

**APPLICATION TO  
ZONING BOARD OF ADJUSTMENT  
TOWNSHIP OF STILLWATER**

DATE FILED: \_\_\_\_\_ HEARING: \_\_\_\_\_

CAL. NO.: \_\_\_\_\_ DECIDED: \_\_\_\_\_

APPLICATION FEE: \_\_\_\_\_ RECEIVED ON: \_\_\_\_\_ BY: \_\_\_\_\_

APPLICANT MUST FOLLOW INSTRUCTIONS FOR THE COMPLETION OF THIS APPLICATION AND THE PROCEDURE SET FORTH EXACTLY; OR DELAY IN HEARING THIS APPLICATION WILL RESULT.

I (WE): \_\_\_\_\_, ADDRESS: \_\_\_\_\_

PHONE #: \_\_\_\_\_, EMAIL: \_\_\_\_\_

Do hereby make an appeal for a \_\_\_\_\_ VARIANCE, \_\_\_\_\_, APPEAL, OR INTERPRETATION, from the provisions of Article, \_\_\_\_\_ Sections \_\_\_\_\_ of the Township Zoning Ordinance to be permitted to:

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

ENGINEER'S NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

PHONE #: \_\_\_\_\_, EMAIL: \_\_\_\_\_

ATTORNEY'S NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

PHONE #: \_\_\_\_\_, EMAIL: \_\_\_\_\_

OWNER'S NAME(S): \_\_\_\_\_

ADDRESS: \_\_\_\_\_

PHONE #: \_\_\_\_\_, EMAIL: \_\_\_\_\_

The premises affected are known as \_\_\_\_\_

Being lot(s) \_\_\_\_\_ in Block(s) \_\_\_\_\_

In the \_\_\_\_\_ zone.

The land in question is approximately \_\_\_\_\_ feet by \_\_\_\_\_ feet, containing \_\_\_\_\_ sq. ft., \_\_\_\_\_ (ac).

The building or structure to be constructed or lot to be created is \_\_\_\_\_ feet by \_\_\_\_\_ feet and \_\_\_\_\_ square feet on each story.

The building or structure has a front-line setback of \_\_\_\_\_ feet, side line setback of \_\_\_\_\_ feet, and a rear line setback of \_\_\_\_\_ feet. Height is \_\_\_\_\_.

The average front setback of adjoining structures is \_\_\_\_\_ feet. The largest setback is \_\_\_\_\_ feet, and the smallest setback is \_\_\_\_\_ feet.

**\*Average setback is the mean setback from a street right-of-way of buildings on both sides of a lot**

Has an application involving these premises, or any part of these premises been made to either the Board of Adjustment or the Planning Board? YES \_\_\_\_\_ or NO \_\_\_\_\_

If yes, what was the nature of the application and its position? \_\_\_\_\_

\_\_\_\_\_

Date Application was made to the Zoning Officer \_\_\_\_\_

What was his/her decision? \_\_\_\_\_

What are the Affirmative reasons the applicant asserts are of sufficient merit to enable the Board to grant the relief being requested? \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

How can the Zoning Board permit the request without being detrimental to the public good or substantially impairing the intent and purpose of the Zone Plan and Zoning Ordinance?

\_\_\_\_\_

\_\_\_\_\_

Exhibits submitted with the application include: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_ being duly sworn according to law hereby certifies that the information presented in this application to be true and accurate.

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

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

STATE OF NEW JERSEY:

SS:

COUNTY OF \_\_\_\_\_:

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

\_\_\_\_\_  
(Notary)

# AFFIDAVIT OF OWNERSHIP

STATE OF NEW JERSEY:

SS:

COUNTY OF \_\_\_\_\_:

\_\_\_\_\_ of full age, being duly sworn according to law on oath deposes and says that he/she resides at \_\_\_\_\_ in the Municipality of \_\_\_\_\_, in the County of \_\_\_\_\_ and the State of \_\_\_\_\_; that he/she is the owner(s) in fee of all that certain lot, piece of parcel of land situated, lying and being in the municipality aforesaid and known and designated as Calendar Number \_\_\_\_\_.

\_\_\_\_\_  
Owner

\_\_\_\_\_  
Owner

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

\_\_\_\_\_  
(Notary)

## AUTHORIZATION

If anyone other than the above owner is making this application, the following authorization must be executed.

TO THE ZONING BOARD OF ADJUSTMENT:

\_\_\_\_\_ is hereby authorized to make the within application.

Dated: \_\_\_\_\_  
\_\_\_\_\_  
Owner

## **CORPORATION OR PARTNERSHIP FORM**

Applications before the Zoning Board by a Corporation or a Partnership for a subdivision of 6 or more lots or 25 or more family units for approval of a site plan or approval of lands for commercial purposes shall list below the names and addresses of all stockholders or individual partners owning at least 10% of it's stock of any class or at least 10% of the interest in the partnership, as the case may be, as required by N.J.S.A. 40:55D-48.1 et. Seq.

Name: \_\_\_\_\_ Address: \_\_\_\_\_

Name: \_\_\_\_\_ Address: \_\_\_\_\_

Name: \_\_\_\_\_ Address: \_\_\_\_\_

Name: \_\_\_\_\_ Address: \_\_\_\_\_

Name: \_\_\_\_\_ Address: \_\_\_\_\_

Name: \_\_\_\_\_ Address: \_\_\_\_\_

Name: \_\_\_\_\_ Address: \_\_\_\_\_

Name: \_\_\_\_\_ Address: \_\_\_\_\_

Name: \_\_\_\_\_ Address: \_\_\_\_\_

Please note: "No Planning Board, Board of Adjustment or Municipal Governing Body shall approve the application of any corporation or partnership which does not comply with this Act," per N.J.S.A. 40:55-D-48.1 et. Seq., P.L. 1977, Chapter 336, Section 3.

Comments or Notes: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

## **SITE INSPECTION AUTHORIZATION FORM**

I hereby give permission for Stillwater Township Municipal Agencies and their agents to come upon and inspect these premises with respect to this application.

Block \_\_\_\_\_, Lot \_\_\_\_\_

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

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

\_\_\_\_\_  
Owner's Signature  
(If different from Applicant)

Applicant: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

Stillwater Area Volunteer Fire Company  
Stillwater Township Emergency Rescue Squad  
929 Stillwater Road  
Newton, NJ 07860

To Whom it May Concern:

The undersigned has made an application before the Stillwater Township Zoning Board of Adjustment for relief from provisions in the Municipal Land Use Law which require that building permits only be issued for properties which abut a public street. Pursuant to the Municipal Land Use Law, relief can be granted from this requirement by the Zoning Board of Adjustment. However, it is my burden to establish before the Zoning Board that the non-public/private road on which my property abuts will provide: "adequate access for firefighting equipment, ambulances and other emergency vehicles necessary for the protection of health and safety and that will protect any future street layout shown on the official map on or on the general circulation plan element of the Municipal Master Plan." To that end I would ask that you provide in your capacity as a member of the emergency services organizations within Stillwater Township, a written opinion to the Zoning Board as to the non-public road on which my property abuts would meet, or not meet, the criteria stated above.

If you have any questions, please do not hesitate to contact me at the phone number listed below or the Zoning Board of Adjustment at 973-383-9484 for clarification.

The Board is tentatively planning to hear my application on: \_\_\_\_\_.

Applicant Name(s): \_\_\_\_\_

Property Address: \_\_\_\_\_

Phone No: \_\_\_\_\_, Block: \_\_\_\_\_, Lot: \_\_\_\_\_, Cal No: \_\_\_\_\_

I have read and fully understand this document and the procedure to be followed.

\_\_\_\_\_  
Applicant Signature

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

## **NOTICE TO APPLICANTS REGARDING UNDERSIZED LOTS**

A. The Stillwater Township Zoning Board of Adjustment as part of its by-laws and procedures recommends the attached buy-sell form letter be followed in corresponding with abutting property owners. While you are not required to use the exact wording in the enclosed form (and the form should be modified for individual applications where appropriate), it is the policy of the Zoning Board to require the buy-sell letter to contain the substance of the attached letter which should be sent by certified mail and ordinary mail at least 20 days before the first scheduled hearing date. Failure to follow this procedure may result in an adjournment of the hearing until the procedure is followed or a determination by the Zoning Board of Adjustment that you have not established the necessary hardship for the granting of variances. The purpose of this form letter is to assist applicants in giving the appropriate notice in undersized lot cases.

You must be prepared at the hearing to offer into evidence a copy of this letter with the return receipt request together with any response from the abutting property owners. In the event the response is oral only, then you are advised to write another letter to the abutting property owners setting forth the substance of the conversation (i.e.: such as any indication of an offer to purchase or sell) together with a statement in the letter that the abutting property owner may appear on the hearing date to give testimony. A copy of your responding letter by certified mail may be offered at the hearing. The Zoning Board will be concerned with how valid your attempts are to give adequate notice to the adjoining property owner.

B. Stillwater Township Ordinance requires evidence that a septic system can be located on the property with sufficient space remaining for a well and residence. Therefore, the Board of Health approval is required before a hearing can be scheduled.

If you have any questions concerning the procedure to be followed, consult our own attorney.

**STILLWATER TOWNSHIP  
ZONING BOARD OF ADJUSTMENT**



# OFFER TO SELL

Certified Mail - RRR and Regular Mail

Mr./Mrs: \_\_\_\_\_

Lot: \_\_\_\_\_, Block: \_\_\_\_\_, Stillwater Township

Address: \_\_\_\_\_

Calendar Number: \_\_\_\_\_

Dear Adjoining Property Owner:

\_\_\_\_\_, who owns a lot adjacent to your lot is applying to the Zoning Board of Adjustment for a variance.

The purpose of this letter, in addition to the variance notice previously sent to you, is to inquire whether you have any interest in either (a) purchasing this lot at its fair market value as a building lot (which assumes the variance has been granted), or (b) selling additional land to us in order to make the lot conforming or more conforming.

You should be aware that in the event you purchase the lot as a building lot at its fair market value, it would have to be merged with your lot and not remain a separate buildable lot. It is important to emphasize that the price we would be entitled to request would be a building lot price and not mere raw acreage.

In addition, if you contemplate conveying a portion of your existing lot to our lot to make it more conforming, it is doubtful the Board would consider such a proposal if by doing so you render your lot non-conforming in any respect.

Finally, you should be aware that it is not our choice to either sell this building lot or contemplate purchasing additional land from you as we believe the existing lot is quite suitable for a single-family residence. Nor do we believe in this instance that the law would require us to sell the lot to you. Nevertheless, the purpose of this letter is to inquire of you as adjoining property owners of your interest in the matter and if you have no interest in buying or selling as described above, to let the Zoning Board know of your position. Would you please indicate on a copy of the letter enclosed your position with respect to this letter which I will provide to the Board. You may certainly feel free to call me if you have any questions.

Enclosed is a stamped, return addressed envelope for your convenience. You may, of course, attend the Zoning Board hearing and provide testimony concerning your position.

Very Truly Yours,

\_\_\_\_\_

Applicant's Telephone No: \_\_\_\_\_

cc: Penny Bair/Zoning Board Secretary

**RESPONSE TO OFFER TO SELL**

Re: Applicant: \_\_\_\_\_

Lot: \_\_\_\_\_, Block: \_\_\_\_\_, Township of Stillwater

We have an interest in purchasing the applicant's property: \_\_\_\_\_YES \_\_\_\_\_NO

We are willing to pay: \$\_\_\_\_\_

We have an interest in selling our property: \_\_\_\_\_ YES \_\_\_\_\_NO

We are willing to sell our property for: \$\_\_\_\_\_

We have an interest in selling a portion of our property consisting of \_\_\_\_\_sq. ft.  
\_\_\_\_\_YES \_\_\_\_\_NO

We are willing to sell a portion of our property \_\_\_\_\_sq. ft. for \$ \_\_\_\_\_

We have no interest in buying the applicant's property or selling our property or a portion of our property: \_\_\_\_\_YES \_\_\_\_\_NO

We will be in attendance at the Zoning Board Hearing to give our testimony:  
\_\_\_\_\_YES \_\_\_\_\_NO

Dated:

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Signature

You may send a copy of this response directly to the Zoning Board Secretary as follows:

Penny Bair  
Stillwater Township Zoning Board  
964 Stillwater Road  
Newton, NJ 07860  
Calendar No:\_\_\_\_\_

**TOWNSHIP OF STILLWATER  
OFFICE OF THE TAX ASSESSOR  
WRITTEN REQUEST FOR CERTIFIED LIST OF PROPERTY OWNERS**

DATE : \_\_\_\_\_

PROPERTY OWNER(S): \_\_\_\_\_

ADDRESS: \_\_\_\_\_

BLOCK: \_\_\_\_\_ LOT: \_\_\_\_\_

PHONE: \_\_\_\_\_

PROPERTY LOCATION: \_\_\_\_\_

PLEASE MAIL: \_\_\_\_\_ WILL PICK UP: \_\_\_\_\_ EMAIL: \_\_\_\_\_

FEE: \$10.00

PAID - CHECK # \_\_\_\_\_ CASH: \_\_\_\_\_ NOT PAID: \_\_\_\_\_

**STATUS OF TAXES FORM**

STATUS OF TAXES REQUIRED: Request from Stillwater Township Tax Collector, at **least 15 days** prior to the due date of submission to the Zoning Board, that property taxes are current.

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**TOWNSHIP OF STILLWATER  
OFFICE OF THE TAX COLLECTOR  
STATUS OF TAXES**

DATE : \_\_\_\_\_

In keeping with the Ordinance adopted by the Stillwater Township Committee on July 22, 1976 fixing procedures governing applications to the Planning and Zoning Boards, Article III, Section 10, requiring submission of proof of taxes or assessments for local improvements are paid or delinquent on the property before the Board.

PLEASE SUBMIT VERIFICATION FOR:

PROPERTY OWNER(S): \_\_\_\_\_

ADDRESS: \_\_\_\_\_

BLOCK: \_\_\_\_\_ LOT: \_\_\_\_\_

TAXES ARE PAID TO DATE: \_\_\_\_\_

TAXES ARE NOT PAID TO DATE: \_\_\_\_\_

\_\_\_\_\_  
Tax Collector



## PROOF OF SERVICE

STATE OF NEW JERSEY:

SS:

COUNTY OF \_\_\_\_\_:

\_\_\_\_\_ of full age, being duly sworn according to law on oath deposes and says that he/she resides at \_\_\_\_\_ in the Municipality of \_\_\_\_\_, in the County of \_\_\_\_\_ and the State of \_\_\_\_\_; and that he/she is the applicant in a proceeding before the Zoning Board of Adjustment, Township of Stillwater, County of Sussex, State of New Jersey, being an application under the Zoning Ordinance which has the application number \_\_\_\_\_ and relates to premises located at \_\_\_\_\_ Tax Map No. \_\_\_\_\_, Block \_\_\_\_\_, Lot \_\_\_\_\_ and that he/she gave notice of this proceeding to each and every owner of property affected by said application, in the required form, in the manner provided by law on \_\_\_\_\_, 20\_\_\_\_.

A true copy of the notice, names and address of those so notified are attached to this affidavit.

\_\_\_\_\_  
Owner

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

\_\_\_\_\_  
(Notary)

**STATUTORY REQUIREMENTS CONCERNING PUBLIC NOTICE**

Statutory requirements concerning public notice are set forth in Sections 7, 7.1 and 7.3 (N.J.S.A. 40:55D-11, 12 and 14) of the Municipal Land Use Law (Chapter 291), Laws of New Jersey 1975. These requirements are also listed on the Notice Procedures Form given to the applicant when he/she receives his list of property owners within 200 feet.

The New Jersey Herald  
2 Spring Street  
P.O. Box 10  
Newton, NJ 07860

**NOTICE  
TOWNSHIP OF STILLWATER  
SUSSEX COUNTY, NEW JERSEY**

**NOTICE TO PROPERTY OWNERS AND OTHERS ENTITLED TO SERVICE**

TO: \_\_\_\_\_ Owners of Property Located at Block \_\_\_\_\_, Lot \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

PLEASE TAKE NOTICE that the undersigned has made application to the Zoning Board of Adjustment, Township of Stillwater, for property known as Block \_\_\_\_\_, Lot \_\_\_\_\_, located at \_\_\_\_\_, in the \_\_\_\_\_ Zone, as follows:

- 1. \_\_\_\_\_
- 2. \_\_\_\_\_
- 3. \_\_\_\_\_

In addition, applicant(s) will request such variances, waivers, permits, approvals or licenses that are deemed necessary or appropriate by the applicant or the Board. This application is now Number \_\_\_\_\_ on the calendar for the Zoning Board of Adjustment of the Township of Stillwater and a public hearing has been set for \_\_\_\_\_ at the Stillwater Township Municipal Building, 964 Stillwater Road, Stillwater, New Jersey at 7:30 p.m. When the case is called you may appear either in person or by attorney to present any evidence which you may have regarding the application. The matter will be heard on the date above or any adjourned date designated by the Zoning Board of Adjustment at this public meeting without additional notice. The maps, plans and application for which approval is being sought are on file with the Zoning Board Secretary and are available for inspection at the Municipal Building during normal business hours in the office of the Municipal Clerk.

This notice is sent to you pursuant to the rules of procedure of the Zoning Board of Adjustment.

\_\_\_\_\_  
Applicant

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

Please forward a copy of the Affidavit of Publication

**NEW JERSEY HERALD  
2 SPRING STREET  
P.O. BOX 10  
NEWTON, NJ 07860  
PHONE: 973-383-1500  
FAX: 973-383-9284**

Please be advised, effective immediately, The New Jersey Herald Requirements to Publish a Legal Notice are as follows:

1. Legals cannot be taken over the phone. You may mail or bring the form you receive from your Township or Borough into the New Jersey Herald Office listed above, Attention: Legal Advertising.
2. **There is a 2 day deadline by noon to publish:**  
Monday: 12 noon for Wednesday; Tuesday: 12 noon for Thursday; Wednesday: 12 noon for Friday; Thursday: 12 noon for Sunday and Friday: 12 noon for Monday and Tuesday.
3. The applicant's name, mailing address and telephone number must be on the form so paperwork can be mailed back.
4. Please be sure everything on the form is legible.
5. A deposit is required on ALL legal advertising. A Visa or Mastercard may be used. Please include expiration date and CVV code.

Email is also available to send in your legal advertisement. Please contact the Legal Advertising Department at 973-383-1500 for more information.







Property Line shown in degree, minutes & seconds \_\_\_\_\_

Acreage of affected parcel to the nearest  
Hundredth of an acre \_\_\_\_\_

Title block containing the name of the applicant,  
Preparer, lot & block numbers, date prepared,  
Date of last amendment and zoning district.  
Location, names and widths of all existing and  
Proposed streets on the property and within 200  
Feet of the tract \_\_\_\_\_

Location, names and widths of all existing and  
Proposed streets on the property and within 200  
Feet of the tract \_\_\_\_\_

Location, type and dimensions of existing  
Easements or rights of way including power lines \_\_\_\_\_

Critical areas as defined in Section 240-104, I, J  
K of the ordinance \_\_\_\_\_

Location of existing structures & their setbacks \_\_\_\_\_

Location of the proposed structure or change,  
Showing the front, rear and side yard dimensions \_\_\_\_\_

Zoning district in which parcel is located,  
Indicating all setbacks, lot coverage height,  
Floor area ration & density, both as to required  
And proposed. Indicate the above both written  
And graphically \_\_\_\_\_

Location, arrangement and dimensions of parking  
Area, driveway or service areas, if any \_\_\_\_\_

Names, Block and Lot numbers of owners  
Within 200 feet of subject property \_\_\_\_\_

Location of all buildings on all adjoining  
Properties (including setbacks) \_\_\_\_\_

\*If the plot plan is prepared by someone other than a surveyor, engineer or architect, it must be accompanied by an affidavit certifying that all of the information shown on the plan is correct.





## PLOT PLAN REQUIREMENTS

Plot plans shall include all of the following components:

ITEM	COMPLETE	INCOMPLETE
North arrow giving reference meridian	_____	_____
Property Line shown in degree, minutes & seconds	_____	_____
Acreage of affected parcel to the nearest Hundredth of an acre	_____	_____
Title block containing the name of the applicant, Preparer, lot & block numbers, date prepared, Date of last amendment and zoning district. Location, names and widths of all existing and Proposed streets on the property and within 200 Feet of the tract	_____	_____
Location, names and widths of all existing and Proposed streets on the property and within 200 Feet of the tract	_____	_____
Location, type and dimensions of existing Easements or rights of way including power lines	_____	_____
Critical areas as defined in Section 240-104, I, J K of the ordinance	_____	_____
Location of existing structures & their setbacks	_____	_____
Location of the proposed structure or change, Showing the front, rear and side yard dimensions	_____	_____
Zoning district in which parcel is located, Indicating all setbacks, lot coverage height, Floor area ration & density, both as to required And proposed. Indicate the above both written And graphically	_____	_____
Location, arrangement and dimensions of parking Area, driveway or service areas, if any	_____	_____
Names, Block and Lot numbers of owners	_____	_____

Within 200 feet of subject property

Location of all buildings on all adjoining  
Properties (including setbacks)

\_\_\_\_\_

\*If the plot plan is prepared by someone other than a surveyor, engineer or architect, it must be accompanied by an affidavit certifying that all of the information shown on the plan is correct.





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Title block containing the name of the applicant, Preparer, lot & block numbers, date prepared, Date of last amendment and zoning district.	_____	_____
Location, type and dimensions of existing Easements or rights of way including power lines	_____	_____
Critical areas as defined in Section 240-104, I, J K of the ordinance	_____	_____
Location of existing structures & their setbacks	_____	_____
Location of the proposed structure or change, Showing the front, rear and side yard dimensions	_____	_____
Zoning district in which parcel is located, Indicating all setbacks, lot coverage height, Floor area ration & density, both as to required And proposed. Indicate the above both written And graphically	_____	_____
Location, arrangement and dimensions of parking Area, driveway or service areas, if any	_____	_____
Names, Block and Lot numbers of owners Within 200 feet of subject property	_____	_____
Location of all buildings on all adjoining Properties (including setbacks)	_____	_____

\*If the plot plan is prepared by someone other than a surveyor, engineer or architect, it must be accompanied by an affidavit certifying that all of the information shown on the plan is correct.

**Paragraph A** - If the relief sought is a use variance pursuant to N.J.S.A. 40:55D-70(d) and subdivision, site plan, and/or conditional use approval is required in connection with the project, the requests for approval shall be made simultaneously, with the use variance application to the Zoning Board in accordance with the "Instructions of the Planning Board". Said instruction may be obtained from the Planning Board Secretary. The applicant shall file in addition to the Plot Plan required in 14a, the items hereinafter set forth in order to support the simultaneous request for a subdivision, site plan and/or conditional use approvals:

2. Subdivision applications shall be accompanied by fourteen (14) copies of a subdivision plat prepared in accordance with the requirements of the Subdivision Ordinance.
3. Site Plan applications shall be accompanied by fourteen (14) copies of a Site Plan prepared in accordance with the requirements of the Site Plan Ordinance.
4. On Application for conditional use permits, the plot or survey required by paragraph A above will be sufficient.