

## INSTRUCTIONS TO APPLICANT TOWNSHIP OF WYCKOFF – BOARD OF ADJUSTMENT

1. **PLEASE READ THIS INSTRUCTION SHEET CAREFULLY BEFORE COMPLETING YOUR APPLICATION!** You are applying for a variance to perform a modification to your property or dwelling that does not comply with Wyckoff zoning codes, therefore, an applicant should not have an expectation of approval. This instruction sheet serves to outline the basic application procedure. A copy of the Municipal Land Use Regulations, available at the Clerk's Office, Room 102, the reference section of the library and the Wyckoff website would assist the applicant whereby all Township standards would be easily referenced.

### PLEASE BE AWARE THAT THERE IS NO RIGHT OF APPROVAL OF THIS APPLICATION!

2. The applicant will find in the **INSTRUCTIONS TO APPLICANT** package the following items:
  - a. Property Owner Permission Form. Please make sure this page is completed and submitted with your full package or your application will be deemed incomplete.
  - b. Request for a list of property owners within 200' for a fee of \$10 (please note this list can take up to 7 working days to process).
  - c. Suggested notice to property owners within 200' and legal advertisement (please make sure you have the correct zone for the property)
  - d. Affidavit of notice served (to be notarized when complete).
3. The completed and **COLLATED** application must be filed in the Planning and Zoning Board office (Room 110, hours Monday through Friday, 9:00 am to 4:00 pm and Tuesday nights from 6:00-7:30 pm). **SECTION J** (page 2 of the application) **MUST BE COMPLETED BY THE APPLICANT'S PROFESSIONALS PREPARING THE PLAN.** ALL FEES ARE REQUIRED TO BE PAID UPON SUBMISSION OF A COMPLETED APPLICATION (checks made payable to the Township of Wyckoff) and before being placed on the next available agenda. The Board of Adjustment meets the third Thursday of each month.
4. The applicant is **required to submit 2 initial collated and folded copies** of the following: **APPLICATION**, complete and accurate **ARCHITECTURAL DRAWINGS** of the exterior and elevation of the proposed structure, and of the interior floor plan layout for proposed structure and adjoining rooms. Also required are **2** initial copies of a **SIGNED AND DATED PROPERTY SURVEY** indicating the proposed structure drawn to scale and location of sewer line or septic system, water services and drywells. **Two (2) sets of PHOTOS** and a **LANDSCAPE PLAN** indicating the species, quantity, location and caliper of any trees to be disturbed. Include a legend indicating the size and species of tree(s) to be removed along with a legend similarly detailing what's to be installed. **Two (2) sets of an IRRIGATION PLAN** where determined to be applicable. **Two (2) sets of a STORM WATER MANAGEMENT PLAN** if the proposed addition is a 33% increase in the existing roof area (including accessory structures).  
**ONCE COMPLETE, AN ADDITIONAL 14 SETS OF ALL DOCUMENTS ARE REQUIRED FOR SUBMISSION AND MUST BE COLLATED AND FOLDED.**
5. If this application is an appeal from a building inspector's decision, you must file a copy with the building inspector.
6. Variance applications require a legal advertisement, similar to the suggested notice attached, which must be published in **THE RECORD (732-643-2534; press 4; ask for extension 3678 or 3679)** not less than 10 days prior to the hearing date. Be certain to ensure that your address pertains to the appropriate designated zone before noticing. All property owners within 200' must be notified not less than 10 days prior to the meeting. The list may be obtained from the Board Secretary for a fee of \$10 (please note this list can take up to 7 working days to process).

### PLAN CAREFULLY TO AVOID MISSING PUBLICATION AND NOTIFICATION DEADLINES!

7. You must serve the property owners not less than 10 days (please do not include the date of the hearing in the counting of ten days) before the hearing:
  - a. **By giving him a copy personally, or by certified mail.** Green and white certified mail receipts are given to the Board Secretary.
  - b. If a **non-resident**, by mailing a copy by **certified mail** to the last known address.
  - c. If a partnership, by serving any partner.
  - d. If a corporation, by serving any officer.
  - e. **Utilities:** Please note that you will be given a list of utilities. All utilities **must** be notified for your application to be scheduled for the Meeting.
8. Submit a **notarized** Affidavit of Proof of Service at least one week BEFORE the hearing (a copy is attached). A **notarized** Affidavit for Proof of Publication, which is supplied by the newspaper, is also required BEFORE the meeting date. These documents must be submitted to the Board secretary or your application cannot be heard.
9. In-house confirmation will be determined that all property tax, sewer usage fees and sewer assessment charges are paid. Outstanding municipal charges may prohibit the application from being reviewed by the Board.
10. An on-site inspection will be conducted by Board Members. As a matter of policy, they are not to discuss the merits of the application before the meeting. **ALL APPLICATIONS ARE JUDGED ON THEIR INDIVIDUAL MERIT. THE BOARD STAFF CANNOT PREDICT THE PROBABILITY OF SUCCESS. PLEASE JUDGE ACCORDINGLY WHETHER TO SUBMIT AN APPLICATION.**

### PLEASE BE ADVISED, ADDITIONAL INFORMATION MAY BE REQUIRED AT THE DISCRETION OF THE BOARD!

11. At the hearing, you may appear in person or represented by your attorney to:
  - a. Testify to any facts relevant to the application. All testimony will be under oath.
  - b. Have other witnesses testify.
  - c. Submit sworn affidavits or other relevant evidence.
  - d. Submit a signed petition provided person or persons who circulated the petition verify under oath that they made the contents of the petition known to the signers and personally saw the individuals sign the petition.
  - e. Present any arguments in writing.

### **IF YOUR APPLICATION IS APPROVED:**

**CONSTRUCTION SHALL PROCEED IN ACCORDANCE WITH THE APPROVED PLANS AND DRAWINGS MARKED IN EVIDENCE, THE TESTIMONY OF THE APPLICANT AND IN ACCORDANCE WITH ALL APPLICABLE STATE, COUNTY AND MUNICIPAL CODES, ORDINANCES, RULES AND REGULATIONS.**

**IF YOU HAVE ANY QUESTIONS, WE ENCOURAGE YOU TO CALL  
THE BOARD OF ADJUSTMENT SECRETARY AT (201) 891-7000, EXT. 117**

**The Board of Adjustment cannot process your application unless it is complete.**

**The following checklist is provided to assist you with your responsibility to provide what is needed to submit a completed application and avoid unnecessary delays. Have you.....**

- \_\_\_ 1. Read all instructions?
- \_\_\_ 2. Completed necessary areas of the application, including all calculations in SECTION J of the application by THE APPLICANT'S PROFESSIONALS PREPARING THE PLAN?
- \_\_\_ 3. Signed and dated your application?
- \_\_\_ 4. Made **2 initial collated copies** of: **APPLICATION**, complete and accurate **collated and FOLDED copies** of **ARCHITECTURAL DRAWINGS** of the exterior, **ELEVATIONS** of the proposed structure, and interior **FLOOR PLAN** layout. Also required are **2** copies of a **SIGNED AND DATED PROPERTY SURVEY** indicating the **proposed structure** drawn to scale on the survey with the location of a sewer line or septic system, water services and drywells. **Two (2) sets of EXTERIOR PHOTOS OF THE PROPERTY and a LANDSCAPE PLAN** indicating the species, quantity, location and caliper of any trees to be planted and what will be disturbed. Include a legend indicating the size and species of tree(s) to be removed along with a legend similarly detailing what's to be installed. **Two (2) sets of an IRRIGATION PLAN** where determined to be applicable. **Two (2) sets of a STORM WATER MANAGEMENT PLAN** if the proposed addition is a 33% increase in the existing roof area (including accessory structures). **ONCE COMPLETE, AN ADDITIONAL 14 SETS OF ALL DOCUMENTS IN #4 ARE REQUIRED FOR SUBMISSION.**
- \_\_\_ 5. Sign the PROPERTY OWNER PERMISSION FORM in your instruction package granting permission for the Board and any of its experts to enter the subject premises for purposes of inspection in relation to a development application.
- \_\_\_ 6. Requested list of property owners within 200 feet (for a fee of \$10)?
- \_\_\_ 7. Included two (2) checks (application fee of \$250 plus \$75 per each new variance request and escrow fee of \$900) made payable to the **Township of Wyckoff**?

**AFTER YOUR APPLICATION HAS BEEN DEEMED COMPLETE, HAVE YOU.....**

- \_\_\_ 1. Submitted 14 **COLLATED AND FOLDED COPIES** of the items listed in #4 above.
- \_\_\_ 2. Noticed all persons and organizations, including utilities or neighboring towns, on your property list at least 10 days before the date of your scheduled meeting? See #2 & #7 on front instruction sheet.
- \_\_\_ 3. Published your legal advertisement at least 10 days before the meeting? See #2 & #6 on front instruction sheet.
- \_\_\_ 4. Submitted proof of service to the Board office (Room 110)? See #8 on front instruction sheet.
- \_\_\_ 5. Submitted proof of publication to the Board office (Room 110)? **NEWSPAPERS MAKE MISTAKES! MAKE SURE TO CHECK YOUR NEWSPAPER PUBLICATION FOR CORRECT BLOCK, LOT, ADDRESS, DETAILED DESCRIPTION OF PROJECT INCLUDING SETBACKS AND APPROPRIATE MEETING DATES.** See #8 on front instruction sheet.

PLEASE NOTE THE FOLLOWING: ANY APPLICATION FOR A VARIANCE IS AN APPLICATION TO PERFORM A MODIFICATION TO PROPERTY WHICH IS NOT PERMITTED BY THE ZONING CODE OF THE TOWNSHIP OF WYCKOFF. THEREFORE, AN APPLICANT SHOULD NOT HAVE AN EXPECTATION OF AN APPROVAL. EACH APPLICATION IS JUDGED ON ITS INDIVIDUAL MERITS. AN APPLICANT SHOULD BE COGNIZANT OF THIS BEFORE AN APPLICANT CHOOSES TO EXPEND THE TIME AND RESOURCES TO MAKE AN APPLICATION.

**WORK SESSION: 7:30 PM in the Court Room (2<sup>nd</sup> Floor)**  
**PUBLIC MEETING: 8:00 PM in the Court Room (2<sup>nd</sup> Floor)**  
**Wyckoff Town Hall**

# PROPERTY OWNER PERMISSION FORM

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*Date*

The property owner grants permission for the Board and any of its experts to enter the subject premises for purposes of inspection in relation to a development application that is presently before the Wyckoff Board of Adjustment.

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*Address/Premises*

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*Print name*

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*Signature*

**REQUEST FOR LIST OF PROPERTY OWNERS WITHIN 200'**

Requested By: \_\_\_\_\_

For: Block \_\_\_\_\_ Lot \_\_\_\_\_ Address: \_\_\_\_\_  
\_\_\_\_\_

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

Choose one of the following options:

Please mail completed list to: \_\_\_\_\_  
\_\_\_\_\_

I will pick up list: Please call: \_\_\_\_\_

Fee of \$10.00 must be paid at the time of request. Paid: \_\_\_\_\_

**THE MUNICIPALITY HAS 7 DAYS TO PROCESS YOUR REQUEST**

**TOWNSHIP OF WYCKOFF  
BERGEN COUNTY**

**NOTICE TO BE SERVED ON PROPERTY OWNERS WITHIN 200'  
AND LEGAL ADVERTISEMENT**

PLEASE TAKE NOTICE:

That an application has been made by \_\_\_\_\_  
on behalf of \_\_\_\_\_ for ( ) hardship or flexible variance, ( )  
variance for use or principal structure, ( ) expansion of a nonconforming use, ( ) deviation from  
standard of conditional use, ( ) other \_\_\_\_\_  
so as to permit \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

and any and all other existing non-conformities and variances that may be required on the premises  
at Block \_\_\_\_\_ Lot \_\_\_\_\_ Address \_\_\_\_\_  
\_\_\_\_\_.

A hearing has been ordered for \_\_\_\_\_, 20\_\_\_\_, with a Work Session at  
7:30 pm in the second floor Court Room and a Public Meeting at 8:00 pm in the second floor Court  
Room in Town Hall, 340 Franklin Avenue, Wyckoff, NJ. When the case is called, you may appear  
either in person or represented by an attorney, and present any objections which you may have to the  
granting of this application.

This notice is sent by the applicant, by order of the Wyckoff Board of Adjustment. Plans are on file in  
Room 110 and may be examined during regular office hours Monday through Friday, 9:00 am to 4:00  
pm.

Respectfully,

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

TOWNSHIP OF WYCKOFF  
BOARD OF ADJUSTMENT

AFFIDAVIT OF PROOF OF SERVICE

STATE OF NEW JERSEY)  
  ) SS (Sworn & Subscribed):  
COUNTY OF BERGEN )

\_\_\_\_\_, of full age, being duly sworn, according to law, deposes and says  
that he/she is the applicant (or agent of the applicant) in a proceeding before the Board of  
Adjustment, Township of Wyckoff, scheduled for  
\_\_\_\_\_.

On \_\_\_\_\_, I certified mailed and/or hand delivered in person written notices of said  
application to all property owners within 200 feet of the premises, including utilities, located at  
\_\_\_\_\_, Block \_\_\_\_\_, Lot \_\_\_\_\_.

A copy of the Notice, list of property owners and utilities received from the Township of Wyckoff and  
receipts for certified mail are attached hereto and made a part hereof.

\_\_\_\_\_  
Applicant/Agent

Sworn and subscribed to  
before me this \_\_\_\_\_ day  
of \_\_\_\_\_, 20\_\_\_\_  
\_\_\_\_\_

**TOWNSHIP OF WYCKOFF  
BERGEN COUNTY, NEW JERSEY**

**APPLICATION IS HEREBY MADE FOR:**

- ( ) Appeal from Building Officer based on or made in the enforcement of the Zoning Ordinance. N.J.S.A. 40:55D-70a
- ( ) Zoning map interpretation N.J.S.A. 40:55D-70b
- ( ) Hardship variance N.J.S.A. 40:55-70c-1
- ( ) Flexible variance N.J.S.A. 40:55-70c-2
- ( ) Variance for use or principal structure N.J.S.A. 40:55D-70d-1
- ( ) Expansion of a nonconforming use N.J.S.A. 40:55D-70d-2
- ( ) Deviation from standard of conditional use N.J.S.A. 40:55-70d-3

**PROPERTY HISTORY:**

**A. Owner:** \_\_\_\_\_  
Address: \_\_\_\_\_  
Telephone: \_\_\_\_\_  
Applicant name (if other than owner): \_\_\_\_\_  
Address: \_\_\_\_\_  
Telephone: \_\_\_\_\_

**B. Property Description:**  
Location: \_\_\_\_\_  
Zoning district: \_\_\_\_\_ Block: \_\_\_\_\_ Lot: \_\_\_\_\_  
Existing use of building or premises: \_\_\_\_\_  
\_\_\_\_\_

**C. Type of variance requested:** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**D. The variance requested is for the purpose of:** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**E. Does the attached survey reflect the property as it presently exists? Yes \_\_\_\_\_ No \_\_\_\_\_**  
If no, explain \_\_\_\_\_  
\_\_\_\_\_

**F. Is the property sewered or septic? \_\_\_\_\_ Locate on survey.**

**G. Is this request connected with the simultaneous approval of another application before a Township board?**  
Yes \_\_\_\_\_ No \_\_\_\_\_  
If yes, explain \_\_\_\_\_  
\_\_\_\_\_

**H. Have there been any previous applications before a Township board involving the premises: Yes \_\_\_ No \_\_\_**  
If yes, state the date and disposition: \_\_\_\_\_  
\_\_\_\_\_

**I. If this application is for an appeal of a decision of the Building Officer or a zoning map interpretation, explain the appeal or question:**  
\_\_\_\_\_  
\_\_\_\_\_

**ALL APPLICANTS COMPLETE SECTION J**

**J. ZONING DISTRICT – R-15**

**DIMENSIONS**

|   | Zoning Requirement | Present Layout                                | Proposed Layout                              | **See Note |
|---|--------------------|---|--|------------|
| <b>1. LOT SIZE (sq. ft.)</b>  | <b>15,000 min.</b> | _____   | _____  | ( )        |
| Frontage  | <b>100 min.</b>    | _____   | _____  | ( )        |
| Depth   | <b>125 min.</b>    | _____   | _____  | ( )        |
| <b>2. SETBACKS</b>  |                    |   |  |            |
| Principal Building  |                    |   |  |            |
| Front Yard (ft.)  | <b>40 min.</b>     | _____   | _____  | ( )        |
| Rear Yard (ft.)   | <b>30 min.</b>     | _____   | _____  | ( )        |
| Side Yard (#1) (ft.)  | <b>15 min.</b>     | _____   | _____  | ( )        |
| Side Yard (#2) (ft.)  | <b>15 min.</b>     | _____   | _____  | ( )        |
| * Accessory Structure(s) (deck, garage, shed, pool, etc.)   |                    | <b>(Attach a separate sheet if necessary)</b> |  |            |
| Rear Yard (ft.)   | <b>10 min.</b>     | _____   | _____  | ( )        |
| Side Yard (ft.)   | <b>10 min.</b>     | _____   | _____  | ( )        |
| * <b>ALL ACCESSORY STRUCTURE SETBACKS SHALL BE INDICATED ON SURVEY</b>  |                    |   |  |            |
| <b>3. GROSS BUILDING AREA (GBA) per 186.65**</b>  |                    |   |  | ( )        |
| Over 2,700 (sq. ft.) Side yard setbacks increase  | <b>20 min.</b>     | _____   | _____  | ( )        |
| Garage faces side yard setback increases to   | <b>27 min.</b>     | _____   | _____  | ( )        |
| <b>4. BUILDING AREAS (footprint)</b>  |                    |   |  |            |
| Principal Building (sq. ft.)  | .....              | _____   | _____  |            |
| Accessory Structures (sq. ft.)  | <b>LIST</b>        | _____   | _____  |            |
| _____   | .....              | _____   | _____  |            |
| _____   | .....              | _____   | _____  |            |
| _____   | .....              | _____   | _____  |            |
| <b>5. LOT COVERAGE</b>  |                    |   |  |            |
| A. Principal Building (%)   | <b>15 max.</b>     | _____   | _____  | ( )        |
| B. Total Access. Structures (%)   | <b>5 max.</b>      | _____   | _____  | ( )        |
| C. Total (%) (A & B)  | <b>20 max.</b>     | _____   | _____  | ( )        |
| <b>6. DWELLING AREA (Total sq. ft.)</b>   | <b>1,100 min.</b>  |   |  | ( )        |
| First Floor   | .....              | _____   | _____  |            |
| Second Floor  | .....              | _____   | _____  |            |
| <b>7. BUILDING HEIGHT (ft.)</b>   | <b>35 max.</b>     |   |  | ( )        |
| Number of stories   | <b>2 ½ max.</b>    | _____   | _____  | ( )        |
| <b>8. IMPERVIOUS COVERAGE (Calculation)</b>   |                    |   |  |            |
| For lots over 25,000 sq. ft., the maximum allowable impervious coverage shall be 28.5% of the lot area. For lots between 10,000 and 25,000 sq. ft., the maximum allowable impervious coverage shall be equal to 45 divided by the square root of the lot area. Lots less than 10,000 sq. ft., the maximum allowable impervious coverage shall be 45% of the lot area. |                    |   |  |            |
| ▪ Structures/Buildings  | <b>Sq. ft.</b>     | _____   | <b><u>Space reserved for calculation</u></b> |            |
| ▪ Driveways (paved or gravel)   | <b>Sq. ft.</b>     | _____   |  |            |
| ▪ Patios and/or paved areas   | <b>Sq. ft.</b>     | _____   |  |            |
| ▪ Walkways and brick pavers   | <b>Sq. ft.</b>     | _____   |  |            |
| ▪ Tennis Court  | <b>Sq. ft.</b>     | _____   |  |            |
| ▪ Swimming Pool Water Surface   | <b>Sq. ft.</b>     | _____   |  |            |
| ▪ Decks w/o free drainage   | <b>Sq. ft.</b>     | _____   |  |            |
| <b>TOTAL IMPERVIOUS COVERAGE:</b>   | <b>Sq. ft.</b>     | _____   | <b>Calculated %</b>                          | ( )        |
|   |                    |   | =_____                                       |            |

**\*\*GROSS BUILDING AREA** – is defined as the gross building floor area of the buildings on the property. The gross building area shall include all enclosed floor areas on all floors for residences, accessory buildings and garages. The gross building area shall not include open porches, unfinished attics, basements, decks or patios.

**\*\*NOTE: MARK (X) WHERE NOT IN CONFORMANCE WITH ZONING**



**K. OTHER REQUIREMENTS**

1. PARKING: Spaces required \_\_\_\_\_ provided \_\_\_\_\_  
Actual area to be utilized (each floor): \_\_\_\_\_

Comments: \_\_\_\_\_  
\_\_\_\_\_

Buffer required \_\_\_\_\_

Buffer provided \_\_\_\_\_

Comments: \_\_\_\_\_

2. SIGN: (Also fill out separate Application for Sign Construction Permit)

Dimensions: \_\_\_\_\_

Height: \_\_\_\_\_

Location: \_\_\_\_\_

Lighting: \_\_\_\_\_

Setbacks: \_\_\_\_\_

3. FENCE:

Height: \_\_\_\_\_

Style: \_\_\_\_\_

Location: \_\_\_\_\_

**IF APPLICATION IS FOR A HARDSHIP OR FLEXIBLE VARIANCE, COMPLETE SECTION L**

L. 1. How will the benefits of the proposed application outweigh any detriments? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

2. What are the exceptional circumstances or conditions applicable to the property involved or to the intended use of development of the property that do not apply generally to other properties in the same zone or neighborhood?  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

3. Explain what efforts have been made by the applicant to acquire adjoining lands so as to reduce the extent of the variances or eliminate such?  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

4. State how the proposed variance:  
a. Will not cause substantial detriment to the public good \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

b. Will not substantially impair the intent and purpose of the zoning plan and ordinance \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**IF APPLICATION IS FOR A USE VARIANCE, COMPLETE SECTION M.**

**M. 1.** Explain how the proposed use can be granted without substantial detriment to the public good or how the proposed use would tend to minimize the discordant effect of the use, be less harmful to adjacent properties or tend to bring the use into closer conformity with the zoning ordinance.

\_\_\_\_\_

\_\_\_\_\_

**2.** Explain how the proposed use can be granted without substantially impairing the intent and purpose of the zoning plan and the zoning ordinance. \_\_\_\_\_

\_\_\_\_\_

**3.** List any "special reasons" related to the request. \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**4.** List any "hardship" related to the nature of the land and/or the neighborhood which presents reasonable utilization of the property for any permitted use. \_\_\_\_\_

\_\_\_\_\_

**N.** Itemize material accompanying application:

Item

Number submitted

1. \_\_\_\_\_

2. \_\_\_\_\_

3. \_\_\_\_\_

4. \_\_\_\_\_

5. \_\_\_\_\_

Signature of Applicant: \_\_\_\_\_

Signature of Owner(s): \_\_\_\_\_

Date of Application: \_\_\_\_\_