

**BOROUGH OF OAKLAND
BERGEN COUNTY, NEW JERSEY**

ZONING BOARD APPLICATION

Revised 01/08/2025

Date _____

Date Received: _____

Fee Submitted: _____

Complete Date: _____

FOR OFFICIAL USE ONLY

**NOTE: APPLICATION SETS MUST BE COLLATED AND
SUBMITTED IN PACKET FORM FOR PROCESSING.**

The undersigned, as Applicant/Owner of the subject property identified herein hereby makes application to the Borough of Oakland for (check all that apply):

- ☐ Appeal from the decision of the Zoning Officer [N.J.S.A. 40:55D-70a]
- ☐ Request for interpretation of Zoning Ordinance [N.J.S.A. 40:55D-70b]
- ☐ Bulk Variance(s) [N.J.S.A. 40:55D-70c]
- ☐ Use Variance / Expansion of Non-conforming Use / Conditional Use Variance [N.J.S.A. 40:55D-70d(1)(2)(3)]
- ☐ Floor Area Ratio / Density [N.J.S.A. 40:55D-70d(4)(5)]
- ☐ Site Plan approval ancillary to an application for a "d" variance [N.J.S.A. 40:55D-76b]
- ☐ Subdivision approval ancillary to an application for a "d" variance [N.J.S.A. 40:55D-76b]

1. APPLICANT INFORMATION

- a. Name: _____
- b. Address: _____
- c. Telephone _____ Email: _____
- d. Applicant is a: (check applicable status)
- ☐ Corporation ☐ Partnership ☐ Individual(s) ☐ LLC

If applicant is a corporation or a partnership, please list the names and addresses of persons having a 10 % interest or more in the corporation or partnership on a separate sheet and attach to this application.

e. Relationship of applicant to property (check applicable status):

____ Owner ____ Contract Purchaser ____ Lessee ____ Other (specify _____)

f. If applicant is represented by an attorney:

Name: _____

Address: _____

Telephone: _____ Email: _____

g. (Architect) Preparation of Plans by:

Name: _____

Address: _____

Tel: _____ Email: _____

h. (Engineer) Preparation of Plans by:

Name: _____

Address: _____

Tel: _____ Email: _____

2. PROPERTY INFORMATION

a. Street address _____

b. Tax Map Block(s) _____ Lot (s) _____

c. Zone District _____

d. Existing Use of Property _____

e. Proposed Use of Property: _____

f. Residential applications:

Current number of bedrooms _____ Proposed number of bedrooms _____

Current number of bathrooms _____ Proposed number of bathrooms _____

g. Property is sewerd _____ Septic system _____

h. Are there any existing Deed Restrictions/Easements? ____ No ____ Yes (attach copy of restriction)

Are there any proposed Deed Restrictions/Easements? ____ No ____ Yes (attach copy of restriction)

i. Does the applicant/owner own any property which adjoins/is adjacent to this property? ____ Yes ____ No

j. Please list prior applications or municipal actions regarding this property and attach Resolutions related to same: _____

k. Property is located (check applicable status):

___ Within 200 feet of another municipality

___ Adjacent to a State Highway

___ Adjacent to an Existing or proposed County road

___ Adjacent to other County land

Note: If any category is checked, notification concerning this application to the appropriate agency is required.

3. NATURE OF APPLICATION: (clearly detail proposal- attach additional sheets if necessary)

4. JUSTIFICATION FOR RELIEF: (statement setting forth reasons justifying granting of this application- attach additional sheets if necessary)

5. BULK VARIANCE RELIEF IS SOUGHT BECAUSE OF: (check applicable)

___ Exceptional narrowness of property

___ Exceptional shallowness of property

___ Shape of property

___ Exceptional topographic/physical features of the site

___ Other extraordinary/exceptional situation

___ One or more listed purpose(s) of MLUL advanced

6. Indicate if this is a bifurcated use variance application: ____Yes ____No

Note: If yes, any approval, if granted by the Board of Adjustment, shall be conditioned upon submittal of a completed site plan application being submitted to the Board of Adjustment for approval (N.J.S.A. 40:55D-76).

7. VARIANCE(S) REQUESTED: (List all Sections of Borough Code for which relief is sought- attach additional sheets if necessary)

<u>Borough Code Section</u>	<u>Required</u>	<u>Proposed</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

8. ZONING TABLE: (This MUST be completely filled out in order for your application to be deemed complete)

	REQUIRED	EXISTING	PROPOSED
Lot Area	_____ sf min	_____ sf	_____ sf
Lot Width	_____ ft min	_____ ft	_____ ft
Lot Depth	_____ ft min	_____ ft	_____ ft
Building Coverage* (calculated: total building footprint square footage divided by lot area x 100%)	_____ % max	_____ %	_____ %
Impervious Coverage** (calculated: total impervious footprint square footage divided by lot area x 100%)	_____ % max	_____ %	_____ %
Front Setback	_____ ft min	_____ ft	_____ ft
Side Setback	_____ ft min	_____ ft (Left) _____ ft (Right)	_____ ft (Left) _____ ft (Right)
Rear Setback	_____ ft min	_____ ft	_____ ft
Building Height	_____ ft max _____ stories max	_____ ft _____ stories	_____ ft _____ stories

*Building Coverage: that percentage of a lot covered by the roof(s) of all principal and accessory building(s), including roofed over porches and similar extensions of a building such as roofed decks.

**Impervious Surfaces: surfaces covered by roofs, pavement, walks, patios, and other materials so that underlying soils are highly resistant to infiltration of water. This includes all buildings, porous paving, paver blocks, gravel, crushed stone, decks, patios, elevated structures, and other similar structures, surfaces, or improvements.

9. ADDITIONAL REQUIREMENT OF SUBMISSION:

- a. Attach Zoning Officer's decision if applicable
- b. Attach certification of payment of taxes from Borough Tax Collector
- c. Attach Property Survey
- d. Attach Site Plan & Architectural Drawings, if applicable
- e. Attach any other agency and/or government approvals if received in connection with this application such as NJDEP permits, NJDOT permits, County Approvals etc.

10. VERIFICATION AND AUTHORIZATION

- a. **Applicant's Statement:** 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, to the best of my knowledge, true and accurate.

Applicant's Signature

Date

- b. **Owner's Statement:** I, the undersigned, being the owner of the property described in this application, hereby consent to the making of this application and the approval of the plans submitted. I further consent to the inspection of this property in connection with this application as deemed necessary by the municipal agency.

Owner's Signature

Date

Sworn and Subscribed to before me this

_____ day of _____, _____ (Year)

(Notary)

NOTICE OF HEARING
ZONING BOARD OF ADJUSTMENT
BOROUGH OF OAKLAND

Pursuant to the provisions of the Municipal Code of the Borough of Oakland and the provisions of N.J.S.A. 40:55D-12, notice is hereby given that the following applicant has filed an application with the Zoning Board of Adjustment of the Borough of Oakland seeking variances/relief from the provisions of the Borough Code, more fully described below:

- Applicant name: _____
- Relationship to property: _____ (i.e. owner/contract purchaser/lessee)
- Address of property: _____
- Lot: _____ Block: _____ on the tax assessment map of the Borough of Oakland
- Zone: _____
- Description of proposed project: _____
- Section(s) of Code from which relief is sought:
Chapter _____ Section _____ Schedule _____
Chapter _____ Section _____ Schedule _____
Chapter _____ Section _____ Schedule _____
- Requirement(s) pursuant to relevant Code: (e.g. required 20 ft. rear yard setback)

- Proposed deviation from relevant Code: (e.g. proposed 5ft rear yard setback)

In addition to the foregoing, the applicants will also seek any and all other variances, waivers, deviations or exceptions the Board deems to be required.

Notice is hereby given that the Borough of Oakland Board of Adjustment has scheduled a public hearing at the Oakland Council Chambers, 10 Lawlor Drive, Oakland, New Jersey Wednesday, _____ at 7:00 P.M. This hearing is open to all interested parties and those desiring to be heard.

Copies of the application are available for review at the office of the Secretary to the Board, Oakland Municipal Building, 1 Municipal Plaza, Oakland, NJ, during office hours and on the Website of the Borough of Oakland (<https://www.oakland-nj.org>) or by contacting Mariela Castro, Board Secretary at 201-337-8111 extension 2007 or at planning@oakland-nj.org. Members of the public may participate in the public meeting according to the customary practice and procedures of the Zoning Board of Adjustment of the Borough of Oakland.

(Applicant Name & Address)

AFFIDAVIT OF PROOF OF SERVICE

STATE OF NEW JERSEY)

) SS: -

COUNTY OF BERGEN)

I _____ of full age, being duly sworn according to law, depose and say that:

- 1) I am the applicant (or agent of the applicant) in an application/proceeding ("Application") before the Zoning Board of Adjustment of the Borough of Oakland ("Borough"), relating to property located at:
Address: _____, Oakland, New Jersey;
otherwise known on the Borough Tax Map as:
Block: _____ Lot: _____ ("Property").
- 2) On _____, I mailed, via Certified Mail, at least 10 days prior to the hearing date, written Notice of said Application to all property owners within 200' of the Property, including utilities and agencies as so indicated on the Certified List provided by the Borough.

Applicant/Agent Signature

Sworn and subscribed to

Before me this _____ day

of _____, 20____

(Notary)

PROCEDURAL CHECKLIST FOR VARIANCE APPLICATIONS

(Application to be typed or printed clearly please)

- ❑ 1. Apply to Zoning Officer for a permit for a use or structure not permitted by the zoning ordinance. A letter of denial will be issued and signed by the Zoning Officer citing the reasons for the denial of a building permit or certificate of occupancy.
- ❑ 2. Secure a copy of the application form from the Board Secretary. Applications must be filed within twenty (20) days of the issuance of denial from the Zoning Officer.
- ❑ 3. Plans and survey must be prepared and certified by a licensed land surveyor, architect or engineer, as applicable.
 - Survey plan submitted with the application must be to-scale and correctly and completely reflect current conditions on the site and be less than five (5) years old or newer.
 - Plans must be drawn to scale indicating the relation of existing and/or the proposed structure with structures on all adjoining properties and a scale drawing of existing and/or proposed structures indicating changes or alterations contemplated. Please specify the location of all wells, septic systems, or sewer lines on plans. Submitted plans must show floor plan (footprint) of all levels and elevations. All submitted plans shall include the date prepared and all revision dates, be signed by the plan preparer and include a name on the plan(s)
- ❑ 4. Submit completed application package which includes:
 - 20 copies of the completed, fully executed, notarized Zoning Board Application
 - 20 copies of folded (not rolled) Engineering/Architect Plans
 - 20 copies of Property Survey
 - 20 copies of Zoning Officer's denial letter
 - 1 copy of Certification of Taxes
 - 1 copy of request for list of Property Owners with 200'
 - 1 copy of proposed Legal Notice of Hearing for approval (fill in date once assigned)
 - Submit 1 PDF of entire packet & send electronically to planning@oakland-nj.org. All copies mentioned must be in packet form collated and submitted to the Board Secretary.
- ❑ 5. Two separate checks for the application fees and escrow fees made out to the Borough of Oakland.
- ❑ 6. A hearing date will be assigned upon the receipt of a completed application, review process and appropriate fees. The Board of Adjustment regularly meets on the Second Wednesday of each month at 7:00 p.m. in the Oakland Council Chambers, 10 Lawlor Drive, Oakland, New Jersey.
- ❑ 7. When notice must be sent. Once your application has been deemed complete, you have obtained a list of all property owners within 200-feet of the

property in question, your proposed Notice of Hearing has been reviewed, and a hearing date has been assigned, you must execute Legal Notice. Notice of the hearing must be mailed or hand delivered, **AND** published in the newspaper, at least 10 calendar days **prior** to the date of the hearing. The date of the hearing shall not count as one of the 10 days. Failure to comply with this deadline will result in your hearing being rescheduled to a later date. A Sample Notice form is a part of your application package given by the Board Secretary and on the Borough website.

- 8. Who must be served notice.
 - Notice must be published in the official newspaper of the Borough (The Record).
 - Notice must be sent by certified mail or hand delivery to the following:
 - The owners, as shown on the certified property owners' list, of all real property located within 200 feet in all directions of the property which is the subject of the hearing.
 - Appropriate utilities, if applicable.
 - If the property is located within 200 feet of an adjoining municipality, the clerk of such municipality.
 - If the property is located adjacent to an existing County road, proposed County road shown on the official County map or on the county master plan, adjoining other County land or situated within 200 feet of a municipal boundary, the Bergen County Planning Board.
 - If the property is adjacent to a State highway, the Commissioner of the New Jersey Department of Transportation.
 - If notice is hand delivered, the property owner listed on the 200-foot list, or his agent in charge of the property, must sign and date a receipt stating that he/she has received the notice. The receipt must identify the owner or agent who is signing the receipt. Please note that only the owner or agent may sign the receipt. Spouses or other family members, friends, tenants, associates, employees or other persons who are not owners or agents in charge of the property may not sign the notice receipt.
- 9. Submit proof to the Board Secretary that notice has been served. This must be provided at least 3 business days before the hearing date. Proof of notice must include the actual Notice executed, and:
 - For hearing notice published in the newspaper, an affidavit confirming that the notice was published. (Provided by newspaper).
 - For hearing notice mailed (must be certified mail) to property owners and governmental agencies, utilities, etc., the white postal receipts with date of mailing stamped by the post office for each address that was sent notice.
 - [Only if hand delivered,] hearing notice hand delivered to property owners requires assigned affidavit from the applicant stating the owners served, the content of the notice and the date notice was served, along with the printed
- 10. Appear at public hearing in person, by agent or attorney. All Corporations must be represented by an attorney at all Board hearings.
- 11. Expiration of variances. Please note that any variances granted by the Board will expire unless construction commences within one (1) year of approval.