



Municipal Government Center  
Secaucus, N.J. 07094

Tel: 201-330-2027  
Fax: 201-974-1387  
Web: [www.secaucusnj.gov](http://www.secaucusnj.gov)  
[zp@secaucus.net](mailto:zp@secaucus.net)

## APPLICATION INSTRUCTIONS

Failure to comply with the instructions below will result in your application being removed from the meeting agenda, and will force the applicant to re-advertise and notify.

### **For matters before the Board of Adjustment/Planning Board:**

1. Please contact the Board Secretary, Rachel Mroz via email at [zp@secaucus.net](mailto:zp@secaucus.net) about your application and pay the appropriate application fee. Thereafter, a hearing date will be scheduled.
2. For variances needed, please refer to the variance folder and denial letter issued by the Zoning Officer.
3. The denial letter and Notice to be served on owners of property affected must be published in The Record, at least **ten (10) days** prior to the hearing date.
4. All paperwork must be provided to the Board Secretary no later than **fourteen (14) days** prior to the hearing date.

### **For matters before the Planning Board:**

1. If the subdivision is granted, you must bring a Mylar copy of the plans to the Tax Assessor's Office, where the Tax Assessor will assign a new lot number and address, if any.
2. Make one blueprint copy of the plans.
3. Bring the Mylar copy and the blueprint copy of the plans to the Hudson County Register's Office, located at 257 Cornelison Avenue, Jersey City, NJ 07302.
4. The Register's Office will keep the Mylar copy and the blueprint copy of the plans and assign a file number. The Register's Office will provide you with a receipt that reflects the file number and the date the file number was assigned. Keep this receipt for your records, as you will need it if you wish to refer to the plans or have additional copies made.
5. For the Register's Office recording fees, please visit [www.hudsoncountyregister.org](http://www.hudsoncountyregister.org) or contact the Office via telephone at (201) 395-4760 or via email at [Hudsonregisters@hcnj.us](mailto:Hudsonregisters@hcnj.us).



**Town of Secaucus**  
Board of Adjustment/Planning Board

Municipal Government Center  
Secaucus, N.J. 07094

Tel: 201-330-2027  
Fax: 201-974-1387  
Web: [www.secaucusnj.gov](http://www.secaucusnj.gov)  
E-mail: [zp@secaucus.net](mailto:zp@secaucus.net)

The following is a requirement for all applicants for variances to the Secaucus Board of Adjustment/Planning Board:

**ALL PLANS MUST BE PREPARED BY A LICENSED ARCHITECT OR INCLUDE AN AFFIDAVIT BY THE PERSON PREPARING SAME AS TO THE ACCURACY OF THE INFORMATION HEREIN, AS REQUIRED BY N.J.S.A. 52:32-3.**

The following documents are required for **Board of Adjustment** Applications:

1. Eleven (11) copies of the eight (8) page Construction Application package;
2. Eleven (11) copies of a Statement of Facts (a typewritten statement of special reasons of which applicant bases his application);
3. Eleven (11) copies of plans of the proposed alteration, addition, etc.;
4. Eleven (11) copies of the Tax Map indicating the premises in question;
5. Eleven (11) copies of the Plot Plan or Site Plan indicating the exact location of the building on the lot;
6. Eleven (11) copies of the names and addresses of all property owners within 200 ft. of the premises in question (from Tax Collector's office); and
7. Eleven (11) copies of the placement of a legal ad in The Record, published at least ten (10) days prior to the hearing date.

**For Planning Board Applications, please provide fourteen (14) copies of the above documents.**

I hereby depose and say that all of the above documents and statements contained in this application are true.

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

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

\_\_\_\_\_  
Applicant

\_\_\_\_\_  
Notary Public



Municipal Government Center  
Secaucus, N.J. 07094

Tel: 201-330-2027  
Fax: 201-974-1387  
Web: [www.secaucusnj.gov](http://www.secaucusnj.gov)  
E-mail: [zp@secaucus.net](mailto:zp@secaucus.net)

### **N.J. Stat. § 40:55D-70 Powers**

The Board of Adjustment shall have the power to:

- a. Hear and decide appeals where it is alleged by the appellant that there is error in any order, requirement, decision or refusal made by an administrative officer based on or made in the enforcement of the zoning ordinance;
- b. Hear and decide requests for interpretation of the zoning map or ordinance or for decisions upon other special questions upon which such board is authorized to pass by any zoning or official map ordinance, in accordance with this act;
- c.
  - (1) Where:
    - (a) by reason of exceptional narrowness, shallowness or shape of a specific piece of property, or
    - (b) by reason of exceptional topographic conditions or physical features uniquely affecting a specific piece of property, or
    - (c) by reason of an extraordinary and exceptional situation uniquely affecting a specific piece of property or the structures lawfully existing thereon, the strict application of any regulation pursuant to Article 8 of this act would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardship upon, the developer of such property, grant, upon an application or an appeal relating to such property, a variance from such strict application of such regulation so as to relieve such difficulties or hardship;
  - (2) where in an application or appeal relating to a specific piece of property the purposes of this act or the purposes of the "Educational Facilities Construction and Financing Act," P.L. 2000, c. 72(C.18A:7G-1 et al.), would be advanced by a deviation from the zoning ordinance requirements and the benefits of the deviation would substantially outweigh any detriment, grant a variance to allow departure from regulations pursuant to Article 8 of this act; provided, however, that the fact that a proposed use is an inherently beneficial use shall not be dispositive of a decision on a variance under this subsection and provided that no variance from those departures enumerated in subsection d. of this section shall be granted under this subsection; and provided further that the proposed development does not require approval by the planning board of a subdivision, site plan or conditional use, in conjunction with which the planning board has power to review a request for a variance pursuant to subsection a. of section 47 of this act; and
- d. In particular cases, grant a variance to allow departure from regulations pursuant to Article 8 of this act to permit:

- (1) a use or principal structure in a district restricted against such use or principal structure,
- (2) an expansion of a nonconforming use,
- (3) deviation from a specification or standard pursuant to section 54 of P.L. 1975, c.291 (C.40:55D-67) pertaining solely to a conditional use,
- (4) an increase in the permitted floor area ratio as defined in section 3.1 of P.L. 1975, c.291 (C.40:55D-4),
- (5) an increase in the permitted density as defined in section 3.1 of P.L. 1975, c.291 (C.40:55D-4), except as applied to the required lot area for a lot or lots for detached one or two dwelling unit buildings, which lot or lots are either an isolated undersized lot or lots resulting from a minor subdivision or
- (6) a height of a principal structure which exceeds by 10 feet or 10% the maximum height permitted in the district for a principal structure. A variance under this subsection shall be granted only by affirmative vote of at least five (5) members, in the case of a municipal board, or two-thirds of the full authorized membership, in the case of a regional board, pursuant to Article 10 of this act.

If an application development requests one or more variances but not a variance for a purpose enumerated in subsection d. of this section, the decision on the requested variance or variances shall be rendered under subsection c. of this section.

No variance or other relief may be granted under the terms of this section, including a variance or other relief involving an inherently beneficial use, without showing that such variance or other relief can be granted without substantial detriment to the public good and will not substantially impair the intent and the purpose of the zone plan and zoning ordinance. In respect to any airport safety zones delineated under the "Air Safety and Zoning Act of 1983," P.L. 1983, c.260 (C.6:1-80 et seq.), no variance or other relief may be granted under the terms of this section, permitting the creation or establishment of a nonconforming use which would be prohibited under standards promulgated pursuant to that act, except upon issuance of a permit by the Commissioner of Transportation. An application under this section may be referred to by any appropriate person or agency for its report; provided that such reference shall not extend the period of time within which the Zoning Board of Adjustment shall act.

Amended by L. 2007, c. 137, s. 60, eff. 8/6/2007.

L.1975, c.291, s.57; amended 1979, c.216, s.23; 1983, c.260, s.13; 1984, c.20, s.12; 1991, c.256, s.21; 1991, c.445, s.10; c. 145.



**Town of Secaucus**  
Board of Adjustment/Planning Board

Municipal Government Center  
Secaucus, N.J. 07094

Tel: 201-330-2027  
Fax: 201-974-1387  
Web: [www.secaucusnj.gov](http://www.secaucusnj.gov)  
E-mail: [zp@secaucus.net](mailto:zp@secaucus.net)

**Notice of Intent**

\_\_\_\_\_  
Applicant

vs.

\_\_\_\_\_  
Razzaq Manley, Town Engineer

Planning Board  
Board of Adjustment  
Town of Secaucus  
New Jersey

Docket No. \_\_\_\_\_  
Notice of Appeal

SIRS:

PLEASE TAKE NOTICE that \_\_\_\_\_ will appeal the  
decision of the Town Engineer dated \_\_\_\_\_ to the Board of Adjustment and/or  
Planning Board for a variance to \_\_\_\_\_ in a  
\_\_\_\_\_ Zone.

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



**Town of Secaucus**  
Board of Adjustment/Planning Board

Municipal Government Center  
Secaucus, N.J. 07094

Tel: 201-330-2027  
Fax: 201-974-1387  
Web: [www.secaucusnj.gov](http://www.secaucusnj.gov)  
E-mail: [zp@secaucus.net](mailto:zp@secaucus.net)

**APPLICATION  
BOARD OF ADJUSTMENT/PLANNING BOARD**

Docket No. \_\_\_\_\_ Filed \_\_\_\_\_, 20\_\_

Hearing \_\_\_\_\_, 20\_\_

Disposition \_\_\_\_\_, 20\_\_

Notice--This application must be typed and filed within thirty (30) days of the Order, accompanied by the necessary date as set forth.

**APPLICATION FOR A VARIANCE FROM THE REQUIREMENTS OF THE ZONING  
ORDINANCE**

To the Board of Adjustment and/or Planning Board:

Application is hereby made for a variance from the requirements of sections \_\_\_\_\_ of the Zoning Ordinance of the Town of Secaucus to \_\_\_\_\_ in accordance with the plans filed herewith.

Attached hereto is a copy of the Certificate of the Construction Official dated, \_\_\_\_\_, 20\_\_, pertaining to this matter. Premises affected known as Block \_\_\_\_\_, Lot \_\_\_\_\_ as shown on the Tax Map of the Town of Secaucus.

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

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

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

If contractual owner, please make a copy of the contract a part of the application.

Present use or Zone District: \_\_\_\_\_

Have there been any previous appeals involving these premises? Yes \_\_\_ No \_\_\_

If yes, state date of filing, character of appeal and disposition: \_\_\_\_\_

\_\_\_\_\_

**PROVIDE THE FOLLOWING INFORMATION:**

	Existing	Proposed	Required
Size of Lot (Area in Sq. Ft)			
Lot Frontage			
Lot Depth			
Front Yard Setback			
Side Yard Setback			
Lot Coverage (%)			
Building Height			
Off-Street Parking			
Lot Area Per Family			



**Town of Secaucus**  
Board of Adjustment/Planning Board

---

Municipal Government Center  
Secaucus, N.J. 07094

Tel: 201-330-2027  
Fax: 201-974-1387  
Web: [www.secaucusnj.gov](http://www.secaucusnj.gov)  
E-mail: [zp@secaucus.net](mailto:zp@secaucus.net)

## **FORMS FOR THE NOTIFICATION OF PROPERTY OWNERS**

By law, applicants coming before the Board of Adjustment/Planning Board are required to notify all property owners within two hundred (200) feet of the premises in question and provide the Board with proof of service. The applicant must do this by one (1) of two (2) methods:

1. Send the notices by Certified Mail Return Receipt Requested, and provide the receipts to the Board at the meeting; or
2. Hand deliver the notices and provide Board with the attached form titled "Notification of Property Owners," with the name of the recipient of the notice, property address, and the date of delivery.

Failure to meet this requirement will prevent your application from being heard, until such time the requirement is met. We request your cooperation in this matter in order to keep such a delay from happening.

**Notice to be served on owners of property affected**

Please take Notice:

That an application has been made by \_\_\_\_\_ on behalf of \_\_\_\_\_ for a variation at \_\_\_\_\_ from the requirements of the Zoning Ordinance so as to permit \_\_\_\_\_ and this Notice is sent to you as an owner of property in the immediate vicinity. This application is now on file with the Board of Adjustment/Planning Board and a Public hearing has been ordered for \_\_\_\_\_, 20\_\_\_\_, at \_\_\_\_ P.M., in the Secaucus Municipal Government Center, 1203 Paterson Plank Road, Secaucus, N.J. You may appear in person, or by agent, or attorney and present any objections which you may have to the granting of this variance. This Notice is sent to you by the applicant, by order of the Board of Adjustment/Planning Board.

Respectfully,

\_\_\_\_\_  
Applicant

The Board of Adjustment/Planning Board shall fix a reasonable time for the hearing or the appeal, giving due notice thereof to the appellant. Said appellant shall thereupon at least ten (10) days prior to the time appointed for said hearing, give personal notice to all property owners within 200 feet (200') of the property owners or by leaving a copy thereof at the usual place of abode of said property owners, if said owners are the occupants of the property affected by such appeal or are the residents of the municipality in which said property is located.

Whenever said owners are non-residents of said municipality such notice may be given by sending written notice thereof by registered mail to the last known address of the property owner or owners, as shown by the most recent tax lists of said municipality. Where the owners are partnerships, service upon any partner as above outlined, shall be sufficient, and where the owners are corporations, service upon any officer as above set forth shall be sufficient. Said appellant shall by affidavit present satisfactory proof to the said Board of Adjustment/Planning Board at the time of the hearing the said notices have been served as aforesaid. Upon hearing, any party may appear in person or by agent or by attorney.







**Town of Secaucus**  
Board of Adjustment/Planning Board

Municipal Government Center  
Secaucus, N.J. 07094

Tel: 201-330-2027  
Fax: 201-974-1387  
Web: [www.secaucusnj.gov](http://www.secaucusnj.gov)  
E-mail: [zp@secaucus.net](mailto:zp@secaucus.net)

### TAX CERTIFICATION

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

From: Tax Collector

To: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Subject: Collection of Taxes and/or Assessments

I, \_\_\_\_\_, Tax Collector of the Town of Secaucus, New Jersey, do hereby certify that no taxes or assessments for local improvements are due or delinquent on the following property located at:

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

Block: \_\_\_\_\_

Lot: \_\_\_\_\_

\_\_\_\_\_  
Tax Collector  
Town of Secaucus

Reason for non-certification:

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