensions
( ) Location of all structures on adjoining properties, if any, including the approximate distance from Applicant's property lines.

BOROUGH OF RINGWOOD

PLANNING OFFICE
Phone: 973-475-7131

TO: TAX COLLECTOR
BOROUGH OF RINGWOOD

RE: TAX AND ASSESSMENT CERTIFICATION

BLOCK_____ LOT NO._____

DOCKET NO._____

DATE:

I certify that:

( ) All taxes and assessments with the Borough of Ringwood are current and paid

( ) Taxes and/or assessments are owed to the Borough of Ringwood.

Certified By_____
Tax Collector

ALL TAXES AND ASSESSMENTS MUST BE CURRENT BEFORE YOUR APPLICATION WILL BE HEARD BY THE BOARD OF ADJUSTMENT

BOROUGH OF RINGWOOD

OFFICE OF THE BOROUGH CLERK
(973) 475-7102

Date: _____ Application/Docket No.: _____

APPLICATION FOR CERTIFIED LIST OF PROPERTY OWNERS IN CONNECTION WITH APPLICATION BEFORE ( ) PLANNING BOARD ( ) BOARD OF ADJUSTMENT

Street Address _____

Block _____ Lot _____

Owner _____ Applicant _____

Phone _____ Phone _____

Mail list to: Name _____

Address _____

Receipt is hereby acknowledged of the sum of $10.00 for a Certified List of Property Owners to be provided by the Tax Assessor of the Borough of Ringwood in connection with an application before the subject Board for the property indicated above.

Certified List of Property Owners shall be dated not more than 60 days prior to the date of notice of the commencement of the public hearing on the application for development.

Kelley Halewicz, RMC
Borough Clerk

cc: Applicant
Tax Assessor
Clerk's file

NOTE: THE APPLICANT MUST SPECIFY THE LOT AND BLOCK OF ANY ADJACENT PARCEL OF PROPERTY IN COMMON OWNERSHIP

TO BOARD OF ADJUSTMENT APPLICANTS:

The following steps must be taken in order for your Notice and Proof of Service to be in order:

1. You must either send a copy of the notice to everyone on the Certified List of Property Owners by **certified mail,** or

2. You must hand deliver a copy of the notice to everyone on the list and have them **sign and date** the list in the space provided, or

3. You may do a combination of certified mailing and hand delivery.

4. The certified mailing or the hand delivery must be made **at least ten (10) days prior to the date of the hearing,** not counting the date of the meeting. This is a State requirement and no exceptions can be made for a hearing if the requirements are not met.

5. You must also publish notice of the application in the newspaper of record **at least ten (10) days prior to the date of the hearing,** not counting the date of the meeting. A sample notice is included for your assistance. The Land Use Administrator will advise you which newspapers are the official newspapers of the Borough.

6. You must return the following documents to the Land Use Administrator **prior to the meeting** to assure that everything is in order:

(A) A copy of the notice sent.
(B) The list with signature and dates.
(C) The white slips from the Post Office indicating to whom and when the notices were mailed.
(D) The Affidavit and Proof of Service which must be signed by you and notarized. There is a notary available at Borough Hall at no charge.
(E) Affidavit of Publication from the newspaper.

If you have any questions, please call Helen Forsa at 973-475-7131 for assistance.

NOTICE TO BE SERVED ON OWNERS
OF PROPERTY AFFECTED

PLEASE TAKE NOTICE THAT AN APPLICATION HAS BEEN MADE BY:

_____, as Applicants, and_____ as Owners, for variance from the requirements of the Zoning Ordinance of the Borough of Ringwood so as to permit the _____ on premises known as _____, Block No. _____, Lot No. _____ and this notice is sent to you as an owner of property in the immediate vicinity. A public hearing is scheduled for **Monday, _____, 201 at 8:00 P.M.** at the Ringwood Borough Hall, 60 Margaret King Avenue, Ringwood, New Jersey. When the case is called, you may appear, either in person, or by agent, or by attorney, and present any objections which you may have to the granting of this application.

A copy of the said application has been filed with the Land Use Administrator and the Borough Clerk for public inspection and can be viewed during regular business hours.

The variance(s) requested are listed below. The applicants also request any other variances the Board deems necessary.

( ) Lot Area
( ) Lot Width
( ) Lot Depth
( ) Maximum Disturbed Area
( ) Lot Coverage
( ) Improved Lot Coverage
( ) Building Height
( ) Front Yard
( ) Side Yard
( ) Rear Yard

Dated:

_____
Name of Applicants
Address
Ringwood, NJ 07456

LEGAL NOTICE

BOROUGH OF RINGWOOD

PLEASE TAKE NOTICE that an application has been made by _____, as Applicants and as Owners, for variance from the requirements of the Zoning Ordinance of the Borough of Ringwood so as to permit _____ on premises known as Lot ____ in Block ____, _____, Ringwood, New Jersey. The variance requested is for a _____ variance. The applicant also requests any other variances the Board deems necessary.

A public hearing has been scheduled for Monday, _____, 201 at 8:00 P.M. at the Ringwood Borough Hall, 60 Margaret King Avenue, Ringwood. When the case is called, you may appear, either in person, or by agent or attorney and present any objections which you may have to the granting of the application. A copy of said application has been filed with the Board of Adjustment and can be viewed during regular business hours.

Name of Applicant
Address
Ringwood, NJ 07456

AFFIDAVIT AND PROOF OF SERVICE

STATE OF NEW JERSEY

ss:

COUNTY OF PASSAIC

_____, of full age, being duly sworn according to law, deposes and says that (s)he resides at_____, in the Borough of Ringwood, County of Passaic and State of New Jersey, that (s)he is the applicant/owner in a proceeding before the Board of Adjustment, Borough of Ringwood, being an application under the Zoning Ordinance of the Borough of Ringwood, which relates to premises known as_____ Block_____, Lot_____; that (s)he gave notice of this proceeding to each and all of the owners of property affected by said application within 200 feet on all sides of the property affected by this appeal in the following manner:

SEE ATTACHED LIST

DATE:

_____
Applicant

Sworn to before me, this

_____day of_____, 201 .

_____
Notary Public

Fees. The following fees shall accompany the application:

1. Application Fee.

"A" Variance pursuant to N.J.S.A. 40:55D-70(a)
(appeal from the decision of the Construction Official,
Zoning Officer, or other administrative officer).....$125.00

"B" Variance pursuant to N.J.S.A. 40:55D-70(b)
(interpretation of the Zoning Map or Ordinance).....$125.00

"C" Variance pursuant to N.J.S.A. 40:55D-70(c)
(bulk/dimensional variance)
Residential - per lot.....$250.00
Nonresidential - per variance.....$500.00

"D" Variance pursuant to N.J.S.A. 40:55D-70(d)
(use variance)
Residential - per lot.....$500.00
Nonresidential - per variance.....$500.00

Planning variance pursuant to N.J.S.A. 40:55D-76.....$75.00

Extension of time.....$50.00

Modification of terms or conditions of previously
granted variance.....$50.00

Certificate of nonconforming **use** pursuant to
N.J.S.A. 40:55D-68.....$500.00

2. Escrow. The applicant shall deposit with the Municipal Clerk an escrow to cover some of the costs incurred by the Board of Adjustment for the professional services of its Attorney, Engineer, Planner, or other specifically retained expert in connection with any appeal to the Board of Adjustment concerning any application for development or any request for interpretation of the Zoning Map or Ordinance or any decision regarding any other question which the Board is authorized to pass.

(a) Amount of Escrow. The Board of Adjustment Secretary shall forward the application and all application documents submitted by the applicant to the Board of Adjustment professionals. The Board of Adjustment professionals shall review the application and the accompanying documents and based upon the nature and complexity of the application shall determine the amount of the escrow, if any, for the aforesaid professional services. They shall notify the Board of Adjustment Secretary as to their recommendations for the escrow amount. The Board of Adjustment Secretary shall thereafter notify the applicant of the escrow requirement. The application will not be listed for any hearings, nor shall the application be deemed complete until all fees including the escrow are paid.

(b) Use of Escrow. The escrow shall be used to defray the costs of the Board of Adjustment professionals and retained experts in connection with the application. These costs and expenses shall include review of the application and supporting documents, preparation of reports, telephone conferences and meetings (whether initiated by the applicant, its attorney or other expert, or by the Board of Adjustment), preparation of memorializing resolutions and other writings in connection with the processing of the application.

(c) Meeting Costs. The escrow shall also be utilized to pay the Board of Adjustment professionals for attendance at any specially scheduled meetings.

(d) Charges by Professionals. All professional charges shall be billed by the professionals to the Board of Adjustment at the rates established by the professionals' contract with the Board of Adjustment or the Borough. All invoices shall be itemized: date, the nature of the service, and the time spent, together with any other charges imposed pursuant to the professionals' contract with the Board of Adjustment or the Borough. All invoices shall be supported by a voucher duly signed by the professional seeking payment. All payments charged to the deposit shall be pursuant to vouchers from the professionals stating the hours spent, the hourly rate and the expenses incurred.

(e) Approval of Vouchers/Invoices. All invoices/vouchers submitted by the professionals for payment shall be processed by the Board of Adjustment for payment, the same as all other invoices and vouchers. No invoice/voucher for payment of any professional service shall be approved until a resolution is adopted at a public meeting.

(f) Special Consultants. If in the discretion of the Board of Adjustment, a special consultant is necessary for the proper review of an application, the Board of Adjustment shall be authorized to retain the consultant/expert and to pay the consultant from the applicant's escrow account.

(g) Review. The applicant shall be entitled to question or challenge the amount of the initial escrow as determined by the Board of Adjustment if a written request is submitted to the Board of Adjustment Secretary. The Board of Adjustment will afford the applicant an opportunity to present information to the Board of Adjustment at a public hearing. However, no hearing on the merits of the application will be held until the escrow is deposited. The applicant may also question or challenge the invoices/vouchers submitted by the Board of Adjustment's professionals by notifying the Board of Adjustment's Secretary in writing as to the challenge/question. The applicant will be afforded an opportunity to be heard at a public meeting.

(h) Fee Schedules. The Board of Adjustment Secretary shall prepare and make available to applicants, upon request, the fee schedule of the Board of Adjustment professionals.

(i) Replenishment of Escrow Account. If the escrow amount falls below two hundred fifty ($250.00) dollars, the Board of Adjustment may, if recommended by the Board of Adjustment's professionals, require that the applicant pay additional funds into the escrow accounts.

(j) Account Excess and Interest. Pursuant to N.J.S.A 40:55D-53.1, if the escrow amount is in excess of five thousand ($5,000.00) dollars, the Borough shall deposit same and shall pay interest to the applicant. When the application review and approval process has been completed, the excess funds in the account, if any, shall be remitted back to the applicant with interest, if applicable, as soon as is practicably possible.

(k) Deficiency of Account. The applicant shall be liable for all of the foregoing professional fees notwithstanding that the escrow account might be insufficient for the payment of the fees and expenses.

e. The Board of Adjustment shall not deem an application complete until a report is received from the Board of Health concerning suitability of an existing septic system if an application is for one hundred twenty (120) square feet or larger.

f. The Board of Adjustment shall not deem an application for matter over which it has jurisdiction complete until it has received:

1. A Letter of Interpretation or Letter of Exemption issued by the New Jersey Department of Environmental Protection pursuant to the requirements of the Freshwater Wetlands Protection Act rules at N.J.A.C. 7:7A, where applicable, indicating the absence of freshwater wetlands, indicating the presence and verifying the delineation of the boundaries of freshwater wetlands, or indicating that the project or proposed activities to be conducted are exempt from the Freshwater Wetlands Protection Act regulations.

2. (a) A Highlands Applicability Determination issued pursuant to N.J.A.C. 7:38-1.1 et seq. by N.J.D.E.P. for any application that has been determined to be exempt from the requirements of the Highlands Act; or

(b) For applications that have not been determined to be exempt from the requirements of the Highlands Act:

(1) A Highlands Preservation Area Approval issued by the N.J.D.E.P. pursuant to the Highlands Act rules at N.J.A.C. 7:38-1.1 et seq.;

(2) A Highlands Consistency Determination issued by the Highlands Council, provided that if the such Consistency Determination finds that the application is not consistent with the Regional Master Plan, then the applicant must

[a] Submit plans and other documentation to demonstrate that all aspects of the application deemed inconsistent with the Regional Master Plan have been revised to be consistent with the Regional Master Plan and

[b] Provide a certification or affirmation from a licensed professional engineer or **land** surveyor that all issues raised by the Highlands Council in such Highlands Consistency Determination have been met; and

(3) Any other checklist items required under resource protection regulations now or hereafter adopted by the Borough in order to achieve Plan conformance under the Highlands Act.
(1985 Code § 21-2.12; Ord. No. 2008-#29 § 4)